



HELPING DISTRICTS SET DIRECTION THROUGH POLICY

**Policy: ag7544**

**Section: Vol. 37, No. 2 - January 2019 (SOCIAL MEDIA)**

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## **Vol. 37, No. 2 - January 2019 New USE OF SOCIAL MEDIA**

### **7544 - USE OF SOCIAL MEDIA**

Online social media platforms/sites serve as important methods of communication as well as vital e-learning tools. It is critical that students, parents/guardians, employees, volunteers, and other community stakeholders use social media in a safe and responsible manner. Social media is defined in Bylaw 0100.

This administrative guideline outlines requirements for employees' ( ) and District-approved volunteers' (hereinafter collectively referred to as "employees") **[END OF OPTION]** use of social media for work purposes, including social media communication with students, parents/guardians, employees, volunteers, and the general public.

[ ] This administrative guideline also addresses recommended practices for District employees' personal use of social media. **[END OF OPTION] [DRAFTING NOTE: Districts should select this Option if it includes the recommended final section to this guideline - Employees' Personal Use of Social Media.]**

This administrative guideline is intended to supplement, not supersede, existing policies, guidelines, or laws. It should be read in conjunction with Policy 5136 - Personal Communication Devices/AG 5136 - Personal Communication Devices; Policy 7530.02 - Staff Use of Wireless Communication Devices; Policy 7540 - Technology; Policy 7540.02 - Web Accessibility, Content, Apps, and Services; Policy 7540.03/AG 7540.03 - Student Technology Acceptable Use and Safety, Policy 7540.04/AG 7540.04 - Staff Technology Acceptable Use and Safety, Policy 7540.05 - District-Issued Staff E-mail Account; AG 7540.05 - Proper Use of District-Issued E-mail Account; and AG 7540.06 - Student's Proper Use of District-Issued E-mail Account.

This administrative guideline does not address students' personal use of social media. Such communications that occur within the school setting, associated with school activities, or which start off-campus but carry over to the school setting and cause or threaten to cause a substantial disruption or material interference with school activities or the educational process, are addressed pursuant to the Student Code of Conduct, Policy 7540.03/AG 7540.03 - Student Technology Acceptable Use and Safety; and Policy 5136 - Personal Communication Devices/AG 5136 - Personal Communication Devices.

Use of District-approved social media sites/networks for professional purposes must comply with all applicable Federal and State laws, including but not limited to the Children's Online Privacy Protection Act ("COPPA"), the Children's Internet Protection Act ("CIPA"), the Family Educational Rights and Privacy Act ("FERPA"), State public records laws, and intellectual property laws.

### **General Provisions Governing Use of Social Media**

The District recognizes that employees use social media both professionally (i.e., for work) and personally. Employees are reminded that communications that violate State or Federal law, Board policies, or administrative guidelines, or interfere with an employee's ability to effectively perform his/her job may provide the District with grounds to impose disciplinary action and/or to refer the matter to appropriate law enforcement authorities. If an employee uses social media in a manner or for a purpose that affects his/her job, the District may have a legitimate interest in the employee's activities. This is particularly true since educators are role models for students. For this reason, the District regulates employees' use of social media with students; the specific purpose of such regulation is to prevent harassment, abuse, or bullying of

a student by an employee, and to fulfill the District's legal obligation to protect the confidentiality of students' personally identifiable information ("PII").

District-approved social media platforms/sites shall be listed on the District's website, ( ) and shall specify which platforms/sites are appropriate for use at the District-level, the building or department level, for extra-curricular activities, and at the individual level by employees for professional purposes. **[END OF OPTION]**

Students require instruction in how to safely and responsibly use social media. They further need to be taught to be critical consumers and creators of online content. For this reason, employees are only permitted to communicate with current students through District-approved social media platforms/sites and only under specific circumstances. Only certificated/licensed employees, and those employees authorized in writing by the Superintendent or Principal may use District-approved social media platforms/sites to communicate with students. ( ) Such employees in the school setting are, therefore, limited to communicating about matters pertaining to reasonable instructional, educational, or extra-curricular program matters. **[END OF OPTION]** Teachers are limited to communicating with students about matters pertaining to the students' classwork, homework, and tests/quizzes. Employees who have extra-curricular responsibilities are correspondingly limited to communicating about the team they coach or the school activity they advise.

