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ST. CROIX PREPARATORY ACADEMY SOCIAL MEDIA Policy #SCPA-711

I. PURPOSE

The purpose of this policy is to address the SCPA's expectations for professional and personal use of social media by SCPA employees.

II. DEFINITIONS

- A. Social Media: Internet and mobile-based applications, websites, and functions, other than email, for sharing and discussing information, where users can post photos, video, comments, and links to other information to create content on any imaginable topic.
- B. Employee: Any person employed by the SCPA, as well as any Board member, agent, independent contractor, volunteer, or other person engaging in work for the SCPA.
- C. On Duty: Includes any time for which the employee is being compensated by the SCPA, excluding vacations, sick days, personal leave, and paid holidays.
- D. Post: To publish or share something on an employee's own social media account or profile, or to comment on, react to (e.g., like, dislike, etc.), or respond to another user's post(s) on the other user's social media account or profile.

III. GENERAL STATEMENT OF POLICY

- A. Employees must comply with SCPA policies and all state and federal laws when using social media.
- B. Employees must not use social media to post, publish, or disclose data classified as private or confidential under federal or state law, including but not limited to data



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on SCPA students, parents, employees, or other representatives or agents of the SCPA.

- C. Employees must not post images on social media of other SCPA employees or students without prior consent of the employee or the student's parent, unless permitted by law or SCPA policy.
- D. Employees must not use social media to disclose floor plans, blueprints, emergency response plans, or any other data that, if disclosed, could jeopardize the security or safety of students or staff at school.
- E. The SCPA's Executive Director, or their designee is the SCPA's authorized spokesperson. Employees must not use social media to speak for, or on behalf of, the SCPA or represent that they speak for, or on behalf of, the SCPA before, during, or after their duty day, without the Executive Director, or their designee's prior approval.
- F. Employees must not use or post the SCPA's logos on social media or create a social media account that represents the SCPA without prior approval from the Executive Director or their designee.
- G. Employees must be respectful and professional in all communications (by word, image, implication, and other means). When employees engage with SCPA students, families, fellow employees, or members of the general public on social media, they must maintain professionalism and remain responsible for addressing inappropriate behavior or activity on these networks, including requirements for mandated reporting. Employees must not post material that is pornographic; promotes harm or violence; promotes criminal or illegal activity; promotes discrimination; or could reasonably be predicted to create a material and substantial disruption to SCPA operations or an environment that is not conducive to learning.
- H. Employees must maintain professional boundaries with students on social media. Employees may not engage in communications with students that give the impression of being peer-to-peer communications, unless the employee and student are related. Employees should refrain and limit extensive social involvement or develop personal or private relationships with individual students through social media, unless they are related. Upon a student's graduation, employees establish more informal connections via social media.



- I. When employees express themselves pursuant to their official job duties, they speak as SCPA representatives. When employees speak in this capacity, they must follow their supervisor's directives and the SCPA's mission. Employees may be disciplined for expression that is inconsistent with their supervisor's directives and the SCPA's mission or that is made pursuant to their official job duties and is not otherwise protected under the Constitution or a federal or state law.
- J. Even when employees express themselves when they are not on duty, their right to express themselves is balanced against the SCPA's right to maintain efficient operations and an environment that is conducive to working and learning. Employee speech is not protected if it creates disharmony in the workplace; impedes an employee's ability to perform his or her job duties; significantly impairs the working relationship with other employees; or significantly harms the SCPA's image in the community. Employees may be disciplined for speech that implicates these non-protected forms of expression.
- K. Employees must be mindful that the public may have difficulty discerning between personal and professional social media activity. Employees must be mindful of the risk of harm to their professional reputation, and to the SCPA's reputation, which can occur from engaging in inappropriate use of social media. Employees must be mindful that information published on social media can be widely distributed and easily accessible for a long period of time. Employees must notify community members that their views are their own and do not necessarily reflect the views of the SCPA.

IV. OFFICIAL SCHOOL SOCIAL MEDIA ACCOUNTS

- A. The SCPA may establish official accounts on select social media platforms. The SCPA's Executive Director or their designee must approve all official SCPA social media accounts.
- B. With prior approval from the Executive Director or their designee, employees may post for the SCPA on the SCPA's official social media accounts, subject to the following restrictions:
 - a. Employees must not use obscene, profane, or vulgar language on any SCPA-sponsored social media.



