

Social Media and Public School Teachers: What Every Teacher Needs to Know.

A public-school teacher needs to protect themselves when it comes to all social media platforms. This includes Facebook, Twitter, Snapchat, Instagram, and any other platform whereby people communicate via electronic means.

While there is no definitive TSD Board policy on private usage of social media, there is a clear understanding that teachers will not cross the line between public and private social media engagement between staff and students.

The difference between public and private social media presence is defined as:

- ❖ Public Social Media is an account established solely for student engagement as it relates to supporting curricular objectives.
- ❖ Private Social Media is an account established by the teacher for their own personal use.

The American Arbitration Institute has provided the following understandings as it pertains to social media usage, the workplace, and the individual:

[You posted it, you live with it](#)

This aphorism refers to the following doctrine: reasonable expectation of privacy. The Supreme Court created this doctrine as a way to draw the line on what the law will protect when it comes to the privacy of the individual. The trend in court decisions today is that the person who posts does not have a reasonable expectation of privacy.

Employees have argued that they intended to keep information posted on Facebook, Instagram, *etc*, private and shared only with their friends, and not their employer. These employees want the judge or arbitrator to protect their postings.

However, the trend in the courts and among arbitrators is going the other way. The privacy argument is not controlling. If the employer can show that the

information is relevant, the arbitrator will admit the postings. In a sense, these decision-makers are saying: you posted it, you live with it.

The TSD Board has an expectation that their employees will uphold the moral standards and sensibilities of the Troy community. This is part of the “morality clause” that all school districts maintain for their employees. If a teacher posts something that is offensive or inappropriate and it is somehow disseminated through the District community or greater Troy community, the District may choose to intervene and potentially levy discipline.

The Troy Education Association offers the following best practices for teachers to follow in order to protect themselves professionally:

- 1. Never “friend”, “follow”, or gain or request access to a student’s personal social media accounts.**
- 2. Never “friend”, “follow”, or grant access to any of your personal social media accounts to current or former students. Once a student reaches the age of 18, a teacher may choose to grant these accesses to personal social media accounts, but the Association still cautions teachers to refrain from this practice.**
- 3. Do not grant current or former students’ parents access to your private social media accounts. Any information found on your private social media account may be shared and disseminated throughout the greater Troy community.**
- 4. Never use TSD provided technology to access your personal social media accounts. The American Arbitration Institute states:**

[Employer-owned equipment: employer has access](#)

This trend follows the first one. The Supreme Court suggested in one of the early cases that employees who are using the employer's device (cellphone, laptop, etc.) do not have an expectation of privacy. The employer has a built-in business reason to look into such a device.

But this should never become controversial or litigated. Wise employers have a policy which protects the employer's interest. And employees understand from reading the policy what the employer has access to, including whenever the employee may have used the equipment off-site or after-hours.

All TSD employees who have access to TSD technology and Wi-Fi have signed an agreement entitled, *TROY SCHOOL DISTRICT EMPLOYEE TECHNOLOGY ACCEPTABLE USE POLICY*.

Lastly, public school teachers are under a scrutiny that is very different from private sector employees. As a public-school employee, you are “expected” to uphold a degree of personal decorum and restraint that other private sector employees do not have to worry about.

Here are a few other practices that will help ensure that you are not questioned about your social media accounts:

- ❖ Do not post pictures that reveal you engaging in any inappropriate behaviors such as drug or alcohol usage.
- ❖ Do not post pictures or support links that show nudity or pornographic images.
- ❖ Do not post a written or visual record on a day that you have taken as a sick or personal day. Your actions on that day may be questioned as contrary to contractual language, or intent of the contractual language, and be deemed abusive of the benefit.
- ❖ Never post pictures of current or former students. The District has parents sign a waiver to allow images of their students to be used by the District. This waiver does not allow school employees to post images of students on their personal social media accounts.

The world is changing. Technology and social media are constantly evolving and morphing into the next innovative means to communicate and stay connected to a broad social network. The public-school setting does not keep pace with these changes and as stewards of a community's children it never will expose them to possible risk.

The American Arbitration Institute states, “Arbitrators recognize the changes which have taken place in both the words used and the mediums. The younger generation uses the internet as an extension of their life.”

But...for public school employees, the usage of technology and all social networks must adhere to the principles and tolerances established by the employer and the broader community.