

SOCIAL MEDIA

Background

The Mt. Lebanon School Board recognizes the prevalence and importance of social media in personal and professional communications. Social media may be used either as part of the District's educational mission or for business purposes, or as part of the Users' personal online presence with commercial social media. Mobile electronic devices, portable or stationary computers, and District networks and systems, as well as Users' networks, systems, computers, and devices are available for (or provided for) Users to carry out their social media activities.

Inappropriate use of social media is a critical problem with the potential to harm students, employees, guests of the District and others, to release confidential information and data, to violate the rights of others, and to subject the User or the District to liability.

Purpose

The purpose of this Policy is to establish rules and guidance for the use of social media by Users by establishing standards for the operation of District social media accounts and personal social media accounts, and to differentiate between personal social media accounts and those accounts controlled by the District.

Definitions

Guests — include, but are not limited to, school board members, visitors, workshop attendees, volunteers, adult education staff and students, independent contractors, vendors, and District consultants.

District Social Media Account – a social media account, regardless of platform, that is owned by the District and operated by a District employee in his/her professional capacity, and that is designed to further the educational mission of the District by communicating with members of the District community and the general public.

Personal Social Media Account – a social media account, regardless of platform, that is operated by a User for his/her personal use, including personal professional development. A personal account is not regularly used to promote or communicate about District events or activities, or the activities of students.

Network - shall have the same meaning as that term is defined in Policy IJND (Network/Internet Use).

Users - students, employees, and Guests utilizing social media that are subject to this Policy.

Policy

1. General

If any social media post is published using District's Network or other technology resources, including computing devices, mobile devices, and networks, the District's "Network/Internet Use" Policy IJND applies and is hereby incorporated by reference.

The District has the right, but not the duty, to inspect, review, or retain electronic communication created, sent, displayed, received or stored over its Network and to monitor, record, check, track, log, access or otherwise inspect its Network.

Users may not utilize social media in a way that violates District policies or state, local or federal laws or regulations, disrupts the school environment, or in a way that poses a reasonably foreseeable risk of disrupting the school environment.

Users must refrain from communicating inappropriate materials and information when using social media of any kind for instruction or personal purposes, bearing in mind that such materials may be copied and forwarded by others, including but not limited to: (i) confidential, personally identifiable, and sensitive District information about students, employees, and guests; (ii) child pornography, sexual exploitation, bullying/cyberbullying, inappropriate commercialization of childhood experiences, (iii) defamatory statements and images, (iv) proprietary information of the District and/or a District's vendor, (v) infringed upon intellectual property, such as copyright ownership, and circumvented technology protection measures (vi) terroristic threats, (vii) unlawful threats against students, employees, and guests, (viii) illegal items and activities (ix) to the extent not protected by law, profane, racist, sexist or derogatory content or comments, and (x) any communication that violates District policies or state, local or federal laws or regulations.

The District will cooperate to the extent appropriate with social media sites, internet service providers, local, state and federal officials in investigations or with other legal requests, whether criminal or civil actions.

Users are responsible for their own behavior when communicating with social media. They will be held accountable for the content of the communications that they state/post on social media locations.

Users are responsible for complying with the District's employee, student, and guest conduct requirements. Users may not disrupt the learning atmosphere, educational programs, school activities, or the rights of others.

All communications by employees with students are also governed by Policy GBEE (Student Communications).

Users may not use their personal computers, devices, services, systems, and networks to access social media sites during the time they are required to be fulfilling their work, learning, school responsibilities, or volunteer requirements unless they are permitted to do so by District policy, procedure, or an authorized employee, such as the Superintendent or his designee. The District

may block some social media sites from use on its Network. Users may not circumvent these technology protection measures to access the blocked, filtered, or unauthorized social media through the Network during their work, school, and volunteer responsibilities, unless approval has been granted by the Superintendent, and/or designee, and the commercial social media has been opened for that person(s) and purpose only.

Where Users place their communication in "privacy" marked social media, they cannot expect that their information will not be disclosed by a person within their "private marked group". Such information may be disclosed by others within the "private group", or the information may be discovered as part of the discovery process in litigation, through a Right to Know request in certain circumstances, or it may be disclosed by other means. The District may be provided this information and be required to investigate it further. Information that the District obtains may be disclosed without limitation for purposes of investigation, litigation, Right to Know requirements, internal dispute resolution, and other legitimate business purposes.

If a User is uncertain as to the requirements of this Policy, they are to bring the matter to the attention of their supervisor, teacher, or administrator who will in turn assist the User.

Nothing in this policy shall be interpreted in a manner that violates a User's civil or other rights as set forth in state and federal law.

2. District Social Media Accounts

District social media accounts are owned by the District and are operated by authorized Users on behalf of the District. The Superintendent or designee shall maintain a list of all social media accounts operated by the District, along with a list of credentials to access the accounts.

Employees wishing to create an education-related social media page must comply with the "Specific Requirements Relating to Social Networking" section of Policy GBEE (Student Communications).

All District social media accounts shall operate as either a non-public forum (where the public may not comment on the District posts), or as a limited public forum, where the public may comment publicly on the District's posts – subject to certain guidelines. Whether a social media account is operated as a non-public forum or limited public forum shall be determined by the Superintendent or designee. To the extent any comments are permitted, the following type of content is prohibited and shall be removed from any District Social Media Account upon discovery:

1. Comments that are not related to the original District post;
2. Personal attacks;
3. Lewd, vulgar, or obscene posts;
4. Discriminatory or harassing comments;
5. Posts promoting violence or illegal conduct;

6. Derogatory language or demeaning statements about or threats to any third party;
7. Inappropriate or incriminating images depicting sexual harassment, vandalism, stalking, drinking, drug use, criminal activity, or other inappropriate behavior;
8. Inappropriate language;
9. Content that violates and District policy or code of conduct, or any state or federal law;
10. Partisan political activity;
11. Online gambling;
12. Information that is obscene or untrue;
13. Obscene image(s) or content;
14. Postings that offer goods or services for personal financial profit;
15. Personal communications or social relationships unrelated to District business;
and
16. Material protected by copyright or other law.

