



SLRMA's Checklists are tools to help you avoid potentially damaging liability.

In November SLRMA Members' most popular checklists are:

1

2013 FLSA Checklist Update

2

Disciplining Students with Disabilities Self-Audit Checklist/Best Practices On the Use of Restraint

3

Avoiding FLSA Pay Violations Self-Audit Checklist for Substitute Teachers

4

Bullying: A Real Threat to Your School District and All of Your Students!



The Whole World is Watching

- **Teacher and school sued for posting students' pictures on her personal Facebook page;**
- **Parents force termination of teacher as a result of her private photo on Facebook;**
- **Court forces reinstatement, and awards damages, to teacher who was fired for "venting" about her students on her blog.**

Social Media Part II Checklist Excerpt Inside

In SLRMA's District Social Media Policy, Part I: Student Social Media Policies Checklist, schools were given the essential tools they needed to address the growing use of social media by students and the school liability that can arise from such social media. With District Social Media Policy, Part II: Administrator/Teacher Social Media Policies, SLRMA now provides your school the essential tools to create, assess and manage its own social media resources and provides a best practices guide for new (and experienced) teachers on the use, and non-use, of social media.

These two checklists should be in your school's arsenal for combatting liability. Without a proper social media policy in place, the potential for school liability may be staggering. Indeed, the whole world is watching. According to a recent study, more than 1 in 10 teachers accused of misconduct last year had used social networking sites and email to establish inappropriate relationships with pupils, resulting in claims against the schools and its administrators. Teachers (and schools) are facing sanctions and liability for postings on

personal social media sites as parents, and other members of the community, are seeking accountability for inappropriate, yet wholly legal, postings.

Moreover new teachers are finding themselves embarrassed, under fire or worse for using personal social media sites in ways that may have been acceptable when they were younger but no longer appropriate as a teacher. For example, a New Jersey School District is facing a contentious lawsuit filed by a terminated teacher because she was fired after displaying the use of alcohol on her Facebook account. Schools are being targeted by fired teachers for wrongful termination suits and being targeted by angry parents for allowing seemingly unprofessional teachers to interact with their children.

As a consequence, the social media landscape creates ample opportunity for schools to incur liability for their own actions as well as the actions of their teachers. The newest checklist at SLRMA.org will help your school district. After downloading Part I, download Part II of SLRMA' District Social Media Policy today and start protecting your school because the whole world is watching.

District Social Media Policy Checklist Part II: Administrator/Teacher Social Media Policies

How does the district monitor the use of Public Social Media by the district and its employees?

Districts must be ready to create and establish policies and procedures to self-police itself and its teachers in order to ensure that district policies are being followed.

- ◆ Has the district designated a person or persons to have and maintain administrative rights, which provide limited access to those Public Social Media maintained by teachers for use in their classes? Yes No
 - ◆ Has the district designated a person or persons to monitor and provide feedback to teachers and other education professionals regarding the content of the Public Social Media used by the teacher? Yes No
- * * * * *
- ◆ Has the district clearly notified employees that employees have no expectation of privacy with regard to the use of district acceptable Public Social Media? Yes No

Best Practices. The U.S. Supreme Court has determined that a government employee has no First Amendment rights when speaking pursuant to his or her official duties. Garcetti v. Ceballos, 547 U.S. 410 (2006). Consequently, when a teacher or administrator is using approved Public Social Media (pursuant to their official duties), districts are entitled to control the message. Thus, it is critical that districts maintain a bright line between Public Social Media and Personal Social Media.

VI. Does district policy address the employees' use of Personal Social Media?

- Does district policy prohibit employees from communicating or otherwise engaging in social media with currently enrolled students or other minors outside the approved Public Social Media? Yes No
- Does district policy create an exception for emergency situations or for those instances that would result in an employee fulfilling their mandatory reporting obligations? Yes No

Recent Dispatches in the Newsroom



Log In and Download the Recent Updates That May Impact Your School District and Find Out What You May Be Missing

October 2013 | *Goudeau v. East Baton Rouge Parish School*

Principal who threatened termination and ultimately transferred Teacher who refused to participate in grade changing scheme was not entitled to immunity for Teacher's suit for wrongful termination and violation of Teacher's First Amendment Rights. Given that principal's actions violated the law, Teacher's outspoken criticism was protected speech because it addressed a legitimately public issue and not simply involved an employment dispute.

Should A Teacher Be Fired Over A Facebook Picture?

A teacher in Idaho was recently fired for uploading a photo to Facebook, but do you think she should have been?



Anonymous 12 days ago

126 43

Why is a teacher posting a pic like this?

BECAUSE SHE IS A PERSON JUST LIKE YOU!, with rights, with dreams, who makes mistakes, who goofs off on trips and giggles looking at the pictures!



Anonymous 22 days ago 0 12

45 11

My wife has been a teacher for 10 years. She does have Facebook, but she won't friend any students until after they move from he middle school to the high school. Also, she is very particular about what she puts on her page. She would never put something like this on her page. Do I think it's terrible, no. But maybe inappropriate if she is friends with her students.

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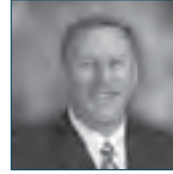
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High School Coach Fired for Displaying Photo of Fiance Holding Her Breast on Her Facebook Page

School did not fire the fiance, the school's varsity football coach, for what it deemed an "immoral picture" because the photo was not posted on his Facebook page.

**Download SLRMA's
2013 Administrator/Teacher Social Media Policies Part II
Today to Protect Your School**