

## **426 – Employee Use of Social Media**

### **I. Purpose**

Social media is fundamentally changing the way persons engage with each other and continues to evolve as new technologies and social networking tools become available. Jackson County Central School district recognizes the value of technology to enhance communication, challenge students in meeting high academic standards, and manage and analyze data. It also recognizes its obligation to teach and ensure responsible and safe use of these technologies to provide appropriate guidance, understanding and direction for maintaining a standard of professionalism, and acting within accepted standards of conduct.

This policy addresses employees' use of publicly available social media networks including personal Web sites, Web logs (blogs), wikis, social networks, online forums, virtual worlds, and any other social media. The District recognizes that its employees have the right to speak out on matters of public concern through any and all media, including social media. To the extent such communications are made through District social networking sites, District equipment, or otherwise affect the employee's duties, the District will expect those communications to comply with District policies and procedures and state and federal law. However, given the reach of social networks, it is important that the District ensure responsible and appropriate use of social media in the way employees engage with each other, parents, students and the community.

### **II. General Statement of Policy**

The District recognizes the importance of online social media networks as a communication and e-learning tool. Toward that end, the District provides password-protected social media tools and District approved technologies for e-learning, communication and collaboration among employees. Public social media networks, outside of those sponsored by the District, may not be used for classroom instruction or school-sponsored activities without the prior authorization of the Superintendent, or designee, and parental consent for student participation on social networks. The District may use these tools and other communication technologies in fulfilling its responsibilities for effectively communicating with the general public.

The use of social media for personal use during the District time or on District equipment is prohibited. Employees must avoid posting any information or engaging in communications that violate state or federal laws or District policies. Employees engaging with District students, families, fellow employees or other individuals on District related business must use District supported social media and are directed to maintain their professionalism as District employees.

### **III. Definitions**

Public social media networks are defined to include: websites, weblogs (blogs), wikis, social networks, online forums, virtual worlds, and any other social media generally available to the public or consumers and which do not fall within the District's electronic technology network (e.g. Myspace, Facebook, Twitter, LinkedIn, Flickr, YouTube, blog sites, etc.).

District approved password-protected social media tools are those that fall within the District's electronic technologies network or which the District has approved for educational use. District approved technologies for educational use may include technologies such as YouTube if limited to instructional content selected according to textbook and instructional material policy and procedures and used according to the requirements of this policy. The District has greater authority and responsibility to protect minors from inappropriate content and can limit public access within this limited public forum.

### **IV. Requirements**

The lines between public and private, personal and professional are blurred in the digital world. Even when you have a disclaimer or use a different user name, an employee will always be considered associated with the District. Whether it is clearly communicated or not, an employee will be identified as working for and sometimes representing the school in what he/she does and says online. The District requires employees to observe the following rules when referring to the District, its schools, students, programs, activities, employees, volunteers and communities on any social networks:

#### **A. Comply With All State and Federal Laws and Any Applicable District Policies**

Employees are required to follow laws, policies and rules when engaging in the use of social media network. Those laws, policies and rules include but are not limited to Minnesota statutes and District policies regarding employee-student relationships, harassment and violence, bullying, hazing, mandatory reporting, data privacy, Internet acceptable use, advertising prohibitions, code of ethics, and copyright and fair use regulations.

#### **B. Accept Personal Responsibility for Content**

Be mindful that content published on social networks will be public for a long time and will be widely distributed. Include a disclaimer on your social media site which makes clear that any views expressed are the employee's alone and do not necessarily reflect the views of District.

Employees may not act as a spokesperson for the District or post comments as a representative of the District, except as authorized by the Superintendent or the Superintendent's designee. Employees should not use their District e-mail

address for communications on public social media networks that have not been approved by the District.

Employees may not use or post the District logo without permission from the Superintendent or designee.

When authorized as a spokesperson for the District, employees must disclose their employment relationship with the District.

#### C. Be Respectful and Professional

Be thoughtful about how you present yourself on social media networks and respect your audiences. Employees must be respectful and professional in all communications (by word, image or other means). Employees shall not use obscene, profane, or vulgar language on any social network or engage in communications or conduct that is harassing, threatening, bullying, libelous, or defamatory or that discusses or encourages any illegal activity or inappropriate use of alcohol, use of illegal drugs, sexual behavior, sexual harassment, or bullying.

#### D. Employee-student relationships

Every school district employee is to maintain a standard of professionalism, and acting within accepted standards of conduct and applicable standards of ethics and professional conduct in Minnesota law. Each school district employee is expected to exercise good judgement and professionalism in all interpersonal relationships with students including through the use of social media. Such relationships must be and remain on a teacher-student basis or an employee-student basis.

