NEA HEALTH AND SAFETY PROGRAM



Social Media in Education

Social media creates a continuously evolving landscape that frequently overlaps with learning environments. The sharing of education-related information and connections made through social media challenge educators and their unions to identify concerns and ensure that recommendations are in place before problems arise. This document provides guidance on potential concerns, goals, and recommendations for that purpose. In many cases, language in school board policies, collective bargaining or other labor-management agreements, and state and local laws can provide opportunities to minimize conflict and protect students and educators alike.

At the same time, social media companies must be held accountable for the impact their applications can have on students, educators, parents, and learning environments as a whole. See more on accountability here.

SOCIAL MEDIA COMMUNICATION ON SCHOOL-RELATED ISSUES

Concern

Administrators, parents, students, or other educators seek to communicate via social media regarding school-related topics.

Goal

Educators should be free to connect on social media with whomever they choose in appropriate forums. They should not be expected or required to connect with anyone for the purpose of addressing school-related issues, and they should not face any consequences if they choose not to connect or address a school-related issue with someone with whom they are already connected.

Educator Recommendations

- ➤ Notify your affiliate when asked to use social media for work purposes, and report when asked to do so outside work hours or professional boundaries;
- Keep an open dialogue with administration on expectations; and
- ➤ Keep records of any inappropriate requests made.

School District Recommendations

- ➤ Adopt a policy clarifying that educators are not expected or required to connect with parents, students, or anyone else via social media to address school-related issues;
- ➤ Adopt a policy clarifying that educators are not expected or required to address school-related issues with anyone with whom they choose to connect via social media; and
- ➤ Adopt a policy clarifying that no educator will face adverse consequences for not engaging in discussions about school-related issues through social media.

The creation of these policies should be done in collaboration with the local educator unions.

State and Local Affiliate Recommendations

- Develop and promote collective bargaining contract language, school board policy, or other policy tailored to the environment in a state; and
- ➤ Advise educators not to accept or solicit connection requests on social media from parents or students.

SOCIAL MEDIA RELATIONSHIPS: COMMENTS & MEDIA (PHOTO/VIDEO)

Concern

Administrators, parents, students, or other educators record educators in the school environment and post the content online, which can lead to or be done with the intent or result of cyberbullying and/or harassment.

Goal

Create an environment free from harassment and bullying, where there is appropriate recourse for victims in the case in which bullying or harassment occur.

Educator Recommendations

- ➤ Be mindful in the school environment;
- Report any such attempts of recording to administration and the union; and
- Keep records of such situations.

If you are being harassed and the administration is not responding, consult with affiliate legal counsel about potential legal options. Depending on the specific facts and nature of the harassment, your employer may have obligations to ensure your safety in a hostile work environment.

School District Recommendations

- reate and adopt policy that strictly prohibits individuals in the school environment from recording and posting media of educators on social media without their explicit, formal consent; and
- > Provide useful school board policy language to protect educators and prevent others from engaging in harassment or bullying behaviors through social media, which may include clear definitions of the terms, examples of bullying/harassment incidences, how to approach these situations and what steps to follow in the process, and mental health resources.

State and Local Affiliate Recommendations

- ➤ Develop collective bargaining contract language to support educators' mental health needs;
- > Draft language that indicates the consequences of posting without someone's knowledge or consent, and what protections will be allotted to educators in these situations, such as legal and/or other professional assistance; and
- Advocate for the creation of confidential processes for individuals and their union representatives to address concerns.

EDUCATORS' FREEDOM TO EXPRESS PERSONAL BELIEFS OR IDENTITIES ON **SOCIAL MEDIA**

Concern

Administrators, parents, students, or other educators "report" educators for posting on social media about personal thoughts on social issues—such as LGBTQIA+ topics, social and racial justice, or political topics—to seek action against them in some manner. Administrators seek to prohibit educators from posting and/or disciplining them if they do so. Others harass or bully educators both in and out of the learning environment.

Goal

Educators should be free to express their views on social media and should not have to censor their points of view due to their occupation or affiliations. They should not be disciplined if their view differs from anyone associated with the learning environment.

Educator Recommendations

- > Report if any harassment occurs as a result of posting a point of view or another detail about oneself on social media:
- Know your rights but be mindful of local circumstances;
- > Avoid complaining about or insulting coworkers, students, and other educators on social media:
- Avoid using offensive language or stereotypes; and
- Monitor social media groups you belong to for behavior changes or offensive language.

