4.08(A) SOCIAL MEDIA

Purpose

The City of Portland recognizes the value of Social Media in connecting with our constituents. The City finds Social Media to be a valuable tool in furthering the City’s mission and goals of outreach, public dialogue, open government and sustainability. The following Policy and Guidelines (App. 1) are created to guide City employees using Social Media in performing authorized work for the City. The Policy and Guidelines do not apply to an employee’s personal use of Social Media. Personal use of City resources is governed by Human Resources Administrative Rules (HRAR) 4.08 and 4.09.

Procedures and Procurement

A Bureau may enter into an agreement with a Social Media provider to create a forum for interactions with the public. The Bureau must follow procurement rules in entering into a Social Media account. The Director of each Bureau must in writing authorize opening of a Social Media account with a value less than $5,000. (City Code 5.33.055)

Record Retention Requirements for Social Media Content

Each Bureau must maintain and preserve records in compliance with the Oregon Public Records laws, ORS 192.410. et seq. Under public records law, the City is required to maintain records for the period provided in the retention schedule for that type of record. Bureaus have records retention schedules for their records. Those engaged in Social Media activities must be familiar with their Bureau’s record retention schedules and preserve records in accordance with those schedules. (Retention Schedules). The public records law applies whether the Site is hosted by the City or a third party. While some public records are not required to be kept longer than needed for current purposes, many records must be preserved. Bureaus shall treat those records that must be preserved as follows:

A. Any posted original content that constitutes a City record and that is not preserved and retained elsewhere in compliance with the appropriate City retention schedule must be captured by the Bureau and retained according to the appropriate schedule and media preservation requirements.

B. Any posted content that is a copy of a City record that exists in another location does not need to be separately preserved, provided that the original content is being retained in compliance with the appropriate City retention schedule and media preservation requirements. (Bureaus should consider whether the fact that a document is posted and the dates of posting may need to be preserved.)

C. Any posted content that is required to be retained only as long as needed or superseded may be deleted when not longer needed. (See Bureau records retention schedules)
All records created or received by City Bureaus and Offices, except for those excluded by law, are available for inspection and copying by the public and must be accessible for the period established by the applicable City record retention schedule. Those Bureaus utilizing Social Media activities must be familiar with their Bureau’s record retention schedules and preserve records in accordance with those schedules.

A public record is defined by Oregon Revised Statutes (ORS) 192.005(5) as, ...

A Bureau can greatly simplify its retention responsibilities if it uses its Social Media applications exclusively as a mechanism for providing its constituents with links or references to content that is maintained as an official City record elsewhere. Using this approach, the links or references posted on a blog, Facebook or Twitter account would be considered convenience copies which need to be retained only “as needed” or “until superseded.” For example, a bureau “tweet” providing a link to its annual report would not need to be retained as a separate record.

2. Managing “Original” Social Media Content

It is possible that Bureaus will publish content via Social Media that does not exist elsewhere among City records. Also, Bureaus that allow public interaction via Social Media will receive content from outside resources that will fit the definition of a public record. Greater care must be applied to maintain this content in accordance with retention requirements.

Almost all of this “original” content will fall into one of the categories below and should be managed as such.

• Speeches/Statements/News Releases/Program Activity Records

For retention purposes, a City official’s blog posting (for example) is the equivalent of a public speech. An on-the-spot written or photographed account of a bureau event, or summary of its activities, pushed out via any Social Media should be considered a “report.” If any of these statements or reports contains policy or historically significant content, they must be retained permanently. (Contact the Archives & Records Management Division of the Auditor’s Office for assistance on the long-term preservation of electronically stored information and for more information...
about identifying historical content.) Otherwise, they have a two-year retention from the time they are "published."

• Correspondence

Incoming messages from the public that arrive via a bureau’s Social Media account should be treated as correspondence. If a message is completely unrelated to the bureau’s mission, activities or functions it can be removed and discarded immediately if the bureau so chooses. Correspondence that relates to a bureau’s mission, activities or functions must be captured and retained per the retention category that most closely corresponds to the content of the message. For example, a complaint about a pothole would be considered an “information Request or Complaint” which has a retention period of “2 years after last action” (Schedule 1000-13). Bureau retention schedules are found here:
http://www.portlandonline.com/auditor/index.cfm?c=51813

For correspondence that originates on a Bureau’s Social Media site and that merits a response to an individual (as opposed to a public posting), the Bureau would be advised to take that correspondence “offline” and, if possible, communicate directly with the individual and maintain that correspondence using established bureau procedures for correspondence management. Note: much of the correspondence between elected officials or bureau directors and the public is considered “policy and historical” and warrants permanent retention (Schedule 1000-01).