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- b. Employees must not engage in communication or conduct that is obscene, pornographic, harassing, threatening, bullying, libelous, defamatory, or that encourages any illegal activity, the inappropriate use of alcohol, the use of illegal drugs, sexual behavior, sexual harassment, or bullying.
 - c. Employees must not post images of a student on SCPA-sponsored social media accounts if the student or, if the student is a minor, the student's parent or guardian, has opted out of image use of their child or has not provided the appropriate approval. Exceptions to this rule include images of students taken in public arenas such as sporting events or fine arts public performances where names are not included.
 - d. Employees must comply with all applicable SCPA policies and all laws, including, but not limited to, copyright laws, privacy laws, and laws governing the use of another person's name, likeness, or other personal attributes.
 - e. Posts on SCPA-sponsored social media must be secular in nature.
- C. The SCPA's official social media accounts are the property of the SCPA. The SCPA may monitor and regulate the content of information on its sites and accounts. Employees are prohibited from taking accounts with them when they leave the SCPA or attempting to change the account name or password on these social media accounts.

V. EMPLOYEE USE OF SOCIAL MEDIA

- A. Use of social media during the duty day.
 - a. Employees may use social media for legitimate educational purposes, including promoting student learning and implementing the SCPA's approved curriculum, during the duty day.
 - b. Employees must comply with all applicable state and federal laws and SCPA policies when using social media during the duty day.



- c. Employees must limit personal use of social media during the duty day. If an employee's supervisor or the Executive Director determines personal use of social media is interfering with an employee's work, restrictions may be placed on an employee's use of social media at the discretion of the Executive Director or their designee.
- B. Use of social media outside the duty day.
 - a. Employees may use SCPA equipment to access personal social media. Employees must be mindful that the SCPA monitors and inspects its computer systems and networks; and the SCPA reserves the right to inspect its equipment. Employees should have no expectation of privacy for any data stored or transmitted via SCPA computer equipment or networks.
 - b. Employees must not use their SCPA e-mail address for social media accounts that are not sponsored by the SCPA without approval from the Executive Director or their designee.
 - c. Employees must make clear that any views expressed on personal social media accounts are the employee's views and do not necessarily reflect the views of the SCPA. Employees must not act as a spokesperson for the SCPA or post comments as a representative of the SCPA on their personal social media accounts.
 - d. Employees must not use the SCPA's name, any SCPA trademark, or any other intellectual property belonging to the SCPA on their personal social media account.
 - e. Employees must not express themselves on social media in a manner that is intended to—or could reasonably be predicted to—undermine the efficient operations of the school and/or create an environment that is not conducive to working and learning.
 - f. Employees must not express themselves on social media in a manner that is intended to—or could reasonably be predicted to—create disharmony in the workplace; impede an employee's ability to perform his or her job duties; significantly impair the working relationship with other employees; or significantly harm the SCPA's image in the community.



VI. CONSEQUENCES

- A. Employees who violate this policy may be subject to discipline, up to and including termination. The level of discipline will depend on the nature and severity of the offense.
- B. Employees must be mindful that the SCPA routinely monitors and inspects its computer system. Employees have no expectation of privacy in any data stored on or transmitted through the SCPA's computer system.
- C. Employees must be mindful that the SCPA may view and monitor an employee's publicly viewable social media, website, or blog at any time without an employee's consent or previous approval or knowledge.
- D. Employees must be mindful that data stored on the SCPA's computer system, including social media data, are subject to inspection and disclosure under applicable law including, but not limited to, the Minnesota Government Data Practices Act and Family Educational Rights and Privacy Act. Employee data may also be subject to disclosure in litigation or to law enforcement in connection with a criminal investigation.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
20 U.S.C. § 1232g, et seq. (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1, et seq. (Family Educational Rights and Privacy Act)
Minn. Rules Part 8710.2100 (Code of Ethics for Minnesota Teachers)
Minn. Rules Part 3512.5200 (Code of Ethics for SCPA Administrators)
Garcetti v. Ceballos, 547 U.S. 410 (2006)

Cross References:

District Policy XXX (Public/Private Personnel Data)
District Policy XXX (Technology Acceptable Use)
District Policy XXX (Prohibiting Harassment and Violence)
District Policy XXX (Bullying Prohibition)
District Policy XXX (Protection and Privacy of Pupil Records)
District Policy XXX (Internet Acceptable Use Policy)
District Policy XXX (Social Media for Student Participants)