

EAST STROUDSBURG AREA SCHOOL DISTRICT
50 Vine Street
East Stroudsburg, PA 18301
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816-AR-E Social Media Administrative Regulation - Employees

This Administrative Regulation #816-AR-E is intended to accompany the East Stroudsburg Area School District Social Media Policy #816. Policy #816 is incorporated into and must be read with this Administrative Regulation.

Terms used in this Administrative Regulation are defined in Policy #816.

Purpose

1. The East Stroudsburg Area School District (“School District” or “ESASD”) intends to strictly facilitate a learning and teaching atmosphere, to foster the educational purpose and mission of the School District, and to protect its computers, devices, systems, network, information and data against outside and internal risks and vulnerabilities. Employees are important and critical players in protecting these School District assets and in lessening the risks that can destroy these important and critical assets. Consequently, employees are required to fully comply with this Administrative Regulation and its accompanying Social Media Policy, as well as the ESASD’s Acceptable Use Policy # 815, and all other relevant ESASD policies, administrative regulations, rules, procedures, social media websites’ terms of use and other legal documents, and local, state and federal laws. Employees must immediately report any violations or suspicious activities to their building administrator, and/or designee. Conduct otherwise will result in actions further described in the Consequences for Inappropriate, Unauthorized and Illegal Use section found in the last section of the Social Media Policy, and provided in other relevant School District policies and regulations, rules and procedures.

2. Teachers’ importance in society is undeniable, and their effectiveness often depends on their rapport with students. With recent technological advances parents and students are able to scrutinize teachers inside the classroom and examine their personal lives on commercial social networking websites at any time. Information posted by teachers and students, and communication between teachers and students can be harmful or helpful to themselves and others.

Authority

1. Among others the Pennsylvania Code of Professional Practice and Conduct for Educators (22 Pa. Code § 235.2, § 235.4, § 235.5, § 235.10, and § 235.11) and the Pennsylvania School Code (24 P.S. § 5-510) apply.

2. The Pennsylvania Code of Professional Practice and Conduct for Educators defines professional conduct as interactions between individual educators and students, the employing School District and other professionals. Generally, the responsibility for professional conduct rests with the individual professional educator. Violations of specified sections of the Code may constitute a basis for public or private reprimand. Violations of the Code may also be used as supporting evidence, though may not constitute an independent basis, for the suspension or revocation of a certificate. When individuals become educators in Pennsylvania, they make a moral commitment to uphold these values. 22 Pa. Code § 235.2, § 235.5.

Professional educators are expected to abide by the Code, including the following:

“(7) Professional educators shall exhibit acceptable and professional language and communication skills. Their verbal and written communications with parents, students and staff shall reflect sensitivity to the fundamental human rights of dignity, privacy and respect.

(8) Professional educators shall be open-minded, knowledgeable and use appropriate judgment and communication skills when responding to an issue within the educational environment.

(9) Professional educators shall keep in confidence information obtained in confidence in the course of professional service unless required to be disclosed by law or by clear and compelling professional necessity as determined by the professional educator.

(10) Professional educators shall exert reasonable effort to protect the student from conditions which interfere with learning or are harmful to the student’s health and safety.” 22 Pa. Code § 235.4.

Individual professional conduct reflects upon the practices, values, integrity and reputation of the profession. Violations of the Code that may constitute an independent basis for private or public reprimand, and may be used as supporting evidence in cases of certification suspension and revocation include:

Relationships with students

The professional educator may not:

1. Knowingly and intentionally distort or misrepresent evaluations of students.
2. Knowingly and intentionally misrepresent subject matter or curriculum.
3. Sexually harass or engage in sexual relationships with students.
4. Knowingly and intentionally withhold evidence from the proper authorities about violations of the legal obligations as defined within this section. 22 Pa.Code § 235.10.

