

Book

WSSD Policy Manual

Section

800 Operations

Title

District Social Media

Code

816

Status

Public Review

Legal

1. 24 P.S. 510

2. Pol. 815

3. Pol. 913

4. Pol. 103

5. Pol. 104

6. Pol. 911

7. Pol. 113.4

8. Pol. 216

9. Pol. 814

10. 20 U.S.C. 1232g

11. 34 CFR Part 99

12. 42 U.S.C. 12101 et seq

13. 29 U.S.C. 794

14. 28 CFR 35.160

15. Pol. 103.1

16. Pol. 824

17. 24 P.S. 1122

18. 24 P.S. 2070.1a et seq

19. 22 PA Code 235.1 et seq

20. U.S. Const. Amend. I

21. Pol. 317

22. Pol. 320

23. 24 P.S. 1303.1-A

24. 47 U.S.C. 254

25. Pol. 218

26. Pol. 220

27. Pol. 235

28. Pol. 249

29. Pol. 317.1

Knight First Amendment Inst. at Columbia Univ. v. Trump, 928 F.3d 226 (2d Cir. 2019)

Davison v. Randall, 912 F.3d 666 (4th Cir. 2019)

Garcetti v. Ceballos, 547 U.S. 410 (2006)

Mike Campbell v. Cheri Toalson Reish, 986 F.3d 822 (8th Cir. 2021)

Pickering v. Board of Education, 391 U.S. 563 (1968)

Connick v. Myers, 461 U.S. 138 (1983)

Rankin v. McPherson, 483 U.S. 378 (1988)
Pol. 801

Purpose

- The purpose of this policy is to establish the process and standards for approval and operation of District-owned social media accounts, and to identify the differences between personally owned social media accounts and those maintained by the District.

Definitions

District-owned social media account - a social media account, regardless of platform, that is approved and operated by the superintendent, Director of Communications, or designated District employee(s), and is designed to further the educational mission of the District by providing information to the school community and general public.

Limited Public Forum - created as a District-owned location where the public may comment and post online, subject to viewpoint neutral guidelines found in the administrative regulations and enforced by the account operator.

Non-public Forum - created as a District-owned location where the public may not comment or post online; free expression by the public is restricted regardless of message or viewpoint.

Personal social media account - a social media account, regardless of platform, that is attributed to and operated by an employee, individual school director, student, or third-party contractor for personal use and is not an official communications channel of the District.

Social media - a category of Internet-based resources that integrate user-generated content and user participation to share information, ideas, personal messages, and other content, including photos and videos. Social media includes social networks, which are online platforms where users can create profiles, share information and personal messages, and connect with others.

Authority

- The Superintendent or Director of Communications shall approve all social media accounts created and/or maintained as District-owned social media accounts, including social media accounts for individual schools within the District.

All District-owned social media accounts shall display the official name, logo, seal, and mascot of the District or the individual school.[1]

Public Comment

The Board establishes that District-owned social media accounts may operate as either a **non-public forum** or a **limited public forum**. A **non-public forum** exists where the public may receive and read information, but may not comment on District posts. A **limited public forum**

enables members of the public to read, receive and comment or repost District information, subject to viewpoint neutral guidelines designated by the Board and enforced by the account operator. Whether a social media account or individual post on any District-owned social media account is operated as a non-public forum or limited public forum shall be determined by the account operator. Nothing in this policy shall prevent the District from turning a limited public forum District-owned social media account to a non-public forum District-owned social media account.