• Content Associated with a Specific Function or Activity

If a Bureau uses Social Media as a public entry point to solicit specific information (e.g. conducting a poll) or launch a process (e.g. placing an order), the information received should then be retained along with other records associated with that function or activity using the appropriate retention schedule.

3. Managing Social Media Content - Technology

Although the concept of which Social Media content should be captured and preserved can be fairly simply described, the technology and process for doing so are not easily implemented. The methodology and responsibilities for capturing and preserving appropriate content must be a documented component of the Bureau’s Social Media plan. Methods range from capturing screen shots, to converting web pages into PDF documents, to acquiring software specifically designed to capture Social Media content.

The City does not currently endorse a single, preferred method of capturing and preserving Social Media content. Before activating a Social Media account, Bureaus should consult with the Bureau of Technology Services and the Auditor’s Office Archives & Records Management Division to create a plan for managing any content that constitutes an official City record.
the account and responsible to ensure compliance with the City’s Code, Charter and policies.

2. Bureaus shall notify users and visitors to Social Media Sites via hyperlink to the City’s official website that the purpose of the Site is to facilitate communication between City Bureaus and the public.

3. Where possible, all Social Media sites will display the City of Portland Seal for consistency and authenticity. The City has ownership of the City seal, which can only be used by the City for City business. Bureaus that choose to display their own Bureau logo instead of the City seal shall register their trademark (logo) with the State of Oregon. Contact the City Attorney’s Office for assistance.

4. Bureaus shall not discriminate against public speech based on content or viewpoint. However, Bureaus shall remove the following prohibited content when possible*:

a. Comments not topically related to the particular article being commented upon;

b. Comments in support of or opposition to political campaigns or ballot measures;

c. Profane language or content;

d. Content that promotes, fosters, or perpetuates discrimination on the basis of race, religion, gender, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, source of income or other protected status under applicable law;

e. Inappropriate sexual content or links to inappropriate sexual content;

f. Solicitations of commerce;

g. Conduct or encouragement of illegal activity;

h. Private and confidential information;

i. Information that may tend to compromise the safety or security of the public or public systems; or

j. Content that violates a legal ownership interest of any other party.

Bureaus shall display these guidelines to users or make them available by hyperlink. CAUTION: Any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available.

*If it’s not technically feasible to remove the content, Bureaus shall monitor and shall take appropriate action.

5. Bureaus shall use a City email address to join the Social Media account opened by the Bureau. Examples of a City email address is Jon.Doe@portlandoregon.gov or waterbureauPIO@portlandoregon.gov.*

Using the City’s email address will ensure:
a. personal and professional communications are separated;
b. the City can back up public conversations because of City’s ownership and control of the City’s email address;
c. the City can access the Site when the employee is out on vacation or otherwise away from the office or leaves employment with the City; and
d. the City can determine that the Site is legitimately the City’s (and not a rogue site generated from a private email address).

* Use of a non-City email address will require consent of the Bureau Director. Directors will need to ensure that information contained on social media accounts which use non-City/personal email addresses will still maintain compliance with City legal requirements for record retention, archiving, public records requests, discovery and litigation holds.

6. Bureaus shall identify those employees authorized to use Social Media (“Authorized Users”) and shall train them in appropriate and effective use of Social Media in order to attain the Bureau’s objectives. Only those employees who are authorized and trained shall engage in Social Media activities on the City’s behalf.

7. Content posted to City Social Media Sites should also be available on the City’s official website.

Using Social Media (City Employees)

Users shall comply with the City’s administrative rules, including but not limited to, HRAR 4.08 Information Technologies; HRAR 4.09 Use of City Resources; HRAR-4.06 Political Activity; HRAR 2.02 Prohibition Against Workplace Harassment, Discrimination and Retaliation; and HRARs 11.01, 11.02 and 11.03 (Ethical Conduct).