All staff members are prohibited from communicating with current students via social media platforms/sites that are not approved by the District. **[DRAFTING NOTE: Districts should discuss this Option with their local legal counsel in order to understand any First Amendment implications of selecting this Option.]**

The above-stated limitations on an employee's ability to communicate with students via social media are subject to the following two (2) exceptions:

- A. these prohibitions apply only to communications with students currently enrolled in the District; and
- B. employees may communicate via social media with relatives, the children of friends, friends of the employee's children, and members or participants in the same civic, social, recreational, or religious organizations ( ), but should do so only after obtaining permission from the child's parents.

**[DRAFTING NOTE: Districts should consider whether to add either Option 1 or 2. A District, however, does not need to select Option 1 or 2 if it does not plan to affirmatively require some level of "proof" of the social relationship.]**

#### [OPTION #1]

If an employee is going to claim an exception based on a social relationship, s/he must obtain and provide to the Principal written consent from the student's parent. See Form 7544 F1. Such written consent must include acknowledgment by the parent that (a) the employee has provided the parent with a copy of this administrative guideline, (b) the employee and the student have a social relationship outside of school, (c) the parent understands that the employee's communications with the student are excepted from this administrative guideline, and (d) the parent is solely responsible for monitoring electronic communications between the employee and student.

#### [OPTION #2]

If an employee is going to claim an exception based on a social relationship, s/he must provide to the Principal written certification that (a) the employee and the student have a social relationship outside of school, (b) the employee has provided the student's parent with a copy of this administrative guideline, and (c) the employee explained to the student's parent that the parent is solely responsible for monitoring social media-based communications between the employee and student. See Form 7544 F2.

#### **[END OF OPTIONS #1 AND # 2]**

Employees who engage in social media activities must maintain a separation between professional and personal communications, and specifically must avoid communicating regarding professional matters on personal social media accounts.

On District-approved social media platforms/sites that allow for the creation of separate social media accounts, employees must create a separate, dedicated professional account using their District-provided e-mail address if they intend to use their account for work purposes.

On sites that prohibit the creation of/link to multiple social media accounts (e.g., Facebook), employees must establish a professional site via their personal account, and maintain a separation between professional and personal communications on the sites. **[DRAFTING NOTE: Districts are advised to discuss this Option with their local legal counsel before selecting it. In particular, Districts need to address public records implications of allowing use of such social media platforms/sites. This Option should only be selected if the corresponding option in Policy 7544 is selected. Selection of this Option is not covered by Neola's warranty.]**

### **Employees' Use of Social Media for Professional Purposes**

When establishing a professional social media account on a District-approved social media platform/site, the employee's Principal must grant approval for the employee to set up the professional social media presence.

Professional social media sites must include language identifying the site as a professional social media site to differentiate it from personal social media sites maintained by the employee.

Suggested wording for a teacher/staff member's professional social media site: "This is a professional social media site authorized by the \_\_\_\_\_ **[insert name of School District]** and maintained by \_\_\_\_\_ **[insert teacher/staff member's name]**."

Suggested wording for a school or department's professional social media site: "This is a professional social media site authorized by the \_\_\_\_\_ **[insert name of School District]** and maintained by the \_\_\_\_\_ **[insert name of the school/department]**."

Use of social media for professional purposes is limited to matters that fall within the scope of employees' job responsibilities. Employees should treat social media like a classroom and/or a professional workspace.

**[DRAFTING NOTE: Select Option 3 or 4, or, at the District's discretion, choose neither option. The District should select Option 3 if staff members are only authorized to communicate with students via District-approved social media platforms/sites. The District should select Option 4 if staff members are allowed to communicate with students via both District-approved social media platforms/sites and non-District-approved social media platforms/sites.]**

### **[OPTION #3]**

Staff members may only use District-approved social media platforms/sites to communicate with students during authorized time periods. Specifically, staff members are prohibited from communicating with students through social media between the hours of \_\_\_\_\_ to \_\_\_\_\_ **[Recommend: 10 PM and 5 AM.]**. Additionally, staff members may only use District-approved social media platforms/sites to communicate with students during the school year, unless the employee receives written permission from the Principal (e.g., when a coach wants to communicate with students over the summer concerning coordinating athletic or band practices).

### **[OPTION #4]**

Staff members may only use social media to communicate with students during authorized time periods. Specifically, staff members are prohibited from communicating with students through social media between the hours of \_\_\_\_\_ to \_\_\_\_\_ **[Recommend: 10 PM and 5 AM.]**. Additionally, staff members may only use social media to communicate with students during the school year, unless the employee receives written permission from the Principal (e.g., when a coach wants to communicate with students over the summer concerning coordinating athletic or band practices).