Professional relationships

The professional educator may not:

1. Knowingly and intentionally deny or impede a colleague in the exercise or enjoyment of a professional right or privilege in being an educator.
2. Knowingly and intentionally distort evaluations of colleagues.
3. Sexually harass a fellow employee.
4. Use coercive means or promise special treatment to influence professional decisions of colleagues.
5. Threaten, coerce or discriminate against a colleague who in good faith reports or discloses to a governing agency actual or suspected violations of law, agency regulations or standards. 22 Pa. Code § 235.11.

Regulations

1. **Employees are responsible for their own behavior when communicating with social media and will be held accountable for the content of the communications that they state/post on social media locations. Use professional judgment. Employees' activities may not interfere with the employee's *bona fide* job performance.** Employees are responsible for complying with the School District's conduct and duty requirements. Employees may not disrupt the learning atmosphere, educational programs, school activities, and the rights of others.

2. Employees may be required to also comply with policies, administrative regulations, rules and procedures at an entity and/or program in which they are assigned. *If an employee believes there is a conflict in the requirements they are to comply with they must bring the matter to the attention of their supervisor or administrator, who will in turn assist the employee with the help of the Superintendent and/or designee.*

3. This Administrative Regulation applies to all School District environments, whether the social media is used on School District property, or beyond School District property, including but not limited to, at a third-party's contracted property.

4. Employees must maintain a professional relationship with students to avoid relationships that could cause bias in the classroom or elsewhere, undermine their ability to perform their duties, damage the employees' credibility, and/or violate Pennsylvania's Code of Professional Practice and Conduct for Educators. The School District does recognize the value of teacher-student interaction with educational social media. Collaboration, resource sharing, and student-teacher dialog may be facilitated by judicious use of the School District's educational social media that complies with the School District's Social Media Policy and this Administrative Regulation.

5. In addition to the regulations provided in the School District's Social Media Policy, some guidelines include but are not limited to the following. The School District reserves the right to determine if any guideline not appearing in the list below constitutes acceptable or unacceptable use of social media use.

- Employees must not promote illegal drugs, illegal activities, violence, and drinking to students.
- Employees' electronic communications with their attorneys while using the School District's computers, devices, systems, networks, and services could be stored on the School District's servers and hard drives, or located in temporary files. Employees should not expect any privacy in this communication, and the employee may have waived their attorney-client privilege.
- Employees should consider whether what they place on social media is something they would say or do in the classroom, or when fulfilling their School District responsibilities (remember that all online communications are stored and can be monitored).
- Employees should not state/post images of students without executed parental consent forms.
- Employees should state/post only what they want the world to see. Imagine students, their parents, and administrators visiting your social media. Essentially, once you share something it is likely available after you remove it and could remain on the internet permanently.
- Employees should be cautious when they use exaggeration, colorful language, guesswork, derogatory remarks, humor, and characterizations. It is difficult for readers to determine the seriousness of the statement/posts.
- Employees should run updated malware protection to avoid spyware, adware, spiders, bots, crawlers and other infections that may be placed on their social media and computer to obtain personal information, breach security, and cause various technology problems.
- Employees should stay informed and cautious for new problems in the use of social media.
- Employees should comply with the rules that have been established for the School District's educational social media.
- Employees should comply with the School District's retention and destruction schedule for social media items they create on the School District's, and their own personal computers and devices, and provide such items in the event they are requested for evidence or as part of discovery.

Further Reference: ESASD Board Policies: 103 and accompanying policies, 104 and attachment, 113.1, 207, 216.1, 218 and accompanying policies, 219, 220, 233, 235, 237, 248 and accompanying administrative regulation, 249, 317, 320, 348, 417, 419, 420, 440, 448 and accompanying document, 517, 519, 548, 800, 801 and accompanying policy 814, 815 and accompanying documents, 830 and accompanying administrative regulation, 906, 907, 908 and accompanying policies, 916.

Legal Authorization: Public School Code of 1949 – Section 5-510

Pennsylvania Code of Professional Practice and Conduct for Educators -
22 Pa. Code §§ 235.2, 235.4, 235.5, 235.10, 235.11