

EAST STROUDSBURG AREA SCHOOL DISTRICT

NO.: 816

SECTION: OPERATIONS

TITLE: SOCIAL MEDIA POLICY

ADOPTED: July 18, 2011

REVISED: June 18, 2018

	816. SOCIAL MEDIA POLICY
1. Purpose	1. The purpose of the East Stroudsburg Area School District (“School District” or “ESASD”) Social Media Policy is to govern the use of social media by students, employees, and Guests (collectively “Users”) on behalf of the School District with the aim to accomplish the School District’s mission and business. 2. The School District recognizes the value of using social media platforms to send and receive information for the purpose of enhancing the School District’s learning experiences for students and employees, to share information about the School District, to promote and generate communication with the School District’s community to assist in policy-making decisions, and to teach responsible and safe use of social media platforms. 3. A social media blunder is a critical problem with the potential to injure students, employees, Guests, and others, to lose confidential information and data, to set back any progress that the School District has previously made, and to subject the User or the School District to litigation.
2. Definitions	Guests – include, but are not limited to, visitors, workshop attendees, volunteers, adult education staff and students, school board members, independent contractors, vendors, and School District consultants. Social Media – includes websites and apps that are online platforms of communities that involve interactive communication, collaboration, and content sharing. Examples of platforms include blogs, microblogs (Twitter), social networks (Facebook), media sharing (YouTube), Wikis (Wikipedia), virtual worlds (Second Life) and apps (Snapchat and Instagram). Due to the changing nature of social media, new platforms, services, websites and apps are likely to be developed in the future. Users and the School District will need to keep updated to the advantages and disadvantages of the new social media and act wisely. Social media use includes communicating, collaborative sharing, and reaching Users for educational purposes through School District provided websites, apps,

	816. SOCIAL MEDIA POLICY platforms, resources, or documents. Examples include, but are not limited to: Google Apps, Ning, Teacher Tube, and Moodle.
3. Authority 24 P.S. § 5-510 22 Pa. Code §§ 235.2, 235.4, 235.5, 235.10, 235.11	1. The School District has the right, but not the duty, to inspect, review, or retain electronic communication created, sent, displayed, received or stored on and over <i>the School District's</i> CIS¹ Systems and to monitor (electronic or otherwise), record, check, track, log, access or otherwise inspect its CIS Systems. 2. In addition, <i>in accordance with the law</i>, the School District has the right, but not the duty, to inspect, review, or retain electronic communication created, sent, displayed, received or stored <i>on User's</i> personal computers, Electronic Communication Devices ("ECD's"), networks, internet, Electronic Communication Systems, and in databases, files, apps, software, and media that contain School District information and data. 3. Also, <i>in accordance with the law</i>, the School District has the right, but not the duty, to inspect, review, or retain electronic communication created, sent, displayed, received or stored <i>on another entity's</i> computer or ECD when Users bring and use another entity's computer or ECD to a School District location, event, or connect it to the School District network and/or systems, and/or that contains School District programs, or School District information and data. 4. The above applies no matter where the use occurs whether brought onto School District property, to the School District's Virtual Academy, to School District events, or connected to the School District network, or when using mobile commuting equipment and telecommunications facilities in protected and unprotected areas or environments, directly from home, or indirectly through another social media or internet service provider, website, app, as well as by other means. All actions must be conducted pursuant to the law, assist in the protection of the School District's resources, insure compliance with School District Policies, regulations, rules, and procedures, app, social media and internet service providers ("ISPs") terms (if they are lawful), and local, state, and federal laws ("School District Policies and Other Legal Requirements.").

¹ "CIS Systems" - Computers, ECDs, networks, Internet, Intranet, Electronic Communications Systems and services, information and data systems and services, databases, files, software, and media. See ESASD Acceptable Use Policy #815.