**[END OF OPTIONS #3 AND #4]**

Students must use their District-issued e-mail account when joining professional social media platforms/sites maintained by employees. **[DRAFTING NOTE: This option should be selected if the District issues e-mail accounts to students. This option may facilitate the District's ability to archive e-mail communications using its e-mail service.]**

Employees are required to maintain the confidentiality of students' PII at all times. Staff members shall not, under any circumstances, share confidential information or records – whether it is an internal school discussion, District records, or specific information about students or other staff – in social media posts. Employees must also protect the confidentiality of health or personal information involving colleagues (unless such disclosure serves a lawful/professional purpose or is required by law). Employees further must abide by copyright laws, and are prohibited from knowingly making false statements about a colleague or the school system.

Employees who use District-approved social media with students must also grant, if requested, parents and administrators access to the social media site. Staff members' communications with students and parents via District-approved social media must be professional, transparent, and of an appropriate nature, purpose, timing, and amount. Employees do not have a right to privacy with respect to school-related communications with students and parents.

Each school year employees are required to notify parents of their intent to use District-approved social media site(s) in their classroom, including the name of the platforms/sites and their purpose. **[DRAFTING NOTE: The District should determine whether such communications will be sent by the classroom teacher or the Principal. If the former, the District should specify whether the Principal has to approve such communications before they are sent home.]**

Parents and students are permitted to opt-out from participating in the District-approved social media site(s) used in the classroom or educational setting. **[DRAFTING NOTE: Districts should select this Option only if they determine they will allow families to opt-out of social media when it is being used for classroom instruction and does not require the student to use his/her personal device.]**

If a District-approved social media site undergoes a significant change (i.e., the purpose is altered significantly from what was originally communicated to the parents) a new notification must be sent out explaining the nature of the change ( ) and allowing parents to make a different option with regard to whether their child uses the social media site. **[DRAFTING NOTE: Districts should select this Option only if they permit parents to opt-out a child from using social media sites that are part of a teacher's classroom instruction.]**

Employees who use social media networks that are not District-approved for professional purposes are responsible for understanding the rules of the social media platform(s)/network(s) they use. They are expected to regularly review the social media site's privacy statement and other terms of service to ensure that they are consistent with the provisions of this guideline. **[DRAFTING NOTE: Districts should only select this Option if they permit staff members to use nonDistrict-approved social media platforms/sites.]**

**[DRAFTING NOTE: Districts may select one (1) or more of the following four (4) options or none of the options.]**

Teachers who are authorized to post on District-approved social media platforms/sites are cautioned not to allow such postings to interfere with the performance of their teaching responsibilities.

Teachers who are authorized to post on District-approved social media platforms/sites must do so either before or after the student day.

Teachers who are authorized to post on District-approved social media platforms/sites may not do so during instructional periods.

Teachers are prohibited from posting on District-approved social media platforms/sites while their class is off-campus on a field trip or other school-related activity, unless the social media platform/site is a closed group (i.e., only accessible to parents of the students in the class).

## Oversight by Principal

Upon request from the Principal, employees must provide the administration with links to the District-approved social media sites being used with currently enrolled students (by period), along with a short description of how the sites are being used.  This information must be shared before the employee begins using the sites with his/her students.

Upon request from the Principal/department chair, employees must provide the administration with links to any District-approved social media sites in use for that building/department and provide a short description of how the site is being used.

Principals are responsible for monitoring and providing feedback regarding their employees' professional social media sites. Principals are expected to review their staff members' professional social media sites on a regular basis.

If a Principal discovers threatening content on a staff members' professional media site, the administrator must contact the appropriate law enforcement authorities for assistance. If the Principal decides that information on the site is inappropriate, s/he may direct the staff member to remove the material. The Principal has the right to remove postings and/or disable a page if the employee's professional social media site violates the law and/or this guideline.

If a staff member learns of an inappropriate post, s/he is required to follow existing Board policy and guidelines regarding incident reporting obligations. Additionally, if an employee sees an inappropriate post that involves pornography, the employee should not download or print the image(s); instead, the employee should notify his/her Principal so that law enforcement may be contacted in order to gather this type of evidence. With regard to all other inappropriate posts, the staff member should take and print a screenshot of, or download, the post to save as evidence. The resulting materials/files should be provided to the Principal and the employee should complete any required incident report. The Principal should contact the Superintendent to determine how to proceed with regard to contacting appropriate law enforcement authorities.  The target of an inappropriate post may contact the Principal, webmaster, or Internet service provider to report the abuse and ask that the post be removed.

