


**SOCIAL MEDIA:  
DO'S AND DON'TS**

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**AGENDA**

1. What is Social Media?
2. Policy Regarding Staff Communication with Students
3. Staff Use of Social Media
4. Boundary Invasions related to Social Media
5. Appropriate Use of Social Media
6. Social Media Best Practices
7. Student Social Media Use



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**What is Social Media?**

- Websites and applications (apps) that enable users to create and share content or to participate in social networking.
- Facebook, Instagram, Snapchat, online games, dating websites, texting



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## Staff Communication with Students

- Board Policy GCAB
  - Communication with students using personal electronic devices regarding non-school-related matters is prohibited during work hours and strongly discouraged at all other times.
  - If communicating with students electronically regarding school-related matters, staff should use district e-mail, using mailing lists to a group of students rather than individual students.



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## Texting

- Board Policy GCAB
  - Texting students during work hours is discouraged.
  - Texting students while off duty is strongly discouraged.
  - Staff are subject to disciplinary action, up to and including dismissal, for using a personal electronic device in any manner that is illegal or violates the terms of this policy.



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## Posting Pictures without Authorization

- The policy prohibits posting pictures of district facilities, district staff, students, volunteers, or parents without permission from someone with authority to grant permission.



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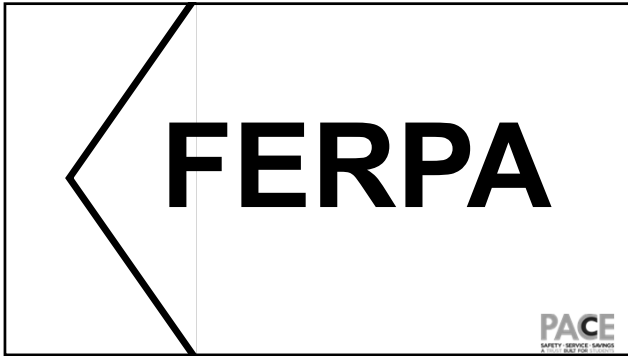
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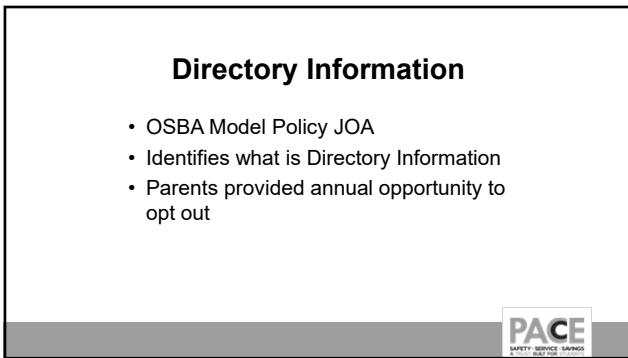
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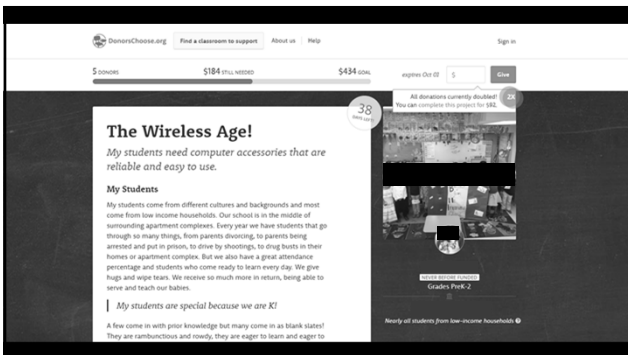
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## Staff Use of Social Media

- Board Policy GCAB
  - Staff actions on social media websites, public websites and blogs, while on or off duty, which disrupt the school environment, are subject to disciplinary action, up to and including dismissal.



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## Balance of Rights

FIRST  
AMENDMENT  
FREE SPEECH

RIGHT TO  
PROVIDE  
DISRUPTION  
FREE EDUCATION  
TO STUDENTS



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## Substantial Disruption to Learning Environment

- Includes, but is not limited to:
  - Parent threat to remove the student from a particular class or school;
  - Withdrawal of student; or
  - Threatened or actual negative impact on the learning environment.



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## Non-Discriminatory Posting on Social Media

- The policy requires that staff, while on or off duty, treat fellow employees, students, and the public with respect in order to prevent a substantial disruption in school.



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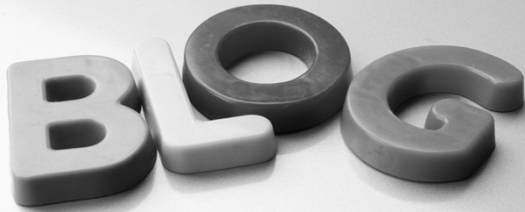
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Central Bucks School District  
Doyleston, Pennsylvania



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# “Things From This Day That Bothered Me:”

By Natalie Munroe

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**STANDARDS-BASED GRADING**

Score	Description
P	Meets the grade-level standard by demonstrating proficiency of the content or processes for the Measurement Topic
I	In progress toward meeting the grade-level standard
N	Not yet meeting the grade-level standard
M	Meets the grade-level standard
NEP	Not English Proficient may be used for ESOL Level 1 and 2 students for no more than two marking periods

**PROFICIENT**—A score of P means your child is successful in using the content and processes at the grade level.

**NOT YET PROFICIENT**—A score of I or N means your child is still working on the content and processes instructed at the grade level.

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## “Day without Immigrants”

- Jurupa Valley, California
- Immigrant students absent from school one day for a protest
- Five teachers and one counselor involved in commenting on a social media post titled “Day without Immigrants”



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### “Day without Immigrants”

- “As for the public school system, having my class size reduced by 50% all day long only served to SUPPORT Trump’s initiatives and prove how much better things might be without all this overcrowding. That’s what you get when you jump on some sort of bandwagon cause as an excuse to be lazy and/or get drunk. Best school day ever.”