While most political posts on social media deserve First Amendment protection, this can be more complicated for public school educators. For example, a school district may attempt to justify discipline on the grounds that the post has disrupted the learning environment, and in a legal challenge, the court may balance the school district's interest against yours and the public's interest. The stronger public interest in the speech, the more disruption the school must show. See more on Educator Rights here.

School District Recommendations

> Provide a training to educators, administration, parents, and students on social media best practices annually.

State and Local Affiliate Recommendations

- Develop and promote collective bargaining contract language, school board policy, or other advocacy policy to protect educators' freedom of expression overall;
- > Provide guidelines to educators on how to be cautious on social media and prevent workrelated issues in regard to posts they make in public forums;
- > State in writing that the personal and private life of an educator is only of concern for the Board if the actions affect the school or school district regarding posts made publicly on social media;
- > Provide guidelines for educators and staff on personal responsibility for comments, status updates, tweets, and other such information posted on social media, given that this can exist online for long periods of time.

TIME MANAGEMENT IN THE LEARNING ENVIRONMENT

Concern

Students' use of social media in the classroom or other learning environments negatively impacts class time management. Educators have to deal with major sources of distraction in the learning environment in the form of social media, which takes away students' ability to concentrate and, therefore, takes time from learning.

Goal

Limit or prohibit use of social media during learning time.

Educator Recommendations

- Express concerns regarding students' use of social media in the learning environment to your union and administration, and when appropriate, make note of these situations and the time it takes to reel focus back in to the material;
- > Advise students to balance social media time with in-person communication time; and
- reate a "no screen rule" in the learning environment, if permitted by administration.

School District Recommendations

> Prohibit social media use in the learning environment for students during class time.

State and Local Affiliate Recommendations

- ➤ Address issues in collective bargaining agreements or other forms of labor-management agreements where collective bargaining agreements do not exist;
- > Create a task force to understand and find recommendations for issues regarding the ever-changing landscape of social media, with new apps and new developments occurring quickly; and
- > Provide guidelines for language that educators can use when confronting students on the use of social media in the learning environment.

EDUCATORS IDENTIFYING STUDENT-RELATED CONCERNS, SUCH AS THREATS OF **VIOLENCE OR SUICIDAL IDEATION**

Concern

Educators come across information on social media that indicates or implies a student's attempt to harm oneself, other individuals, or the school. In an attempt to bring this concern to authorities, such as the police and/or administration, educators face liability issues.

Goal

Educators should not be expected or required to monitor students' social media, but if they encounter posts of concern, educators should not be liable for actions they do or do not take with respect to a student or a school. Educators who report a potential crisis or act of violence should be ensured protection in their collective bargaining agreement, if one exists, and school board policy.

Educator Recommendations

- > Remain informed of the school board policies, collective bargaining contract language, and relevant state/local laws: and
- ➤ Identify language that specifically protects you in situations of reporting crises or violence seen on social media.

According to the U.S. Department of Education, "mandated or mandatory reporters (both terms are correct) are individuals required by state law to report abuse ("Mandatory Reporters," 2013). According to the U.S. Government Accountability Office (GAO) (2014), in most states, school personnel (including administrators, teachers, psychologists, and nurses) are considered mandatory reporters, but states vary in their designations. Mandatory reporters are generally those who have frequent contact with children. Some states have the freedom to decide who should be designated as mandatory reporters." Find out more detailed information and specific policies, by state.

School District Recommendations

- > Adopt a policy clarifying that educators are protected if they raise a concern or report a student's social media post on self-harm or intent to harm others; and
- ➤ Clarify who educators can and/or should alert in this situation.

State and Local Affiliate Recommendations

> Develop model bargaining language to instill educator protections in contracts so that they feel safe when identifying concerns related to student violence and reporting them to the designated entity (administration, police, etc.).

PROPOSED MODEL CONTRACT LANGUAGE

Language in school board policies, collective bargaining or other labor-management agreements, and state and local laws can protect students and educators alike. Sample language regarding the use of social media in learning environments includes:

Employees shall not be directed, expected, or asked to connect, respond, post, or initiate communications on any social media platform.

No employee shall be evaluated, rewarded, or face any consequences whatsoever for not engaging in school-related issues on social media.