Posts that include profanity, hate speech, or copyrighted material, or are threatening, harassing, racist, biased, personally derogatory/disparaging to others, or involve off-topic remarks addressed to or about other persons to the point that the comments amount to harassment or bullying may be removed, and the employee or student who posted the comment may be subject to discipline. Employees who post sexualized images of minors may also be subject to discipline.

Staff members are advised that District-approved social media used for professional purposes may need to meet the web accessibility requirements set forth in Policy 7540.02 – Web Accessibility Content, Apps and Services and AG 7540.02 – Web-Content and Functionality Specifications. Staff members are responsible for clarifying with  the web accessibility coordinator(s)  their Principal  the Technology Director  \_\_\_\_\_ their obligations in this regard before beginning to use a social media platform/site for professional purposes.

In order for photos/images of a student to be posted online through an employee's professional social media site, the District must have on file written consent completed by the student's parent authorizing the student's photos/image to be included in such pictures or videos.

In crisis situations, such as a school lockdown, secure mode, or other crisis, employees should not be posting or asking for information through social media or other forms of external communication such as texts and phone calls. During these situations, employees should focus their attention on making the safety of those in their charge and care their top priority. At such times, it is critical to avoid spreading rumors, and all communications should be handled through the administration.

When a staff member is using a District-approved social media site for professional purposes and the site allows public comments, the staff member is required to post District-approved guidelines on the page. **[END OF OPTION]**

Specifically, staff members must post the following guidelines: "We welcome your comments as a means of sharing experiences, suggesting improvements, or chiming in on the conversation.

To keep the page focused, we have set some common guidelines:

- A. This page is moderated – all comments are subject to review by the staff member maintaining the page and/or the administration.
- B. To ensure exchanges are informative, respectful of diverse viewpoints, and lawful, we will remove comments that are off-topic, spam, contain profanity or other inappropriate language, constitute hate speech, reproduce copyrighted materials without permission, violate Board policy on discrimination or harassment, or violate the platform/site's applicable terms of service."

Any modifications of these guidelines must be approved, in advance, by the Principal. **[END OF OPTION]**

### **Employees' Use of District-Approved Social Media Platforms/Sites for Extra-Curricular Programs**

Employees who supervise athletic teams or extra-curricular activities may maintain a professional social media site on a District-approved social media platform/site for the sole purpose of communicating with students and parents about the team or activity. Authorized staff members who elect to use social media with respect to the teams they coach or the school activity they advise, must

provide students and parents of students involved in the team or school activity with the ability to opt-out of using social media for communication purposes associated with the team or activity, and must arrange for an alternative method of communicating concerning the team or school activity.

obtain parental consent for students to participate in the use of social media related to the team or school activity. If a parent refuses to provide such consent, the staff member must arrange for an alternative method of communicating concerning the team or activity.

Besides the guidelines listed above under Employees' Use of Social Media for Professional Purposes, team or extra-curricular activity social media sites must abide by the following additional procedures. Specifically, employees must:

- A.  have written approval from their Principal;
- B.  obtain annual parent permission for each student invited to the site; **[DRAFTING NOTE: Districts should only select this Option if they selected the Option above that requires affirmative parent consent for the use of social media with extra-curricular activities.]**
- C.  the site must be maintained as a closed group – i.e., accessible only to students and parents involved in the team or activity;
- D.  all membership on the site must be deleted at the end of each school year;
- E.  all posts must be sent to all members of the group (i.e., no private messaging);
- F.  all members of the group must have the same access to view communications;
- G.  the Principal must be provided with full administrative access to the site to facilitate his/her supervision and monitoring of the site; and
- H.  the employee must use his/her District-issued e-mail account when creating the team or extra-curricular activity's social media site.

The District restricts the use of text messaging between staff and students to employees with responsibility over extra-curricular activities. **[DRAFTING NOTE: This option may be adjusted based upon what the District determines to be the appropriate use of text messaging.]** Staff members who communicate with students using text messaging must comply with the following guidelines:

- A. they must obtain written permission from each student's parent/guardian with whom the employee will be communicating via text messaging;
- B. all communications must be professional and appropriate;
- C. all communications must be limited to matters within the scope of the employee's professional responsibilities with respect to the extra-curricular activity;
- D.  the employee must include at least one of the student's parent/guardian as a recipient of each text message to the student, so the student and parent receive the same message;
- E.  the employee must include his/her immediate supervisor as a recipient on each text message to the student, so the student and supervisor receive the same message;
- F.  if a student sends a text message to the employee, the employee must forward a copy of the message to his/her District-issued e-mail address so it can be properly archived;
- G.  for each text message addressed to one (1) or more students, the employee must send a copy of the message to the employee's District-issued e-mail address.

