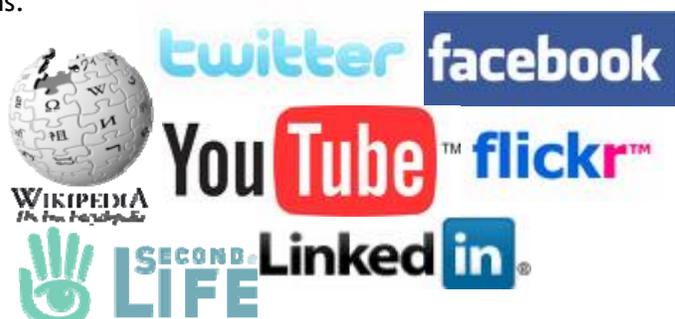


Social media—an option for government?

“Social media” and “Web 2.0” are garnering a lot of attention these days, but what, exactly are they? And are they an option for government? Many people have a general idea of the meaning of these terms, but for others they remain a mystery. Here are some helpful explanations.

Social media/Web 2.0 are generally recognized by some common traits:

- Promotes interaction and participation.
- Provides a rich user experience.
- Gives the user an opportunity to remix/customize products and services.
- Harnesses the power of collective intelligence.



Wikipedia (http://en.wikipedia.org/wiki/Web_2.0) defines Web 2.0 as the second generation of web development and web design that facilitates information sharing, interoperability, user-centered design and collaboration on the World Wide Web. The advent of Web 2.0 led to the development and evolution of web-based communities, hosted services and web applications. Examples include:

LinkedIn (professional networking site): A free website where registered users keep contact information for business purposes. Uses for a list of contacts include building a network and gaining introduction through a mutual contact, finding jobs and searching for potential job candidates through postings.

Facebook (social networking site): A free website where registered users create personal profiles of biographical information and pictures, invite friends and send messages to share information about themselves. There are a number of interactive features, including a “wall,” which is a space on the user’s profile that allows friends to post messages and status updates to allow a user to update their friends.

Twitter (social networking and micro-blogging site): A free website where registered users can send and read messages called “tweets.” Tweets can be up to 140 characters, appear on the author’s profile page, and are delivered to the author’s followers. Users can send and receive tweets via the Twitter website or by text message.

RSS (web feed): RSS stands for “Really Simple Syndication” which is a web feed that provides updated information about websites (such as updated news headlines). Users can subscribe to receive updates from favorite websites and read the updates in one place using as RSS reader.

YouTube (video sharing site): A free website where users can share videos. Unregistered users can watch videos and registered users can upload their own videos to share on the site.

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Social media



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Flickr (video and photograph sharing site): A photograph and video hosting and sharing website. Accounts are free for users who upload a limited amount of photos and videos per month. Users can pay a fee for unlimited photo and video uploading.

Wikipedia (wiki): A free collaborative encyclopedia-like website. The website's articles are written by volunteers and edited in an open style known as "wiki." Subject to a few exceptions, all articles can be edited anonymously. A user must have an account to create an article.

SecondLife (virtual world): A website that offers users a virtual world where interaction with one another is through avatars (a representation of the user). There is not a charge for creating an avatar or for basic use of the virtual world. It may be used by education institutions to conduct classes in distance learning environments.

Podcasts/Webcasts/Webinars: Podcasts are audio or video digital media files that can be downloaded; webcasts are audio or video files available on the internet through streaming media (either live or on-demand); and webinars are live meetings or trainings presented over the internet through a specific web-based application.

Blogs: A website where the owner provides commentary, news, or other thoughts in various entries. Many blogs also allow readers to enter their own comments.

Many private sector companies have started using these social media tools to promote marketing and interaction with their customers. Federal, state and local governments have also begun testing the Web 2.0 waters.

At the federal level, many agencies are using various tools including blogs, wikis, video and photo sharing, podcasts, virtual worlds, social networking sites and micro-blogging. More information on the federal government's use of social media is available on the government web management website: www.usa.gov/webcontent/technology/other_tech.shtml.

Minnesota government offices at the state and local level are also using Web 2.0 tools, including:

- Department of Agriculture (www.mda.state.mn.us/)

- Department of Employment and Economic Development (www.deed.state.mn.us/)
- Department of Natural Resources (www.dnr.state.mn.us/news/cybernews/index.html)
- Department of Transportation (www.511mn.org/)
- Department of Veterans Affairs (www.mdva.state.mn.us/)
- Explore Minnesota Tourism (www.exploreminnesota.com/)
- Minnesota State Colleges and Universities (www.mnscu.edu/)

The Minnesota 2010 Census also has a fan page on Facebook (www.facebook.com/pages/Saint-Paul-MN/Census-2010/30162905517).

In addition, the Commissioner of Administration recently convened a work group to discuss and provide recommendations on the possible uses of Web 2.0 and social media tools within the Department of Administration. As a result of the work group's recommendations, the department is in the process of developing a Web 2.0 and social media policy.

