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Social-Networking Websites: A Private School's Guide to Social Media Policy

Twenty years ago, a high school student dissatisfied with a particular school policy or a teacher's action would perhaps complain to a fellow student after class or on the bus ride home. Today, students are taking their complaints to the most public forum: the Internet. The increased use of student blogs and social networking websites, such as Twitter, My-Space, FaceBook and You-Tube, has allowed students to express their opinions on a wide range of issues, whether factually correct or not. While the expression of free speech is important, educators must be cognizant of how the improper use of the Internet can create negative exposure for both the student and the school. As a result, private educational institutions have a strong interest in drafting social media policies regarding students' proper usage of social websites as the world of social-networking websites continues to gain popularity.

Private institutions have broad discretion in construing rules and regulations to meet their educational responsibilities and their stated missions. For independent schools, the student relationship is typically founded on a contract, in which the policies, regulations and rules dictate the relationship. Specifically, the student handbook is found to be the guiding policy for student behavior.

Students often believe that the speech conducted off-campus on the Internet is immune from discipline. To the contrary, school administrators at private schools may discipline students as long as the decision to discipline is not arbitrary and is based on a violation of contractual relationship defined by the student handbook. In addition, students may also find themselves subject to civil and criminal liability for their activities on the Internet. For this reason, it is important for administrators to take care in drafting a social media policy and educating students on the proper use of the Internet.

Although private schools may regulate speech conducted on the Internet, school administrators should be careful not to overextend this right and censor more speech than necessary to protect the integrity of the school. Social media policies should be carefully drafted and strictly adhered to by school policymakers. In drafting a social media policy, administrators at private schools should consider the following:

- There are more than five million FaceBook users under the age of 17, with 20% of FaceBook account holders being in High School.¹
- Typically, students attending private schools do not have the same constitutional protections as public school students; however, a number of states have enacted additional protections. Thus, in drafting these policies, school officials must be cognizant of state laws which may provide additional protections for private school students.
- School officials should continually educate students on the proper use of the Internet and how interactions on the Internet can have both social ramifications and legal consequences.
- It is important to enact clear disciplinary procedures, and it is equally important for the school to adhere to the procedures for all violations of the social media policy.
- School officials must ensure that students and parents are aware of the new social media policy and the consequences for violating the policy.
- Specifically, social policies should remind students that they are representatives of their school both in and out of school, in the real world and the virtual world, and

thus, students should aspire to represent the mission and values espoused by the school at all times.

- Private schools should ensure that any new social media policy is compatible with, and not in conflict with, the policies and procedures of the student handbook.
- Schools will benefit from creating their own FaceBook fan pages and Twitter Accounts to promote student pride in their school and also help monitor students' social activity.

By following these guidelines, private schools can help ensure that their students are adhering to proper Internet etiquette while simultaneously maintaining a positive reputation for themselves and the school they represent.

Please contact Nicolson Associates LLC for further information about this Update and other related topics.

ⁱ <http://www.scribd.com/doc/17152718/Facebook-Demographics-Statistics-2009>.

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