**[DRAFTING NOTE: While Neola recommends that Districts include the following section in their guideline, Districts should consult with their local legal counsel concerning the First Amendment implications that may be associated with selecting some of the options offered in this section.]**

**Employees' Personal Use of Social Media**

Staff members serve as role models in this community and are responsible for modeling and teaching high standards of decency and civic values. As such, they are expected to display model character both on and off the worksite; this includes any material they post on personal websites and other social media networks, such as Facebook and Instagram. Teachers are responsible for maintaining professional standards in their public use of social media just as they are any other public conduct. Public content on social media can affect and/or undermine an educator's effectiveness. Employees who use social media for personal purposes are responsible for the content on their personal pages, including content added by the employee, the employee's friends, or members of the public who can access and/or contribute to the employee's page. Employees are further responsible for website links on their pages. Employees are cautioned to maintain privacy settings that are appropriate to the content and intended audience.

Employees who maintain personal social networking sites should not share that site with students. **[END OF OPTION]**

Under all circumstances employees must comply with Federal and State law and Board policies and administrative guidelines. This is true regardless of whether the employee is using a personal or District-issued device to communicate through social media.

If a staff member posts messages or pictures that diminish the employee's professionalism or discredits the employee's capacity to maintain the respect of students and parents, the employee's ability to effectively perform his/her job may be impaired.

Staff members should be respectful and professional in all communications (by word, image, or other means). **[END OF OPTION]**

Employees should avoid posting text, images, photos, or videos that involve hate speech, nudity, obscenity, or that encourages or depicts bullying, discrimination, sexually explicit or violent conduct, or other illegal conduct/activity, including the inappropriate use of alcohol or drugs. They should also refrain from engaging in communication or conduct that is harassing, threatening, libelous, or defamatory.

An employee whose personal use of social media interferes with the employee's ability to effectively perform his/her jobs may be subject to disciplinary action, up to and including termination of employment.

Employees may not use their District-issued e-mail address for communication on social media platforms/sites that are not approved by the District, or for creating and/or managing social media accounts/sites that are for personal use.

If an employee identifies the District as his/her employer on a personal social media site, the employee is advised to make it clear that any views expressed on the site are the employee's alone and do not necessarily reflect the views of the District.

Employees who use social media for personal purposes may not set up or update their personal social media account(s)/site(s) using District technology resources. **[DRAFTING NOTE: A District should only select this option if it selected the corresponding option in Policy 7544 - Use of Social Media.]**

Employees must limit their use of personal electronic communication devices to send or receive personal calls, text messages, pictures, and videos to breaks, mealtimes, before and after scheduled work hours, unless there is an emergency or the use is authorized by the Principal to conduct District business. **[DRAFTING NOTE: A District should only select this option if it selected the corresponding option in Policy 7544 - Use of Social Media.]**

Employees may use personal social media at work so long as it does not interfere with an employee's job performance and completion of work responsibilities, and occurs during their personal time (e.g., breaks, mealtimes, before/after stated work hours, etc.). **[DRAFTING NOTE: A District should only select this Option if it selected the corresponding option in Policy 7544 - Use of Social Media.]**

Employees are reminded that the District may monitor the use of District technology resources.

Employees may not use or post the District's logo or other copyrighted or trademarked materials without express written consent from the Superintendent; it is not a violation of this provision, however, if the District's logo auto-fills on sites such as Facebook or LinkedIn.

Teachers are prohibited from posting students' names, or photographs and/or videos in which students appear, on personal social media sites ( ), except when the images of the students were taken in a public arena, such as at sporting events or fine arts public performances.

Staff members should not "friend" a current student on a staff member's personal Facebook page. If an employee receives a request from a current student to communicate through a personal social media site,

the employee should decline the request.

the employee should decline the request and refer the student to an appropriate District-approved social media site. ( ) The employee is advised to use the following suggested response: "Please do not be offended, but I cannot accept your request. As an employee of the \_\_\_\_\_ **[insert School District name]**, it is best for us to communicate using my professional social media account. The District's social media rules discourage interactions with current students on personal social media sites. If you want to connect, please contact me through the school or class page or the group at **[insert link to professional social media site]**."

Except as provided above, teachers are prohibited from knowingly communicating with students through their personal social network page.

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