District administrators have the right to access the stored communication of District Social Media accounts for any reason in order to uphold this Policy, procedures, the law, and to maintain the District's Network. **USERS SHOULD HAVE NO EXPECTATION OF PRIVACY IN ANYTHING THEY CREATE, STORE, SEND, RECEIVE, OR DISPLAY ON OR OVER A DISTRICT SOCIAL MEDIA ACCOUNT, INCLUDING PERSONAL OR PRIVATE MESSAGES OR ANY OTHER USE OF THESE ACCOUNTS.** The District reserves the right to access, view, record, check, receive, monitor, track, log, store, and otherwise inspect and utilize any or all of the District's social media accounts. Users of the District's social media accounts shall be deemed to have consented to having the content of any such communications accessed, viewed, recorded, checked, received, monitored, tracked, logged, stored, and otherwise inspected or utilized by the District. Passwords and message delete functions do not restrict the District's ability or right to access such communications or information.

3. Personal Social Media Accounts

All communications by employees with students via personal social media accounts must comply with Policy GBEE (Communications with Students). Employees engaging in inappropriate communication with students will be investigated by the District and, if warranted, will be disciplined, up to and including termination. Depending upon the nature or severity of the offense, the District may notify the proper authorities, including the Pennsylvania Department of Education, local police and child welfare agencies for further investigation.

Users may not use the name of the District or its logo or mark in any form in personal social media accounts, on websites not owned or related to the District, or in forums/discussion boards, to express or imply the official position of the District without the express, written permission of the District's Superintendent or designee. When such permission is granted, the posting must state that the statement does not represent the position of the District.

Users shall not post any material or information protected from disclosure under the Family Educational Rights and Privacy Act, or other applicable laws, regulations or policies including, but not limited to, education records, personally identifiable information, photos, video recordings or audio recordings of students, District staff, parents or other constituents of the District/community and shall follow all Board policies related to protection of confidential information. Personally identifiable information includes information that could indirectly identify a student through linkages with other information.

The District does not actively monitor personal social media accounts. Nevertheless, the District is free to view and monitor User's websites, blogs, or other public internet communications at any time, without consent from the author of such communications. Furthermore, students, parents/guardians, and other partners of the District community can view any public communication or private social media communication made accessible to them by Users. Where a User's personal social media post demonstrates insubordination, immorality, cruelty, unlawful discrimination, or other violation of District policy or any state or federal law or regulation, or impedes the efficient and effective operation of the District, the User may be subject to disciplinary action to the extent permitted by applicable law.

Information that Users place on Personal Social Media Accounts and designate as private can be accessed in litigation, can be distributed by others without the User's permission, and can be accessed in other various ways, so Users should not expect that "private" communications cannot be accessed or disclosed.

The use of Personal Social Media Accounts to discuss District matters may subject such communications and the User's Personal Social Media Account to public disclosure and access under the Pennsylvania Right to Know Law. Pennsylvania courts recognize that public officials and employees, acting alone, may create official records when they are communicating with other public officials or otherwise acting in some official capacity and discussing agency business. Specifically, if a Social Media Account is used as a significant platform by an elected official or employee to conduct or discuss District business, then the Social Media Account may be a public record and subject to public access even if the District does not oversee the Social Media Account and did not authorize the Social Media Account. If, on the other hand, a Social Media Account is used for personal use, clearly identifying the comments as personal and not being made on behalf of a school board or a school district, it is more likely that the OOR would find that the account is not a record of the school district subject to a RTKL request.

Reporting Violations

Any and all violations of this Policy are to be reported by a staff member to his or her supervisor or, if more appropriate, the school principal.

Discipline

General rules for behavior, ethics, and communications apply when using social networking systems and information, in addition to the stipulations of this Policy and any related procedures. Users must be aware that violations of this Policy, and any procedures, or other District policies, rules or procedures, or statutes, regulations and laws or unlawful use of social media systems and information, may result in loss of access to the District's Network or District Social Media Accounts, and other disciplinary actions, including but not limited to, warnings, usage restrictions, loss of privileges, position reassignment, oral or written reprimands, student suspensions, employee suspensions (with or without pay for employees), dismissal, expulsions, breach of contract, penalties provided in statutes, regulations, and other laws and/or legal proceedings on a case-by-case basis.

This Policy incorporates all other relevant District policies, such as, but not limited to, the student and professional employee discipline policies, Code of Student Conduct, Network/Internet Use Policy, Student Communications Policy and all harassment, bullying, and discrimination policies.

Administration Responsibilities

It shall be the responsibility of the Administration:

1. To develop and publish written principles and procedures and/or guidelines where necessary for the implementation of this policy.
2. To continue to monitor social media-related activities/development and, on that basis, to annually recommend to the Board any necessary update/amendments to this policy so as to continue to ensure that the above-referenced objectives continue to be satisfied.

Communication

This Policy shall be communicated to:

1. All District employees, coaches and volunteers performing services on behalf of the District.
2. All students, parents and guardians.
3. All other members of the community.

Adopted: April 19, 2021