4. Delegation of Responsibility	816. SOCIAL MEDIA POLICY 5. The School District will cooperate to the extent legally required with social media sites, ISPs, apps local, state, and federal officials in investigations or with other legal requests, whether criminal or civil actions. 1. The School District 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. Users 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, Users are required to fully comply with School District Policies and Other Legal Requirements. 2. Users must immediately report any violations or suspicious activities to the Superintendent, 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 this Policy and provided in other relevant School District policies and regulations, rules and procedures. <u>If a User believes there is a conflict in the requirements they are to comply with they must bring the matter to the attention of their supervisor, teacher, or administrator who will in turn assist the User.</u> 3. It is the responsibility of all Users to carefully consider their behavior and what they place online when communicating with or “friending” any individual. The Director of Technology, or designee, is authorized to access Users’ postings on public locations and on School District servers, hard drives, systems, and networks under the direction of the Superintendent, and/or designee, law enforcement, a court order, a subpoena or other legal action or authority. Users may not coerce others into providing passwords, login, or other security access information to them so that they may access social media or locations that they have no authorization to access. Users should note that information that they place in social media and designate as private likely can be accessed in litigation, can be distributed by their friends, and can be accessed in other various legal ways. 4. The Superintendent, and/or designee, is hereby granted the authority to create and enforce additional administrative regulations, procedures, and rules to carry out the purpose of this Social Media Policy. The administrative regulations, procedures, and rules accompanying this Policy must include among other items guidance in implementing and using School District educational social media and other social media, and the responsibility of Users for their own behavior when communicating with social media. See ESASD Social Media Administrative Regulation – Employees # 816-AR-E;
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5. Regulations	816. SOCIAL MEDIA POLICY ESASD Social Media Administrative Regulation – Students #816-AR-S; and ESASD Social Media Administrative Regulation – Guests #816-AR-G. 1. It is often necessary to access Users’ School District accounts in order to perform routine maintenance and for other legal reasons. System administrators have the right to access by interception, and to access the stored communication of Users’ accounts for any reason in order to uphold this Policy, accompanying administrative regulations, the law, and to maintain the system. Users should have no expectation of privacy in the contents or transmission of their personal files or any of their use of the School District’s CIS Systems. 2. USERS SHOULD HAVE NO EXPECTATION OF PRIVACY IN ANYTHING THEY CREATE, STORE, SEND, RECEIVE, OR DISPLAY ON OR OVER THE SCHOOL DISTRICT’S CIS SYSTEMS, AND THE SCHOOL DISTRICT’S AUTHORIZED THIRD PARTIES’ SYSTEMS, INCLUDING THEIR PERSONAL FILES OR ANY OF THEIR USE OF THESE SYSTEMS. The School District reserves the right to access, view, record, check, receive, monitor, track, log, store, and otherwise inspect and utilize any or all School District CIS systems, and authorized third parties’ systems, and to monitor and allocate files server space. Users of the School District’s CIS Systems, and third-party systems, who transmit or receive communications and information 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 School District, and to monitor and allocate files server space. Passwords and message delete functions do not restrict the School District’s ability or right to access such communications or information. 3. <u>Users are responsible for their own behavior when communicating with social media, including apps. They will be held accountable for the content of the communications that they state/post on social media locations.</u> Users are responsible for complying with the School District’s employee, student, and guest conduct requirements. Users may not disrupt the learning atmosphere, educational programs, school activities, and the rights of others. 4. Inappropriate communications may not be included in Users’ social media, including but not limited to (i) confidential, personally identifiable, and sensitive School District information about students, employees, and Guests; (ii) child pornography, sexual exploitation, bullying/cyberbullying, inappropriate commercialization of childhood experiences, (iii) defamatory or discriminatory statements and images, (iv) proprietary information of the School District and/or a School District’s vendor, (v) infringed upon intellectual property, such as copyright ownership, and circumvented
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	816. SOCIAL MEDIA POLICY technology protection measures, (viii) terroristic threats, (ix) unlawful threats against students, employees, and Guests, and (x) illegal items and activities.
47 U.S.C. § 254 (5)(B)(iii)	5. Users may not use their personal computers, devices, services, systems, and networks to access School District blocked and unauthorized social media sites and apps 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 School District policy, administrative regulation, or by approval from the authorized employee, such as a teacher, principal, or administrator. The School District may block some social media sites, including apps, from use on its computers, devices, servers, networks, and systems. Users may not circumvent technology protection measures used by the School District. 6. Where Users place their communication in “privacy” marked social media, including apps, 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, or it may be disclosed by other means. The School District may be provided this information and be required to investigate it further. Information that the School District obtains may be disclosed without limitation for purposes of investigation, litigation, internal dispute resolution, and legitimate business purposes regardless of whether the particular User is involved. 7. Information that a User deleted may be able to be recovered indefinitely by the School District. 8. The Superintendent, or designee, must provide training for employees and instructional sessions for students and, if appropriate, for Guests to assist them in knowing the importance of and how to appropriately use social media, including apps, and how to comply with the requirements of School District Policies and Other Legal Requirements. 9. A User who has a material connection with the School District and endorses a School District product or service may have an obligation to disclose that relationship when the User makes such a statement using social media. The User should contact the Superintendent, and/or designee, to assess the various factors applicable in determining whether disclosure is applicable.
16 C.F.R. Part 255	10. Users may not use the name of the “East Stroudsburg Area School District” or its logo or mark in any form on the School District’s Internet pages, websites, apps, and social media, and on websites, apps, and social media not owned or related to the School District, or in forums/discussion boards, to express or

22 Pa. Code §§ 235.2, 235.4, 235.5, 235.10, 235.11	816. SOCIAL MEDIA POLICY imply the official position of the School District without the expressed, written permission of the Superintendent, and/or designee. When such permission is granted, the posting must state that the statement does not represent the position of the School District. 11. <u>Consequences for Inappropriate, Unauthorized and Illegal Use</u> General rules for behavior, ethics, and communications apply when using social media, in addition to the stipulations of School District Policies and Other Legal Requirements. Violations may result in loss of access and a variety of 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. This will be handled on a case-by-case basis. This Policy, and its accompanying administrative regulation, incorporate all other relevant School District policies, such as, but not limited to, the student and professional employee discipline policies, Code of Student Conduct, Acceptable Use Policy, its accompanying administrative regulation, and guidelines, and copyright, property, curriculum, terroristic threat, vendor access, harassment, and discrimination policies. Further Reference: ESASD Board Policies, Administrative Regulations, Rules, Guidelines and Procedures
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