1. Users shall not divulge confidential information.
2. Users shall not post information that would invade the privacy of others.
3. Users shall not post information or opinions related to legal matters, litigation, or parties involved in legal and litigation matters. For the purpose of this provision, “matter” means any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest or other particular matter involving a specific party or parties.

Terms of Use & Disclaimers

1. Bureaus and employees must comply with all Terms of Use of the Social Media Host.
2. Each Bureau shall adopt and post Terms of Use for its Site reflecting the Bureau’s mission and objectives as well as the rules for conversing on the Bureau’s Site including, but not limited to, the content prohibited in Section III.4 of this Policy.*
3. Bureaus must provide a hyperlink to the City of Portland – Social Media Terms of Use, Prohibited Content and Disclaimer located at ______ indicating that it reserves the right to restrict or remove any content that is deemed in violation of this Social Media Policy or any applicable law.*

4. Bureaus must provide a hyperlink to the City of Portland – Social Media Terms of Use, Prohibited Content and Disclaimer located at ______ that contains a disclaimer indicating that the City does not endorse nor sponsor any advertising posted by the Social Media host on the Bureau’s Site, that the Social Media is a private Site and the privacy terms of that Site apply, that the City does not guarantee reliability and accuracy of any third-party links, and that the Bureau reserves the right to remove any conversation which is prohibited by the Terms of Use.*

5. Each user shall retain a copy of Terms of Use of the Social Media hosts and be alert to any modification to those policies.

* If hyperlinking is not feasible, Bureaus must get Director approval

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City of Portland - Social Media Terms of Use, Prohibited Content and Disclaimer

This site is created by [Bureau], a Bureau of the City of Portland [insert Bureau Site]

[Bureau’s] mission is to...[insert mission statement.]

This Site is intended to serve as a mechanism for communication between the public and [Bureau] on the [list of Bureau approved topics i.e. water, conservation, sustainability].

The City reserves the right to remove comments or postings that violate any applicable laws or the City of Portland - Social Media Terms of Use, Prohibited Content and Disclaimer located at [insert hyperlink]. Postings on this site are Public Records of the City of Portland and may be subject to disclosure under the Oregon Public Records Law.

The City does not endorse nor sponsor any advertising posted by the Social Media host on the Bureau’s Site, that the Social Media is a private Site and the privacy terms of that Site apply. The City does not guarantee reliability and accuracy of any third-party links, and the Bureau reserves the right to remove any conversation which is prohibited by the City of Portland - Social Media Terms of Use, Prohibited Content and Disclaimer.

For the purpose of the City of Portland Social Media Policy, the following terms are defined as provided below:

1. “Advertising” is any announcement that endorses or sponsors a product, service, viewpoint, or content.
2. “Authorized User” is a City employee who has been given written permission by their Bureau director to set up, monitor and update the Bureau’s Social Media.

3. “Blog” means a City of Portland website with regular entries of commentary, descriptions of events, or other material such as graphics or video.

4. “Bureau” means a department, bureau, office, commission, board, public corporation or other organizational unit created by the Council of the City of Portland or the City Charter.

5. “Blog article” means an original posting of content to a City blog site by a City of Portland blog author.

6. “Blog commenter” means a City official or member of the public who submits a comment for posting in response to the content of a particular City blog article.

7. “Blog comment” means a response to a City blog article submitted by a blog commenter.

8. “City blog author” means an authorized City of Portland official that creates and is responsible for posted blog articles.

9. “City blog moderator” means an authorized City of Portland official who reviews, authorizes and allows content submitted by City of Portland blog authors and public commenters to be posted to a City of Portland blog site.

10. “Confidential information” includes, but is not limited to, anything that is exempted from public disclosure under ORS § 192.501, 192.502, ORS 646.461 or otherwise applicable Oregon or federal law.

11. “Public record” includes, but is not limited to, a document, book, paper, photograph, file, sound recording or machine readable electronic record, regardless of physical form or characteristics, made, received, filed or recorded in pursuance of law or in connection with the transaction of public business, whether or not confidential or restricted in use. (ORS § 192.005)

12. “Site” means a social media account maintained by a City’s Bureau.

