

## LEGAL UPDATE: GUIDING STAFF IN THE USE OF SOCIAL MEDIA

Questions and concerns regarding the use of social media by students and employees come up on a regular basis these days. What should I do if a student sends me a “friend” request on my personal Facebook account or wants to “follow” me on Instagram? Is it ever o.k. to post pictures of my adorable pre-K students? You mean I shouldn’t complain to my friends on my *personal* Facebook page about how my awful student Alexander is responsible for my terrible, horrible, very bad day and is the reason that I am going to go out and get wasted tonight? What about free speech? Don’t I have a right to express my opinion on my own time, on my own private Facebook page?

As school administrators, you may already have been called upon to answer some of these questions. If not, count your blessings, but know that it is almost inevitable that *your* day will come!

Following are a few simple guidelines that address some of the social media issues that you may encounter. I encourage you to share these pointers with your faculty.

- While you have a constitutional right to free speech, that right is tempered by the obligations you accepted when you chose to work for the Jefferson Parish Public School System. So, even though you are free to enjoy a Facebook account, post videos, or share your photos on Instagram, remember that you have an obligation to uphold your professional position in the community. Think about the content of what you post. If your gut questions, “Should I?” – the answer is a resounding “NO”!
- General comments concerning matters of public concern will typically be protected speech, but publishing information you learn on the job will not necessarily have such protection. ***Think carefully before posting any comments that reveal information you have obtained as a result of your job.***
- Never, ever post any comments about a student in particular, or your students in general, that could in any way suggest their identities or their less than stellar existence as a person or performance as a student.
- Remember that a release to post photographs is applicable only to the school or district’s use and not a teacher’s individual use. In the case of a club, athletic team or other student group (i.e. a class on a field trip), the sponsor should obtain waivers from each parent before posting photos on any site other than the school or district website.
- When you see that a student at any school in the district has sent you a “friend request” or a request to “follow” – **JUST SAY NO!** If you already have “friends” or “followers” who are current students, the best advice is to “unfriend” or “block” each of them from your site.
- Be aware of the potential results of posting party pix, seductive selfies and other photos that portray you in a sexually inappropriate or otherwise adverse light. Like it or not, parents expect teachers and others who work with children to set a positive example by conducting themselves in a respectable, professional manner at all times. When parents (and students) see inappropriate photos of, and posts by, teachers, the resulting complaints can quickly infect the classroom and the teacher’s ability to command the respect and control necessary to Performa and invariably cause a disruption of the educational process.

As school administrators, you encounter a variety of legal/policy matters on a regular basis. Please do not hesitate to contact me if you have questions or need help with this, or other legal issues that may arise. I can be reached at: [padams.legal@jppss.k12.la.us](mailto:padams.legal@jppss.k12.la.us) or 504-365-5366.

Good luck! Patricia Adams, Chief Legal Counsel