



RISK MANAGEMENT ALERT

For Educational Institutions

SCHOOL RISK MANAGEMENT ADVISORY
Utica National Insurance Risk Management Department Bulletin

What you need to know when writing social media guidelines

Social media such as Facebook, Twitter and the like has become a part of schools, classrooms, and community- and school-based relationships. This Risk Management Alert reviews some key principles school leaders should consider when drafting guidelines on social media, addressing whether or how educators, administrators, staff members, and school board members engage with students online.

A highly recommended practice is for educational leaders to draft a set of guiding principles to be added to their school's code of conduct for students, administrators and employees on educator-student social media engagement.

That includes:

- defining social media and the scope of the guidelines;
- explaining how social media platforms can be used, if at all;
- being flexible enough to address unforeseen changes that will occur within the sphere of social media; and
- identifying which social media platforms are acceptable for use within the school setting.

An important consideration for every school is what image your school leadership wants to promote online. Do you want to connect with the community through social media? In many instances, it's ideal to use social media sites to do that.

Below are suggestions on how to tackle drafting guidelines that address educator-student social media engagement, along with some suggested language to incorporate into your statements.

STEP ONE

Any statement on social media is an opportunity to set forth your school's values and core principles. In fact, this is a good opportunity to reiterate a strong commitment to education.

Example: *Our leaders, educators, teachers, administrators, staff members and members of the local board of education serve as role models for our students. For this reason, we have decided to publish a statement on educator-student engagement using social media. This statement is not intended to inhibit any person's freedom of expression. However, all technology must be used in a way which advances our commitment to educating our students.*

STEP TWO

Provide a foundation to determining what educator-student interaction is allowed outside of social media platform. Do this through a thorough review of existing mission statements, policies (e.g., use of technology like mobile phones and computers, conflict of interest policies, etc.), professional codes of conduct, or ethics requirements. This is the starting point.

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Any effective statement on educator-student social media engagement must first be consistent with existing policies and procedures.

Example: All school board members, educators, teachers, and staff members are reminded that they are expected to abide by all applicable state and federal laws, professional and ethical codes of conduct, applicable employment handbooks/policies, and collective bargaining agreements. This statement does not replace or supersede any existing policy or procedure.

STEP THREE

Decide which online activities are clearly prohibited. While the best position with respect to educator-student social media engagement is flexible and open enough to cover all kinds of scenarios, there are certain online activities that are clearly forbidden. Set these forth clearly.

Example: The following online activities are strictly prohibited. This list is not intended to be complete. Instead, it is a guideline to demonstrate what kinds of behaviors will not be tolerated. If there is a reasonable suspicion that an educator, administrator, teacher, staff member, or employee has engaged in any of these activities, such suspicion may be fully investigated in accordance with applicable policies and procedures.

- Posting pornography or other offensive illegal material.
- Engaging in overly inappropriate behavior including, but not limited to, engaging students in sexual dialogue or sending inappropriate pictures to students.
- Posting defamatory, libelous, offensive or demeaning material.
- Discussing online topics which are the subject of current or potential litigation or claims made against the school district, the local board of education, or any employee or administrator of the school district.
- Disclosing confidential information of any kind, including student information such as names, dates of birth, or any other information about a student which would be protected under federal, state or local law.
- Discussing students or showing pictures of students.
- Engaging with any student in a way which could be considered a peer-to-peer communication.
- Posting disparaging or threatening comments about or related to any student, educator, teacher, staff member, employee, administrator, or member of the local school board.

STEP FOUR

Discuss with your key leaders and stakeholders how to handle online activities that are not clearly prohibited. For example, can teachers display pictures of other teachers on a social media site? What if the picture shows teachers drinking alcohol? What happens if a teacher posts an online statement that uses profanity? What if a teacher reveals personal information, like a diagnosis of a disease, online? There are no easy answers to these questions. However, an adequate social media statement can address these uncertain areas in a way that limits liabilities.

EXAMPLE: We recognize that a responsible statement on educator-student engagement using social media must be able to address the ever-changing landscape of social media. The best rule to follow is: **“when in doubt, don’t post.”**

Ask yourself:

- Do I want my students to read this?
- Do I want my peers to read this?
- Do I want parents to read this?
- Do I want my supervisors to read this?

If the answer to any of these questions is “no,” then you should not post or engage in that online activity.

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There is no way to effectively erase digital content. Be conscious and cautious when mixing your professional and personal online presence. Knowing that a local online post can have impact beyond our community, all educators, teachers, staff members, and employees are encouraged to use social media in a responsible way. Be responsible for your work online. Be transparent in your interactions with others online. Give credit where credit is due, and never violate another's rights. Exercise caution regarding exaggeration, colorful language, guesswork, obscenity, copyrighted materials, legal conclusions, or derogatory remarks or characterizations.

If there is a reasonable suspicion that an educator, administrator, teacher, staff member, or employee has engaged in any improper online activity which relates to the suitability of the individual to perform duties in a particular position, such suspicion may be fully investigated in accordance with applicable policies and procedures.

STEP FIVE

Decide how to handle – or even avoid – a crisis. What happens, for example, if a teacher violates the guidelines on educator-student engagement using social media? The best practice is to be as transparent as possible, and to immediately notify the proper parties of a potential problem with social media engagement.

Make sure that the educator, teacher, staff member, appropriate supervisors, representatives from human resources, representatives from any collective bargaining unit, and any students and parents are immediately notified about a potential wrongdoing or inappropriate use of social media.

To avoid any crisis, keep all lines of communication open. The goal of a respectful statement on social media is not to outlaw the use of social media altogether, but to create a way for school leaders, educators, teachers, staff members and employees to use social media responsibly.

Example: *This statement is intended to be a set of guidelines to regulate the way educators, teachers, administrators, staff members, and employees interact with students online. The unauthorized or inappropriate use of social media will diminish your professional reputation, and can diminish the reputation of our schools, teachers, educators, employees and community leaders. More importantly, the unauthorized or inappropriate use of social media can result in legal claims against you and/or the school district and its board of education. Please contact your supervisor if you have any questions about whether or how to interact with students online.*

Another tool to avoid a crisis is to publish a statement on educator-student social media engagement in conjunction with training educators, teachers, staff members and employees on using social media. Anyone who uses social media tools should know how to operate privacy settings and how to audit their privacy settings. It is also beneficial to educate users on how to monitor their online profile to make sure there are no unauthorized or inappropriate Internet posts. This phase is also an opportunity to test the strength of your statement and whether it will be well-received.

Use social media responsibly

To review, the best rule to set forth in any social media statement is “**when in doubt, don’t post.**” There is no effective way to erase digital content. Once information is posted on the Internet, it should be treated as if it were going to last forever.

Do not create a policy that merely outlaws all use of social media. Create a set of principles or guidelines to help users of social media use its tools in a responsible way. In the end, a statement consistent with a school district’s core values and its policies and procedures is more likely to be respected – and less likely to be violated – than a policy that is considered too restrictive.

Condensed and Revised January 2014 from “Principles to Consider When Drafting Statements to Address Educator-Student Social Media Engagement” December 2010.