Communications with students or former students who are minors on social media must be only for school-related purposes. Use e-communication tools that are operated by the District (District email, Google Classroom, District websites, etc.). Twitter accounts are permitted provided they serve an educational purpose and the employee's supervisor is informed. While it may be acceptable for employees to "friend" relatives or children of close friends on personal social media networking sites, communication when there is a teaching, coaching or other school relationship is directed by this policy. Employees may not inform, publish or distribute to student any personal social networking site of the employee.

Excessive informal and social involvement through social media with individual students is prohibited. Such communication is unprofessional, is not compatible with employee-student relationships, and is inappropriate.

E. Do Not Disclose Confidential and Private Information, Post Nonpublic Images of the District, or Post Images of Co-Workers or Students

Employees shall not disclose information on any social media network that is classified by the District as private or confidential data related to students, their parents or employees of the District that is proprietary to the District, its students, or employees or that is otherwise classified as private or confidential data without the express written authorization of the individual subject of the data or the District, in the case of data not related to an individual. Employees shall not post:

1. Images of co-workers without the co-workers' consent.
2. Images of students without written consent of the student or, in the case of a minor student, of the parent or guardian of the minor student, except for images of students taken in the public arena, such as at sporting events or fine arts.
3. Images which are nonpublic of the District premises and property, including floor plans. All publications on social media must comply with School District Policy 406 (Public and Private Personnel Data), Policy 515 (Protection and Privacy of Pupil Records), and Policy 524 (Internet Acceptable Use).

F. Social media representing students or groups within the District

The District recognizes that student groups or members of the public may create social media representing students or groups within the District. When employees, including coaches/advisors, chose to join or engage with these social networking groups, they do so as an employee of the District. Employees have responsibility for addressing inappropriate behavior or activity on these networks. Employees shall annually disclose to the District the existence of and their participation in such networks.

G. Responsibility for reporting inappropriate or illegal behavior

Employees have responsibility for addressing and reporting inappropriate and illegal behavior or activity on social media networks. Such activities may include but not be limited to mandatory reporting for maltreatment by an adult, harassment, bullying, or hazing behavior by a student, use of alcohol or controlled substances, or violation of school policies related to attendance.

H. Copyrights and fair use

Employees shall comply with copyright laws or usage licensing agreements, if applicable, and shall not otherwise use another person's property without the person's prior approval or proper citation or credit.

## I. Personal profile on social media networks

Employees who participate in social media networks may decide to include information about their work with the District as part of their personal profile, as it would relate to a typical social conversation. This may include:

1. Work information included in a personal profile, to include District name, job title, and job duties.
2. Status updates regarding an employee's own job promotion.
3. Personal participation in District-sponsored events, including volunteer activities.

## J. School district action

An employee who is responsible for a social media network posting that fails to comply with the rules and guidelines set forth in this policy may be subject to discipline, up to and including termination. Employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or private information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media network.

## K. Limited Expectation of Privacy

Employees should expect only limited privacy in the contents of District-sponsored social media tools or social media accessed by employees on District equipment. Routine maintenance and monitoring of the District system may lead to a discovery that a user has violated this policy, another District policy or the law. An individual investigation or search also will be conducted if District authorities have a reasonable suspicion that the search will uncover a violation of law or District policy. The District also will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with District policies conducted through the District system.

In addition, parents have the right at any time to investigate or review the contents of their child's files, which may include materials posted through District-sponsored social media tools or social media accessed through District equipment. Employees should be aware that the District retains the right at any time to investigate or review the contents of these District social media networks. In addition, employees should be aware that data and other materials in files maintained on the District system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Governmental Data Practices Act).

The District also may at any time review any social media network or communication made public by the employee or other individuals regarding the employee.

**Legal Reference:**

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
17 U.S.C. § 101, et seq. (Copyrights)  
20 U.S.C. § 1232g, et seq. (Family Educational Rights and Privacy Act)  
20 U.S.C. § 6751, et seq. (Enhancing Education through Technology Act of 2001)  
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))  
34 C.F.R. § 99.1-99.67 (Family Educational Rights and Privacy)  
47 C.F.R. § 54.520 (FCC rules implementing CIPA)  
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)  
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)  
Minn. Rules Part 8700.7500 (Code of Ethics for Minnesota Teachers)

**Cross Reference:**

Policy #403 (Discipline, Suspension and Dismissal of School District Employees)  
Policy #406 (Public and Private Personnel Data)  
Policy #423 Harassment and Violence  
Policy #414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse  
Policy #415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
Policy #423 Employee-Student Relationships  
Policy #505 (Distribution of Non-School Sponsored Materials on School Premises by Students and Employees)  
Policy #514 Bullying Prohibition Policy  
Policy #515 Protection and Privacy of Pupil Records  
Policy #524 Internet Acceptable Use Policy  
Policy #525 Violence Prevention (Applicable to Students and Staff)  
Policy #526 Hazing Prohibition  
Policy #905 (Advertising)