Employees are discouraged from accepting or initiating social media connections with students and/or families and are encouraged to limit all electronic communication with students and/or families to employer email and those platforms and websites that are maintained or provided by the employer.

Annually, the employer will provide training or notification to all employees on the acceptable use of electronic communication and social media, including any requirements and limitations included in employer policies and state law.

Annually, the employer will provide notification to students and families that employees are not expected to engage in electronic communication with students and/or families by any means other than employer email and those platforms and websites that are maintained or provided by the employer.

While addressing issues related to social media in learning environments, districts and associations can agree to form a Technology Oversight Committee. This committee can create language that addresses the social media issues highlighted in this document. Sample language about creating such a committee includes:

In recognition of the fact that technological devices and software are changing rapidly and that no contract provision can foresee the nature of these changes, the District and the Association agree to form a Technology Oversight Committee to make non-binding, non-precedent setting recommendations to the Superintendent or the Superintendent's designee and the Association President or Association President's designee proposing appropriate actions to deal with such technological changes. These recommendations shall not involve any discipline of Unit Members. The Association and the District agree that recommendations are to relate only to the issues at hand and are not to apply to future circumstances, which must be examined on their own merits.

- ➤ The Committee shall be composed of three Association appointees, three District appointees, and one mutually agreed-upon member;
- ➤ The Committee shall conduct a technology and technology-related needs assessment;
- > The Committee may recommend training or additional training for Unit Members to be granted supervision rights for technology using students or equipment; and
- ➤ The Committee may recommend equipment, network access and software selection, and use as well as revision or alteration of procedures for computer use or for student supervision.

The District shall maintain a Technology Oversight Committee made up of _____ members. The Association shall have at least as many members as any other constituent group of the Committee and shall appoint all Association members of the Committee. Among its other tasks, the Committee shall be responsible for designing the conditions of an "Acceptable Use Agreement."

All actual or alleged threats of violence—whether oral, written, or symbolic—against students, employees, visitors, educational facilities, or oneself, in connection with and in the course of a Unit Member's employment, shall be immediately reported in accordance with [insert policy, regulation, law]. The Superintendent, or designee, will promptly investigate such threats and shall be responsible for ensuring that appropriate procedures are followed to ensure the safety of students, educators, and the learning community, and the maintenance of a welcoming environment for all. Any member who reports a threat in accordance with this provision and [insert policy, regulation, law] shall be held harmless from any liability in connection therewith.

During the first month of school, Principals and Supervisors will annually inform all Unit Members of the [insert policy, regulation, law] and shall discuss any changes impacting the handling of such threats.

GENERAL RESOURCES

Educator Advocacy Rights | NEA

This NEA guide helps educators understand their rights when speaking up for public education and students. It provides an overview of their rights inside and outside of school to advocate to meet the needs of students and educators.

Healthy Advisory on Social Media Use in Adolescence | American Psychological Association

This release by the American Psychological Association highlights the potential beneficial and harmful effects of social media from a psychological science point of view and offers 10 sciencebacked recommendations "to ensure that kids and teens develop healthy social media practices."

Social Media and Youth Mental Health | The U.S. Surgeon General's Advisory

The Office of the Surgeon General of the United States released this advisory, which discusses the benefits and harms of social media on adolescents. The advisory "calls for engaging in a multifaceted effort to maximize the benefits and reduce the risk of harm posed by social media with actions suggested for groups including children, adolescents, policymakers, technology companies, researchers, and families."

FAOs on Photos and Videos under FERPA

This U.S. Department of Education resource provides frequently asked questions regarding photos and videos of student information in relation to Family Educational Rights and Privacy Act (FERPA) guidelines.

Know Your Rights: Harassment and Discrimination | NEA

The NEA created this toolkit to help members identify and respond to discrimination and harassment in the workplace. By using this resource, educators are better equipped to recognize, confront, and remedy unlawful employment actions.

Bargaining and Advocacy Tactics to Support Educators' Mental Health | NEA

The NEA provides guidance on tactics to improve mental health support for educators using collective bargaining and advocacy. This resource addresses how to create union health benefit committees and ensure robust coverage of mental health services.

Policies and Procedures for Mandated Reporting | Readiness and Emergency Management for Schools **Technical Assistance Center**

The Readiness and Emergency Management for Schools Technical Assistance Center provides policies and procedures for mandated reporting practices in regard to school employee reports of child abuse. This resource provides general information; however, it is important to review stateand local-specific laws and policies.