The Board approves the following rules for public interaction with District-owned social media accounts regarding posts determined to be in a limited public forum and directs staff to post this information on the District website and all social media accounts as platforms allow:

The District encourages community members to respond to posts and share comments that are related to the District's original post, constructive and courteous toward the school community. Statements and opinions expressed by visitors to the account do not reflect the opinions of the District. Questions regarding information should be directed to the building administration, Director of Communications, or to the Superintendent's office for District-wide information. The District reviews comments and may remove comments which:

1. Are profane, vulgar, harmful to minors, or obscene, in accordance with Board policy;[2]
2. Contain threats or contain personal attacks on individuals in the school community;
3. Promote, suggest, or encourage illegal activity or incite violence;
4. Promote or endorse commercial products, services, or businesses;[3]
5. Contain confidential information;
6. Contain false or libelous statements;
7. Promote, endorse, or disparage specific political organizations or candidates;
8. Contain speech directed at a protected class of individuals, in accordance with Board policy on discrimination and harassment;[4][5]
9. Are spamming in nature (same comment posted repeatedly);
10. Are not directly related to the original District post;
11. Contain images of students or other personally identifiable information of students or minors; or
12. Other content deemed inappropriate.

Delegation of Responsibility

The Board designates the Superintendent, Director of Communications or designee to oversee all District-owned social media accounts.

The Director of Communications or designee shall serve as the primary contact person for District-owned social media accounts.

The Superintendent, Director of Communications or designee shall notify students and staff about this policy through employee and student handbooks, posting on the District website and by other methods deemed appropriate.

All District staff assigned to monitor and maintain District-owned social media accounts shall receive training on:

1. Regularly reviewing District-owned social media accounts, in coordination with the Director of Communications, to update, remove and/or correct information;[6]
2. Complying with confidentiality provisions of student and staff information, in accordance with applicable law, regulations, and Board policy and administrative regulations;[7][8]
3. Monitoring content for confidentiality and intellectual property violations, documenting potential violations, and notifying appropriate District staff to consider further action;[7][8][9]
4. Monitoring content for web accessibility standards and responding to public requests for accommodations;[2][4][5]
5. Monitoring public comments and responding, where appropriate, with clarification or redirection to additional information; and
6. Monitoring public comments according to Board Policy and administrative regulations and notifying appropriate District staff to consider further action, if appropriate. Staff shall be provided training to assess comments in a viewpoint neutral manner, based on the Board's approved rules, regardless of the specific subject matter of comments.

The Board authorizes designated District staff maintaining District-owned social media accounts to remove individual posts or comments by public users that violate the established social media rules of this policy. Staff must consult with the Superintendent, Director of Communications, or designee in determining appropriate actions. Individual comments or posts that violate guidelines listed in this policy may be deleted (if possible given the social media platform) without further notice. The Board directs that posts and comments may not be removed solely because they are critical of the District or District leadership, because they promote an unpopular opinion, or because of their viewpoint if the post or comment otherwise complies with the established social media rules. Staff must always be able to articulate the reason for removing a specific post in accordance with Board policy.

Designated District staff may not block users from accessing or commenting on District-owned social media accounts unless the outside account is identified as a security or system threat or spam account. Staff may consult with the Superintendent, Director of Communications, or designee in determining appropriate actions.

Guidelines

Photos, Videos, and Livestreams of Students and Staff

The Board authorizes posting of student images in photos, videos or livestreams depicting the educational process or school-related events on District-owned social media accounts, unless the students' parents/guardians have opted out of sharing directory information under the Family Educational Rights and Privacy Act and Board policy.[7][8][10][11]

The Board prohibits posting of other personally identifiable information of students on District-owned social media accounts without the consent of the parent/guardian, in accordance with applicable law, regulations, and Board policy and administrative regulations.[7][8]

The Board prohibits posting of staff images in photos, videos, or livestreams when a staff member has submitted a request to the Superintendent or designee that their image not be posted publicly online.

The Board directs District staff to post images and information to social media accounts in a manner that protects the safety and security of students and staff, such as posting images without identification.

Accessibility

The Board directs District staff who maintain District-owned social media accounts to post content that is accessible to individuals with disabilities, to the greatest extent possible based on the limitations of the platform. This shall include, but is not limited to:[4][5][12][13][14][15]

1. Including alternate text descriptions or captions for images;
2. Including captions for video content;
3. Avoiding text that is posted as an image;
4. Creating links and attachments in formats that are accessible to screen readers and other assistive technology; and
5. Formatting text so that it is accessible to screen readers and other assistive technology.

