

**Personal Use of
Electronic Media**

and

**Use of Electronic
Media with Students**

Personal Use of Electronic Media

*Communicating Effectively and
Protecting Yourself*

The Issue

- As educators, we have a professional image to uphold and how we conduct ourselves online helps determine this image.
- As reported by the media, there have been instances of educators demonstrating professional misconduct while engaging in inappropriate dialogue about their schools and/or students or posting pictures and videos of themselves engaged in inappropriate activity.
- Some educators feel that being online shields them from having their personal lives examined. But increasingly, educators' online identities have caused serious repercussions to their professional careers.

(Doug Johnson, Director of Media and Technology for the Mankato (MN) Public Schools)

Recent Events

- "I know for a fact that when a superintendent in Missouri was interviewing potential teachers last year, he would ask, 'Do you have a Facebook or MySpace page?' " said Todd Fuller, a spokesman for the Missouri State Teachers Association, which is warning members to clean up their pages. "If the candidate said yes, then the superintendent would say, 'I've got my computer up right now. Let's take a look.' "
- (*When Young Teachers Go Wild on the Web*, Washington Post, April 2008)

Recent Events

- 22% of hiring managers research job applicants on social networking sites. 34% of those who research candidates on social networking sites found content that caused them to dismiss the candidate from consideration.
- Reasons: candidates posted information about drinking or using drugs, provocative or inappropriate photographs or information, poor communication skills, discriminatory remarks, and criminal behavior.

(CareerBulder.com survey from 2006)

Recent Events

- Teachers have claimed free speech protection under the First Amendment, however, the U.S. Supreme Court recently ruled that governments can fire employees if their speech harmed the workplace's mission and function.

Recent Events

Photos that should have never been posted online:

- In May 2006, a teacher at Austin High School resigned with a settlement for a few months of salary when she was forced to leave her teaching position after students discovered semi-nude pics of the 31-year-old on Flickr.
- In April 2007, a 25-year-old cheerleading coach was under investigation when parents at Waukegan High discovered “scantily clad” photos on her MySpace profile. Parents claimed the aspiring dancer/model was “inexperienced, incompetent, and immature” as well as under dressed.

TASB Policy DH

Definition

- Electronic media includes all forms of social media such as the following:
- text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), electronic forums (chat rooms), video-sharing web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.

Professional Standards

- As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees.
- Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct.

Job Impact

- If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Responsibilities

- If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page.
- The employee is also responsible for maintaining privacy settings appropriate to the content.

Observing the Policy

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.

Reminder

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus.

Restrictions

These restrictions include:

- Confidentiality of student records. [See Policy FL]
- Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See Policy DH (EXHIBIT)]
- Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
- Copyright law [See Policy EFE]
- Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

Use of Electronic Media with Students

*What you need to know to protect
yourself and your students...*

Who may contact students?

- A certified or licensed employee, or any other employee designated in writing by the campus principal, may communicate through electronic media with students who are currently enrolled in the district.
- The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

Exceptions

- An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

Definition

- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*; however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.

Definition

- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

Student Communication

- An employee who uses electronic media to communicate with students shall observe the following:
- The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility.

Student Communication

- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).

Student Communication

- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.

Student Communication

- The employee shall not communicate directly with any student between the hours of

9:00 p.m. and 7:00 a.m.

An employee may, however, make public posts to a social network site, blog, or similar application at any time.

Student Communication

- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
 - Copyright law [Policy EFE]

Student Communication

- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DF]

Student Communication

- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

Student Communication

- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

Common Sense

- <http://tv.disney.go.com/disneychannel/commonsense/>

Top 10 Guidelines for Social Media and Educators

1. Investigate the privacy settings on your social networking sites and USE them. “Friends of friends” and “Networks and Friends” open your content to a large group of unknown people. Your privacy and that of your family may be a risk. People you do not know may be looking at you, your home, your kids, your grandkids, - your lives!

Top 10 Guidelines for Social Media and Educators

2. Be mindful of what the items you post on your profile say about you - not just words and photos, but groups you belong to, “fun” items posted to your profile, etc. Would you want to discuss those things in person with your boss, students, students’ parents, or co-workers? What first impression does your profile picture give?

Top 10 Guidelines for Social Media and Educators

3. If you wouldn't say it or do it or view it with your grandparent/parent/spouse/child/students/clergy/boss/coworker, then don't post it anywhere on the Internet (or send it in an email for that matter...)
4. People's standards differ - you might not care if people see a photo of you in a bar tossing one back with your after-work attire on, but the people (students, parents, colleagues) who see your profile might care.

Top 10 Guidelines for Social Media and Educators

5. It's called the **WORLD WIDE WEB** for a reason. Courts have ruled that once you post it on the Internet, you have given up your expectation of privacy.
6. Do not become online friends with students. Yours or anyone else's. Period. Don't become online friends with any minors you are not related to.

Top 10 Guidelines for Social Media and Educators

7. It is OK to not accept someone's friend request. Or put them in a very limited group in your profile. Don't succumb to a false sense of guilt!
8. Bashing your current or former workplace, coworkers, or supervisors online is a bad idea. It will bite you in one way or another.

Top 10 Guidelines for Social Media and Educators

9. Colleges and employers are “Googling” potential students and employees. Something posted 10 days or 10 years ago can come back to haunt you. Your digital footprint grows larger every year and it really is permanent. Google yourself occasionally. You might be careful what you post, but are your friends or others careful?

Top 10 Guidelines for Social Media and Educators

10. Your job and/or career may hinge on the decisions you make about what words and photos you post, whom you are friends with online, how well you protect your online profiles, what others post about you, and what kinds of photos you allow to be taken of yourself.

QUESTIONS

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