

# **Online Professionalism**

Royce Kimmons

## **3.3**

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## Learning Objectives

- Understand the legal and ethical professional requirements placed upon teachers;
- Develop a conceptual understanding of professional identity in online spaces;
- Identify problematic behaviors;
- Analytically deconstruct realistic teacher scenarios to determine when mistakes were made.

I try to act differently on Facebook than I do in real life, ... because I have heard so many warnings about jobs and employers looking at your Facebook profile.  
(Josefina)

You're a teacher. Your goal is to teach kids. So, the only people that can tell you how to do your job are the people that write textbooks about "how to teach," right?

Well, not really.

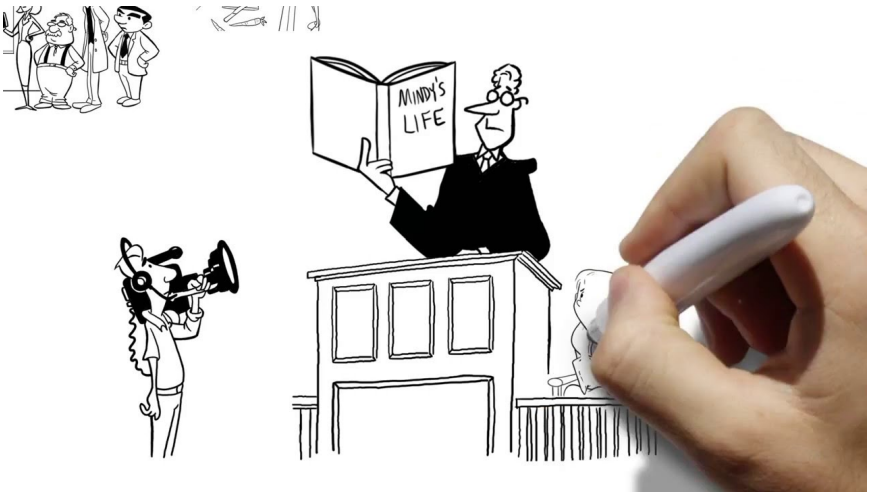
We teach within social contexts, and since you answer to an employer,

the way you teach and the way you act are subject to the guidelines of your employer and the laws where you live. For public school teachers, your employer is the state and the people it represents.

So, when it comes to your professional behavior, you have to abide by **(1) national laws, (2) state laws, (3) district policies, and (4) institutional policies** if you want to keep your job.

If you don't understand these laws or policies, or choose to ignore them, then you are not immune to the consequences, which might include disciplinary action, termination, or imprisonment. The only way to be sure that you're safe as a teacher is to know what the laws and policies related to your profession are and to abide by them.

This chapter provides information on professionalism but also periodically provides statements from teacher education students who are trying to grapple with how they should go about using social media while at the same time becoming professional educators.



[Watch on YouTube https://edtechbooks.org/-Uq](https://edtechbooks.org/-Uq)

## Key Terms

### Data Persistence

the ongoing storage and availability of data via web platforms (e.g., old social media posts)

### Moral Turpitude

a typically not-well-defined clause in teacher contracts that allows employers to hold teachers accountable for the morality of their actions

## Online Identity

I wouldn't want to be completely myself on Facebook, because I don't want two thousand people knowing everything about me. You only see a little bit of who I am. (Nora)

People are complicated creatures. They live in complex societies and must navigate various social circumstances on a daily basis just to go about life. People also often make assumptions about others and judge them based upon very limited information.

Online, people craft identities for themselves that are often inflated and unreal. As one college student explains:

You get on Facebook and see all these pictures of your friends having a great time on all these adventures, getting engaged, and having kids, and everything, and it kind of creates this whole comparison. Like: Why is my life not as exciting as this person's? (Daphne)

We watch each other's activities online and draw conclusions about one another, even though these conclusions might be based upon very limited information and be grossly off-base.

As a teacher, this is important to understand, because whether you like it or not, others will draw conclusions about you based upon what they see online, and whether those conclusions accurately reflect your identity or not, they can have effects on your ability to be an effective teacher and to lead a fulfilling professional life.