13. “Social Media” means interactive tools that allow integrating technology and social interaction for content sharing, often in a collaborative manner. Interactive tools come in many forms including, but not limited to, RSS, blogs, wikis, photo-sharing, video-sharing, podcasts, social networking, virtual worlds and micro-blogs.

Administrative Rule History

Adopted by the Chief Administrative Officer November 4, 2011
These guidelines should be used in conjunction with the City’s Social Media Policy.

I. Objectives for Use of Social Media

1. Extend the reach of existing City messages online by building relationships with relevant audiences.
2. Provide an informal “human” voice of the City to promote engagement with the community.
3. Demonstrate the City’s commitment to community outreach and engagement.
4. Provide a method for the community to interact with the City.
5. Provide a way to update and educate the community.
6. Monitor issues affecting the City.
7. Disseminate timely information.
8. Promote City-sponsored events.
9. Highlight outstanding individuals and organizations that contribute to Portland and the region.

II. Using Social Media

Bureaus should consider the following factors when defining their objectives in using Social Media and drafting their Terms of Use:

1. Why is your Bureau using social media?
2. How would your Bureau like people to interact with you through social media?
3. What demographics would your Bureau like to reach?
4. Is there something your Bureau would like your constituents to do?
   a. Fill out a form?
   b. Read a certain article or report?
   c. Subscribe to updates?
   d. Provide feedback?
   e. Share information with their friends?

III. Posting Photos and Video

Be thoughtful when posting pictures and video of people. There is no expectation of privacy at a public event, but be aware that there could be restrictions around whose photo you post depending on the circumstance and venue. Things to consider:

1. Could someone have a reasonable expectation of privacy when the photo was taken?
2. Does the person know you are photographing them to post on the internet?
3. Is this image going to be used in flyers or other City promotional material?
4. Does your Bureau want to make it a policy to get signed release/waiver documents?
5. Does your Bureau want to create a policy of not posting photos of minors without parental consent? While not legally required, it may be a good idea.
6. Photos and video of law enforcement officers should not be posted without written permission.

7. Keep copyright in mind. The City owns copyright in images it produces or contracts with others to produce on the City’s behalf. When using images from third parties, Bureaus should receive permission for City use.

IV. Following, Liking, Re-tweeting, Friending, etc.

1. Government may not engage in viewpoint discrimination. All persons who wish to Friend, Follow, Re-tweet, etc. must be allowed to do so.

2. Be careful in choosing who to Friend, Follow, what to Like, Re-tweet, etc. The City should not give the appearance of preference or endorsement to any particular vendors, products, or services. Each Bureau should have written criteria for these activities to avoid arbitrary decisions.

V. City Approved Social Media Tools

1. The Bureau of Technology Services will chair a committee, which will review and approve all new Social Media tools proposed for City use.

2. For each social media tool approved for use by the City operational and use guidelines will be developed and adopted.

3. The City approves the following social media tools:
   a. Twitter
   b. Facebook
   c. Blogs
   d. YouTube and Vimeo
   e. Flickr

A. Twitter

Twitter is a micro-blogging tool that allows account holders to tweet up to 140 characters of information to followers. By creating and maintaining Twitter accounts, City Bureaus communicate information directly to their Twitter followers (“tweets”), alerting them to news and directing them to the City’s website for more information. These standards are to be used in conjunction with the City Social Media Policy.

- Tweeting Guidelines
  1. Each Bureau should have only one Twitter account, unless otherwise approved by the Bureau Director or designee. Account information, including usernames and passwords, should be kept on file with the Bureau.
  2. The Bureau’s Twitter bio should state that all tweets are subject to Oregon public disclosure laws. Additionally, where appropriate, explain that Twitter is not monitored for emergency response purposes. For all emergencies call 9-1-1.
  3. Twitter usernames should begin with “Portland” or “PDX” (for example: PortlandBPS, PortlandPolice). In cases where the username is too many characters, begin with "PDX" (for example: PDXFire, PDXDevelopment).
  4. Tweets should conform to the policies and procedures of the Bureau posting the information and be relevant, timely and informative.
  5. Tweets should summarize information that is also available in other places.
6. Care should be taken to ensure that tweets are posted correctly the first time as Twitter does not allow for content editing or deletions after the initial posting.

7. Authorized Users for each Bureau need to be responsive to those who communicate via Twitter’s @reply or direct message functions. Communications should be timely and consistent with existing protocols.

