

Advice for personal and unit Web sites

To assist local councils in providing guidance to individuals who wish to operate Web sites on behalf of their Scouting units, the National Council is providing the information below, which addresses a few key items pertaining to personal Web sites. While this is not a comprehensive guide, it covers some of the most important concerns. Councils should review their own guidelines for unit Web sites to ensure these key topics are addressed.

This information should not be construed as an authorization for private individuals to operate Web sites of behalf of the Boy Scouts of America. It does not indicate councils are required to link to unit sites, nor does it supercede any guidelines or policies that any local council has developed for its own units.

NOTE: *Unit Webmasters should contact their local councils for policies and procedures pertaining to the use of the Internet for promoting and supporting Scouting units.*

Advice for personal and unit Web sites

While units and members act as private individuals when communicating with the public, the National Council provides the following advice for those who use the Internet to promote and support their units or to communicate to the public about Scouting:

Decorum

Scouters should exercise propriety and good taste. Remember that the Internet (including Web sites, chat rooms, bulletin boards, and even e-mail messages) is a public medium. Your conduct reflects not only on yourself and your unit, but also on the entire Scouting movement whenever the audience knows you are a Scouter.

Personal Safety

While most Internet users are honest, there is a criminal element that seeks information as a way to gain access to victims. For that reason, be especially careful about providing any personal information—names, e-mail addresses, phone numbers, etc. Always get written permission before posting personal information about adult volunteers, and never publish personal information about youth members. If you display or post images of adult and youth members involved in Scouting activities on your Web site, you should first obtain written permissions from the adults and the parents or guardians of any youth members.

Legal Issues

Myriad federal and state laws govern publishing in any medium, including the Internet—copyright infringement, privacy of information, defamation, etc. You should familiarize yourself with these laws so you can ensure that the information you publish doesn't create any legal problems for you or your chartered organization. Key among these legal issues are that (1) you should never collect personal information about youth members over the Internet, and (2) you should never reproduce or display on your Web sites content from some other source without written permission.

BSA Policies and Procedures

All policies and procedures that apply to any activity are still in effect when that activity is conducted on the Internet. For example, any online recruiting must be done in accordance with policies and procedures that govern offline recruiting.

In addition to these general guidelines, local councils may develop their own more detailed guidelines for unit Web sites. Local councils may require units to meet council guidelines for their sites to be recognized (linked) from the local council's own Web site.

The guidelines state [x] but my council says [y] - which do I go by?

In all instances, any policies or decisions made by the council come before the national guidelines.

Councils sites that do not meet the guidelines *at a minimum* will not be acknowledged by national as official ... but a council can set its own policies that are more restrictive.

Can we acknowledge donated Web hosting from a commercial company?

A simple acknowledgement ("Web hosting donated by XYZ Company") is acceptable, so long as it is discreetly made. Some judgment is required: an acknowledgement this is placed in a discreet location, such as at the bottom of the home page or on a special "acknowledgements" page is usually acceptable, whereas a banner ad at the top of the home page or a credit that appears on every page on the site is blurring the line between "acknowledgement" and "advertisement."

There have been instances in which a company has demanded that the council provide a banner ad on every page of the site, promoting the ISP's services in order to receive "free" hosting. This arrangement does not constitute a donation, and it is recommended that you seek other arrangements if your "donor" begins making such demands.

Is there a policy about using youth names and photographs?

The (only) national policy on this issue is that the council must obtain permission from the parent or legal guardian of a child before using their image on the council's Web site.

In the interest of Youth Protection, some councils have elected to adopt a policy that youth names may not be used in conjunction with photographs. Others will use first names or initials only (if Tommy Smith is pictured, they may use "Tommy" or "Tommy S" or "TS"). Others have developed policies that distinguish by age (no names of Cub Scouts, but full names for Boy Scouts and Venturers). These practices seem sound, but they do not negate the need to obtain permission.

Is there an easy way to get permission to use photos taken at council facilities or events?

Some councils have remarked that it is very time-consuming to track down parents to obtain permission for photos taken at council facilities and events. There is an easier way:

If participation in the event/activity requires a permission slip or application, include a clause that indicates that photographs will be taken for use by the council.

For example, the National Scout Jamboree application forms all include this phrase: "I hereby consent to the use of my voice and/or photograph in the news coverage, moviemaking, or similar

projects approved by the Boy Scouts of America." Since parents have signed the application form, their consent has been given for the BSA to use any images/film taken at the event.

Can we provide contact information (names and telephone numbers) so that visitors can contact individuals directly?

The guidelines for council Web sites require that you obtain permission from the individuals *before* publishing any of their personal information on the council Web site - once you've got their permission, you've satisfied this requirement and can provide their contact information.

If individuals are uncomfortable with the prospect of having their contact information on a public site, they may be agreeable to posting this information available in a secured area where only your members have access (or where access can be provided on an as-needed basis) ... but you must still obtain the permission of each person before posting their information, even in a secured area.

Obtaining permission is more than a matter of courtesy: there can be liability issues for the council for publishing personal contact information (even if the "personal" information is the extension number of an employee).

If contact information is in a password-protected area, do I still need to get permission to publish it?

While information in a password-protected area is "safe" from the general public, you are still required to obtain permission before publishing any personal information about members. The password protection may make them more inclined to allow you to publish this information, but it does not negate the need to obtain consent.

Does a person's consent to have their personal information on the site have to be in writing, or will a verbal "OK" suffice?

Going on a verbal "OK" is risky - a person may later forget that they gave their consent or, in the case of youth members, one parent may say "OK" and the other may be completely against it. While having written permission is required by law only in instances where the individual whose information you're publishing is less than 13 years old, it's the best recourse with individuals of any age to protect the council from liability.