## **Control vs. Influence**

I saw a friend of mine that posted a picture of another friend with two bags of marijuana in both hands and a joint hanging out of her mouth, years after it happened. He posted this picture of her on Facebook, on her profile, and I could see it, and I'm not friends with her. (Josefina)

One of the problems with social media is that once something is posted, it can be stored, shared, and reposted with ease. Imagine if you write an email complaining about a student to your friend. Imagine if the same friend posted this email to Facebook to share how difficult it is to be a teacher today. Even if you didn't post the email yourself, might this still shape how others view you and have repercussions for your job? Yes, it could.

As an internet user, you have control over what you post, but you do not control what others post about you or what others do with your information once it is available, so you can only influence these things.

As the figure illustrates, you do not always control every aspect of how people might perceive or judge you, and this is especially true in electronic media, even if you are not posting anything illegal or unprofessional yourself. This means that, as much as possible, you should try to take ownership of your online presence and ensure that

others are not able to incorrectly make assumptions about you based upon what they may find. This also means that you should be very careful about what you share and what you allow others to share about you.

## **Data Persistence and Life Transitions**

In high school, you go through stages. I went through a hippie stage in high school. Now, I'm a junior in college, so my phase now is a little more grown-up. ... The person that you are as a freshman in high school is a lot different than the person you are as a junior in college, ... [and] that's the scary thing about the web in general is it's on the web, and it's there forever. (Brinley)

Another problem with electronic media is that data are persistent. That is, if you started a Facebook account when you were in high school, the same data that you placed into the system at that time could be available for others to see years later when you are a college student or teacher. Aside from simple embarrassment, this [data persistence](#) can have implications for you as a teacher if you do not take control of your online presence.

Who I was in 2008, when I was in high school, before I graduated ... I don't want people to see that, ... because it is who I was then, but that part of my life is over. ... So, I actually forgot about it myself. (Evangeline)

It's probably a safe bet to assume that the way you want people to look at you when you're 25 isn't the same that you wanted them to look at you when you were 16. This means that, as a 25-, 35-, or 85-year-old, you should try to ensure that your online presence accurately reflects who you are now and how you want to be perceived now. This is especially true as you go through major life transitions, like becoming an adult and professional, or if you are

trying to distance yourself from previous activities or experiences that you do not want to define your life in the future. If you had a few wild years as a young adult, do you really want those to define how others perceive you now? If you got into some trouble as a teenager, should the teenagers that you teach be able to find that out? In short, you should be aware that much of your data online is persistent, but you can delete and/or control a good portion of it. So, you should take care to determine what people can find out about you from your digital footprint and clean it up as necessary.

## **Legal and Professional Standards**

Abiding by the law is a good start, if you're going to be a teacher. (Violet)

State laws vary somewhat, but generally speaking, there are some simple laws that teachers must abide by. Some of these laws determine how teachers can appropriately interact with students. For instance, the Utah Administrative Code (R277-515-3-C) states that:

The professional educator, upon receiving a Utah educator license: [...] (3) shall not commit any act of cruelty to children or any criminal offense involving children; (4) shall not be convicted of a stalking crime; (5) shall not possess or distribute illegal drugs, or be convicted of any crime related to illegal drugs, including prescription drugs not specifically prescribed for the individual; (6) shall not be convicted of any illegal sexual conduct [...] (14) shall not solicit, encourage or consummate an inappropriate relationship, written, verbal, or physical, with a student or minor; (15) shall not participate in sexual, physical, or emotional harassment or any combination toward any public school-age student or colleague, nor knowingly allow harassment toward students or colleagues; (16) shall not

make inappropriate contact in any communication—written, verbal, or electronic—with minor, student, or colleague, regardless of age or location.

Some of the simple laws highlighted above include the following:

- Teachers should not interact or communicate with students or minors in any manner that might be construed as romantic, abusive, harassing, cruel, sexual, or overly intimate;
- Teachers should not promote or use illegal drugs (including prescription drug abuse and underage drinking);
- Teachers should not communicate "inappropriately" with students or colleagues, regardless of age or location.