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### “Day without Immigrants”

- “Yes it was a very pleasant day.”
- “Unfortunately, statistically my cumulative GPA increased today”  
Mostly failing students were missing.”
- “Let’s do this more often.”
- “More, please.”



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### “Day without Immigrants”

- All six staff placed on leave
- Students walked out of school in protest
- <http://www.washingtontimes.com/news/2017/feb/17/teachers-on-leave-for-day-without-immigrants-posts/>
- <http://ktla.com/2017/02/16/jurupa-valley-school-district-investigating-teachers-who-disparaged-students-participating-in-day-without-immigrants-on-social-media/>



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### **Boundary Invasions Related to Staff Use of Social Media**

- Staff should not initiate or extend contact with any student beyond the school day for personal purposes;
- Staff should not engage in electronic communication with any student to discuss personal or non-academic interests or topics.



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### **Appropriate Use of Social Media**

- Group texts about schedule changes.
- Team Facebook page communicating relevant information:
  - No public comment
  - Page administrator?
  - Cannot discriminate based on viewpoint
  - Public records



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### **Social Media Best Practices**

- No one-on-one messaging using any device or app.
- Avoid social media with students, including online gaming.
- If you are friends with students on social media:
  - No pictures of yourself or students in sports bras, swimming suits, or revealing clothing;
  - No pictures of alcohol, drugs, or drug paraphernalia;
  - No disparaging comments about students; and
  - No comments that may be perceived as discrimination against a person of a protected class.



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### Think Before We Post...

- How would the post reflect upon you or the school if it were broadcast on the news?
- How would the post reflect upon you or the school if it were an exhibit at trial and presented to a jury?



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### Student Social Media Use



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### Student Sexting/Videos/Pictures

- Do not view nude or sexual photos/videos of minors
- Do not transmit nude or sexual photos/videos of minors
- Viewing and transmitting nude or sexual photos/videos of minors is a crime regardless of your intent
- Contact law enforcement immediately



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**“Sexting scandal: Colorado High School faces felony investigation”**

- District administration became aware that minor high school students exchanged hundreds of naked photos
- District notified police
- Superintendent told AD that any involved students could not play in the last game of the season—there weren't enough students who could play, so last game was forfeited



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**“Two teachers arrested after failing to report student’s sexual assault”**

- <http://www.dailymail.co.uk/news/article-4953550/Two-teachers-charged-not-reporting-student-sex-act.html>
- October 5, 2017 news article
- New Orleans, Louisiana
- 13 year-old female student alleges that she was forced to perform oral sex on three male students in the bathroom
- Incident video recorded on at least one cell phone



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**“Two teachers arrested after failing to report student’s sexual assault”**

- Teacher comes upon the scene in the bathroom
- Teacher views video
- Teacher emails video to herself
- Teacher texts video to a coworker
- Coworker also watches the video
- Teacher deletes video from student's cell phone and returns phone to student
- Neither teacher reports to police



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## “Two teachers arrested after failing to report student’s sexual assault”

- Teachers arrested and charged with failing to report child abuse and possession of child pornography
- Other potential crimes in Oregon:
  - Viewing child pornography (both teachers watched the video)
  - Transmitting child pornography (emailing the video and texting it to coworker)
  - Destroying evidence of a crime (deleting video from student’s cell phone)
- Student is also guilty of the following crimes:
  - Creating child pornography
  - Possessing child pornography
  - Viewing child pornography
  - Transmitting child pornography if student shared it



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## Washington Supreme Court Case

- <http://www.spokesman.com/stories/2017/sep/14/child-porn-conviction-upheld-in-youth-sexting-case/>
- September 2017 Decision
- 17 year old student texted picture of his genitals to a 22 year old woman
- Convicted under Washington state child pornography laws



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## Student Discipline and Expulsion

- May in some situations discipline or expel students for off-campus social media activity.
  - Must cause a substantial disruption in the school
  - Stronger argument for discipline if the behavior violates a District policy:
    - JFCEB-Personal Electronic Devices and Social Media
    - JFCF-Hazing/Harassment/Intimidation/Bullying/Cyberbullying/Teen Dating Violence/Domestic Violence



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Instant messaging between students.



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- "its pretty simple / i have a sweet gun / my neighbor is giving me 500 rounds / dhs is gay / ive watched these kinds of movies so i know how NOT to go wrong / i just cant decide who will be on my hit list I and thats totally deminted and it scares even my self"



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"that stupid kid from vtech. he didnt do s--- and got a record, i bet i could get 50+ people / and not one bullet would be wasted."



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- Douglas County (NV)
- Student expelled
- Ninth Circuit upheld discipline



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**Colton School District, Oregon**

- U.S. District Court of Oregon, 2015



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**Private Facebook Profile**

- Online petition to get teacher fired.
- “She’s just a b---- hahaha”
- “She needs to be shot”
- Parent removed within 24 hours.
- Administration found out six weeks later.
- Three-day suspension.



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U.S. District Court said district couldn't discipline



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Nevada	Oregon
<p><small>"its pretty simple / i have a sweet gun / my neighbor is giving me 500 rounds / dhs is gay / ive watched these kinds of movies so i know how NOT to go wrong / i just cant decide who will be on my hit list i and thats totally deminted and it scares even my self"</small></p> <p>Police involved, into custody</p> <p>90-day expulsion</p> <p>Court supported discipline</p>	<p>"She needs to be shot."</p> <p>Deleted within 24 hours</p> <p>Principal made aware six weeks later</p> <p>In-school suspension</p> <p>Court reversed discipline</p>

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Questions



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