B. Facebook

The City’s Facebook standard is designed for City Bureaus seeking to direct the public to the City website and to inform more people about City activities. These standards are to be used in conjunction with the City’s Social Media Policy.

- Establishing Facebook Page

The Bureau Director or designee determines if the Bureau has a business need for a Facebook account, and should, in writing, designate one or more persons to be responsible for setting up, monitoring and responding to questions on Facebook.

- Guidelines for using Facebook

1. Type of Pages
   
   i. Each Bureau interested in using Facebook should create a Government Organization Page (rather than a Personal Account or Group). Facebook Pages offer distinct advantages including greater visibility, customization and measurability.
   
   ii. For type description, choose Government Organization.

2. Terms of Use and Disclaimers

   Bureaus should include a mission statement and hyperlink to the City of Portland - Social Media Terms of Use, Prohibited Content and Disclaimer in accordance to the City’s Social Media Policy.

3. Page naming

   i. Page name should be descriptive of the Bureau (for example, “Portland Water Bureau,” Portland Police Bureau”).
   
   ii. Bureaus should carefully choose the Page name, considering abbreviations, slang iterations, etc.
   
   iii. The Bureau Director or designee should approve the Page name.

4. Page administrators

   i. A successful Page requires "babysitting." The designated person(s) from the Bureau is/are responsible for monitoring the Facebook page. Posts should be approved by the designated person(s) from the Bureau or communications personnel.
   
   ii. The Bureau’s designated Page administrator is responsible for making sure content is not stale.
   
   iii. Bureaus should designate one or more back-up Page administrators who can also update the Page. This can be helpful in emergencies.

5. Applications

   i. There are thousands of potential Facebook applications. Common applications can allow users to stream video and music, post photos, and view and subscribe to RSS feeds. While some applications may be useful to the page’s mission, overuse of applications can cause clutter and security risks.
ii. A Facebook application should not be used unless it serves a business purpose, adds to the user experience, comes from a trusted source and is approved by the Bureau Director or designee.

iii. An application may be removed at any time if there is reason to think it is causing a security breach or spreading viruses.

C. Blogging

City blog sites provide the ability to publish articles and information related to City government. City blogs can facilitate further discussion by providing community members the opportunity to submit comments on City topics. Submission of comments by community members constitutes participation in a limited public forum.

- **Blogging Guidelines**
  1. All City blogs should receive prior approval from a Bureau Director or designee.
  2. All City blogs should contain a hyperlink to the City of Portland - Social Media Terms of Use, Prohibited Content and Disclaimer.
  3. The City reserves the right to restrict or remove any content that is deemed in violation of this blogging policy, Social Media Policy, City of Portland - Social Media Terms of Use, Prohibited Content and Disclaimer or any applicable law.
  4. Each City blog should include an introductory statement that clearly specifies the purpose and topical scope of the blog (the forum).
  5. City blog moderators should allow blog comments that are topically related to the particular blog article and within the purpose of the limited public forum, with the exception of the prohibited content listed in City of Portland - Social Media Terms of Use, Prohibited Content and Disclaimer.
  6. All City blog moderators should be trained regarding the terms of this City of Portland’s Blogging Policy, including their responsibilities to review content submitted for posting to ensure compliance with the Policy.
  7. All blog sites should clearly indicate that they are maintained by the City of Portland and should have City’s contact information prominently displayed.

- **Author and Commenter Identification**
  1. All City blog authors and public commenters should be clearly identified. Anonymous posting should be discouraged.
  2. Enrollment of public commenters should be accompanied by valid contact information including a name and email address.

- **Ownership and Moderation**
  1. The content of each City blog is the sole responsibility of the Bureau producing and using the blog and should be moderated by a designated City blog moderator.
  2. The City blog moderator should review and approve all articles prior to publishing.
  3. As comments on blogs can be immediately published, they should be reviewed frequently for inappropriate content, such as obscenity.

D. YouTube and Vimeo

Video sharing sites provide City officials the ability to publish content-rich audio/visual information related to Portland City government that can convey significantly more information than that of
written text and still pictures alone. The City encourages the use of video content to further the goals of the City and the missions of its Bureaus, where appropriate.