There are some data practices issues for government entities to think about when considering the use of Web 2.0 and social media tools. Most importantly, government entities should remember that anything posted on a social media website is government data under the Data Practices Act (Minnesota Statutes, Chapter 13). Government employees should only post public data on social media websites because the sites are publicly available.

Web 2.0 and social media technologies can be valuable tools for government entities to use in reaching their citizens and promoting interaction with government. However, as with all new media, each government entity should work with its own internal staff, including communications and information technology professionals, and legal counsel to identify potential risks and benefits specific to the entity before jumping on the social media bandwagon.

Opinion highlights

The following are highlights of recent advisory opinions by the Commissioner of Administration. All opinions are available on IPAD's website, www.ipad.state.mn.us.



09-013 An individual asked whether a school district violated his/her child's rights as a data subject. A teacher wrote on a blackboard the names and test scores of students who received an A or a B on classroom tests. The Commissioner opined a student's test score is private educational data pursuant to Minnesota Statutes, section 13.32, and cannot be disseminated

without the express written consent of the data subject. The district acknowledged the practice of posting scores may violate state or federal law and has taken measures to ensure it does not happen again.

09-014 An individual asked about her right to get access to certain data from a private nonprofit trade association. The trade association performs services such as "meeting, conferring and interchanging ideas" for Minnesota cities engaged in utility enterprises. Pursuant to Minnesota Statutes, section 13.05, subdivision 11, when a private person or entity enters into a contractual relationship with a government entity to perform a function on behalf of the government entity, data related to performing the function are subject to Minnesota Statutes, Chapter 13. The Commissioner opined the data related to services performed by the trade association are subject to the requirements of Chapter 13.

09-015 A city asked about the classification of data in an agreement between its workers' compensation insurer and an employee. Minnesota Statutes, section 13.43, subdivision 2 (a)(6), classifies as public the terms of any agreement settling any dispute arising out of an employment relationship. The Commissioner opined a settlement agreement relates to issues over whether an employee would resign, be terminated or face discipline and not over who will pay an employee's medical expenses. Therefore, the data in the agreement at issue are private personnel data.

09-018 An individual asked whether a government entity complied with Minnesota Statutes, Chapter 13, when the entity charged her for 100 photocopies when she wanted only 25. The individual first asked to inspect the data and then asked for copies of certain data. The entity made 100 copies available and the individual reviewed and kept 25 pages. Pursuant to Chapter 13, a government entity cannot charge a person for inspecting public information. The Commissioner opined the entity could charge only for the 25 copies the individual took with her and could not charge more than \$.25 per page. As discussed in previous opinions, the entity may not charge a sales or transit tax.

09-020 An individual asked whether email communications between members of a public body violated the Open Meeting Law (OML), Minnesota Statutes, Chapter 13D. A member of the public body sent an email to all members of the board requesting comments on a drafted press release that would represent the body's response to a newspaper article. The Commissioner opined a meeting occurred when a quorum of the body's members commented and provided direction via email on a matter relating to official business of the body. Therefore, the body did not comply with the OML.

09-021 An individual asked about the classification of data provided by students when they apply for membership on a committee that makes recommendations related to funding for campus activities. Subject to exceptions, education data are private and cannot be released without consent (Minnesota Statutes, section 13.32 and the federal Family Educational Rights and Privacy Act (FERPA)). One exception is that a public education institution may choose to designate certain otherwise private data as directory (public) information. Here, the education institution did not designate the data in question as directory; thus, they remain private. The Commissioner also discussed that Minnesota section 13.601, subdivision 3, which classifies certain data on applicants for appointment to public bodies as public, does not apply because FERPA governs education data and does not allow such an exception.

Save the date: January 27, 2010

IPAD's next workshop will concentrate on the Open Meeting Law with a focus on practical guidance for public body staff members and members in implementing the law's requirements. The workshop is scheduled for the morning of January 27, 2010.

Look for more details in future IPAD listserv messages.

Ideas for changes to the Open Meeting Law?

The Open Meeting Law (Minnesota Statutes, Chapter 13D) could use some updating to keep pace with technological changes. IPAD is interested in your legislative ideas for changes, technology related or otherwise.

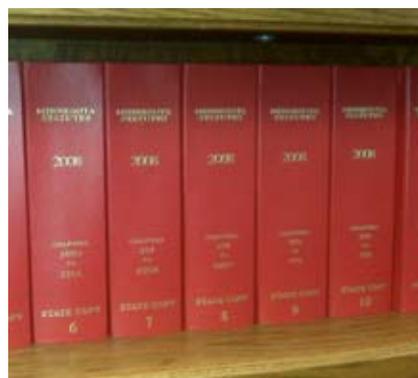


Send ideas to info.ipad@state.mn.us.

Training/Workshop suggestions?

If there are data practices topics or challenging areas you would like to see addressed in an IPAD training or workshop, please let us know.

Please send any suggestions to info.ipad@state.mn.us.



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