All District-owned social media accounts shall contain clear contact information that may be used by members of the public to request accommodations or assistance.

Intellectual Property Rights

The illegal use of copyrighted, branded, or trademarked materials or trade secrets is prohibited on District-owned social media accounts. All content shall be subject to copyright fair use guidelines and applicable laws, regulations, and Board policy and administrative regulations.[9]

Reposting

District-owned social media accounts may highlight social media posts by others by reposting their messages, so long as the content of the repost is furthering the educational mission of the District.

Connecting with Other Social Media Accounts

Content or information posted to District-owned social media accounts shall not be connected to other social media accounts through linking or tagging if the outside account is for a commercial application, product, or service and the District or its employees would receive financial or other compensation as a result of the connection.

When an official Board-approved corporate sponsorship or partnership includes connecting with the sponsor on District-owned social media accounts through linking or tagging, such connections shall be addressed in accordance with the provisions of the approved contract or partnership.

District-owned social media accounts shall not be connected to social media accounts of individual students through linking or tagging.

District-owned social media accounts may be connected through linking or tagging to social media accounts of parent-teacher organizations, District-related booster organizations or similar school-related groups when the content or information has been reviewed and approved by the Director of Communications, Superintendent, or designee.

Employee Personal Social Media Accounts

The District shall not authorize, endorse, or participate in posting on private social media accounts of individual District employees.

District employees are strongly encouraged to use privacy settings on social media accounts and to clearly identify that it is their personal social media account and that it does not officially represent the Board or District.

In accordance with *Board Policy 824: Maintaining Professional Adult/Student Boundaries*, when communicating electronically, adults shall maintain professional boundaries with students consistent with this policy. Employees shall avoid private communications with students via personal social media accounts, including through chat features.

Electronic communications with students shall be through District-provided email or other District-provided communication devices, the learning management system, and/or other approved media platforms. Adults should be aware that they are bound by this policy regardless of whether they are using District-provided or personal devices. The use of District-provided email or other District-provided communication devices shall be in accordance with District policies and procedures.[6][16]

The District respects employees' freedom of expression. The District does not actively monitor personal social media accounts of current District employees; however, the District reserves the right to address employees' speech posted on social media that has the potential to affect the District's operations. Speech that takes place off-site and on an employee's own time, including posting on personal social media accounts in a private capacity, may be addressed if the District establishes that the employee's expression infringed on the interests of the District in promoting the efficient and effective functioning and educational purpose of the District in accordance with established First Amendment principles.

If employee speech or expression would violate law or Board policy in a traditional forum, it is also prohibited in an online forum. The District may consult with the District solicitor in determining the appropriate course of action, in accordance with applicable law, regulations, and Board policy.[17][18][19][20][21][22]

Student Personal Social Media Accounts

Student use of personal social media accounts shall be addressed in accordance with applicable Board policies and administrative regulations related to student conduct, expression and students' individual rights and responsibilities. In accordance with Board policy, the District shall provide education on network etiquette and appropriate online behavior for students, including interaction with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.[2][4][23][24][25][26][27][28]

Consequences

A District employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with applicable law, regulations, and Board policy and administrative regulations. [1][16][17][21][29]. A District student who violates this policy may be subject to disciplinary action in accordance with the Student Code of Conduct relating to off-campus conduct and speech.

Third Party Social Media Accounts

Third party social media accounts are not operated or controlled by the school District. These accounts are privately created and maintained, and are not actively monitored by the District.

Third party social media accounts may not use the school District's logo, unless given express written permission by the Superintendent or designee. The school District encourages the operators of all third-party social media accounts to be good-faith ambassadors of the school

District, and to operate these private social media accounts in a manner that represents the school District in a positive light.

Third Party Contractors and Personal Social Media Accounts

Those employed by third-party contractors whose services are solicited by the District shall be held under the same Board policy expectations as those employed directly by the District.
[1][16][17][21][29]