- **Establishing a YouTube or Vimeo Channel**

The most appropriate way to leverage video sites such as YouTube and Vimeo is to establish a video channel designated for all video content posted by the Bureau. By creating a channel, Bureaus have greater flexibility to customize the look and feel of the site to include City and/or Bureau specific branding, inform the viewer of the Bureau’s mission and intent of the channel and to reference the City’s Social Media Terms of Use, Prohibited Content and Disclaimer.

The Bureau Director or designee determines if the Bureau has a business need for a YouTube or Vimeo channel. The Bureau Director should designate one or more persons to be responsible for posting videos and comments and monitoring public comments.

- **Video Posting Guidelines**

1. The Bureau’s Authorized User should be responsible for approving video content prior to publication.
2. Closed captioning should be used wherever possible and in full compliance with ADA laws. YouTube is preferred to Vimeo because of its ability to provide closed captioning capabilities through automatic speech-recognition.
3. Each Bureau should have only one YouTube or Vimeo channel, unless otherwise approved by the Bureau Director or designee.
4. Bureau video channel names should begin with "Portland" (for example: Portland Police, Portland Bureau of Transportation, etc.)
5. The quality of posted video should be comparable to DVD quality or better wherever possible. Lower quality video can be considered as long as audio is clear and any written content embedded in the video remains legible.
6. Links on the City’s website to videos hosted on YouTube or Vimeo should only be used when the same content is not available through the City’s existing video distribution system.
7. If comments to videos are enabled, all comments should be moderated by an Authorized User trained and assigned by the Bureau in creating and maintaining the video channel.

- **Flickr**

Bureau Flickr accounts provide a way of sharing photos with community members and other staff. Authorized Users upload and tag photos to be used on websites or with other social media tools. Community members browse or search for photos using key words and can add comments and annotations to any photo. Authorized Users can create photo sets and collections to manage content.

- **Flickr Guidelines**

1. **Account Setup**
   i. The Bureau Director or designee approves any creation of a Flickr account.
   ii. Each Bureau should only have one Flickr account.
2. **Terms of Use and Disclaimers**
   i. Bureaus should include a hyperlink to the City of Portland - Social Media Terms of Use, Prohibited Content and Disclaimer in accordance to the City’s Social Media Policy.
   ii. Including the Bureau’s mission statement is recommended.
3. Settings
   i. Be aware of privacy setting. It is recommended that settings allow visibility to everyone.
   ii. Use the settings that denote who has permission to use the photo and how it may be used.

VI. Recommended Social Media Etiquette

1. Stick to your area of expertise.
2. Post meaningful, respectful comments—no spam and no remarks that are off-topic or offensive.
3. Always pause and think before posting.
4. Reply to comments in a timely manner, when a response is appropriate.
5. Respect proprietary information and content and confidentiality.
6. When disagreeing with others' opinions, be appropriate and polite.
7. If you make a mistake, admit it. Be upfront and be quick with your correction. If you're posting to a blog, you may choose to modify an earlier post—just make it clear that you have done so.
8. Remember that what you publish will be public for a long time.

VII. Frequently Asked Questions

1. What are the security risks associated with social media (like Facebook and Twitter especially).
   Like many other online media, social media tools face evolving security threats from malware (malicious software) such as viruses and spam. Users should always have up to date anti-virus and anti-spyware software installed to minimize these threats. Additionally, users should never reveal their social media passwords to outside persons or entities. Spammers have been able to extract passwords from social media users for the purpose of propagating spam messages.

2. When can I delete a comment on my Bureau's social media?
   A Bureau may not discriminate based on content or viewpoint. If the content is in context to the conversation, then Bureaus may not remove it because it is unfavorable to the City or the Bureau’s position. The Bureau may reject content that fails to meet the Site’s Terms of Use or the City’s Social Media Policy, Terms of Use, Prohibited Content and Disclaimer (See Attachment B). Examples would be comments that use foul language, are offensive, denigrating, discriminatory or completely out of context. If you are unsure, consult the City Attorney’s office.

3. What is the record retention policy for social media?
   There is no policy based on media type (such as email). Record retention policies are based on content. For example, a post which was about a one-time event may have a one-year retention policy, whereas a response to a request for comments on proposed City policy may have a much longer retention policy. Bureau records retention schedules will guide these determinations.