Violating these laws will get you fired or imprisoned and may also lead to permanent loss (or failure to gain) your teaching credential. Yet, as you can see, some of these laws are subject to interpretation. For instance, what does "inappropriate" mean? And who decides? The answer is *not the teacher*. Appropriateness is determined by the state, the district, or the school, not you. Beyond legal compliance, teachers are also expected to be "role models of civic and societal responsibility," ([Utah Administrative Code, 2010](#)), and national standards have recently been adopted by professional organizations related to teacher professionalism ([NASDTEC, 2015](#)). The way that districts and state boards of education interpret professionalism is subjective and contextual, since it's loosely defined in terms of "appropriateness," and even teachers' personal lives are subject to scrutiny.

You probably shouldn't have a picture of you in a bikini as your profile picture, because you're trying to be a professional. (Violet)

Relying upon legal and policy advice from statewide organizations, districts tend to adopt policies that are intended to help keep student-



teacher relationships "professional." Some common key policies include the following:

- Employees must have authorization to communicate with students that are currently enrolled in the district;
- Employees must only communicate with students "about matters within the scope of professional responsibilities;"
- Employees must comply with district requirements for record retention and destruction as they apply to electronic media.

As a result, communication with students could be considered inappropriate if it:

- Is not authorized by the district (e.g., friending a student on Facebook);
- Is not about official classroom-related business (e.g., weekend or vacation plans, students in a different class);
- Is done in a way that bypasses district electronic structures intended to monitor and archive student-teacher communications (e.g., personal email accounts, messaging a student on Facebook).

Though these are policies and not laws (i.e., you probably won't go to prison for breaking them), if you violate these policies you could be subject to disciplinary action, including termination of employment and loss of teaching credentials. All relationships in life have unstated assumptions or requirements that aren't clearly spelled out, and teacher contracts and professional standards are typically written to allow for a high degree of personal interpretation on the part of administrators.

We are placed in responsibility of kids ... we should hold ourselves to the highest standards. (Evangeline)

## Moral Turpitude

Parents are trusting us with the most precious thing in their life, which would be their kid, and so they want someone who has ... good values, good morals. ... I definitely think that teachers are probably held to a higher standard as far as Facebook is concerned than a lot of other professionals. (Ingrid)

In law and teacher contracts, morality is typically invoked as the standard for determining the appropriateness of teacher actions. Yet, when school districts hire teachers on a contract, the contract may not clearly spell out absolutely everything that a teacher might do wrong and how the district will respond if that happens. This is in part because no one can guess all the things that could possibly go wrong at the outset. For this reason, teacher contracts have traditionally included what are called "[moral turpitude](#)" clauses. A "moral turpitude" clause basically means that "anything else that you might do that the community thinks is wrong," like coming to work in a bathrobe and penny loafers, "is probably wrong, and the district can punish you accordingly."

The thing about moral turpitude is that it's not clearly defined, and what is or isn't okay may vary based upon your community, school board, and so forth, but you have no way of knowing this unless you understand the culture of the school and community where you work. Similarly, some states have written the following into law: "The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state" ([Texas Administrative Code, 2010](#)). So, by this, the state can also make a judgment as to your moral character based upon what you do both online and offline.

Moral turpitude can apply to just about everything in a teacher's life, including electronic media. Doing it in a public area online is the exact same as doing it in a public area in real life, and if you do

something online that someone associated with the school can see (e.g., students, parents, administrators, etc.), then your behavior might be deemed as inappropriate if it violates moral turpitude, or what the community or school board thinks is appropriate.

As a result, if you use electronic media in any way that (1) violates law or policy or (2) interferes with your ability to effectively perform your job duties within the community (as judged by the school board), then you may be subject to disciplinary action, including termination.

## **What do you think?**

Should schools be able to punish teachers for immoral behaviors?

- a. Yes
- b. No

## **Freedom of Speech**

If you have really strong opinions that are offensive to a majority of people or would offend your students or their families, then you shouldn't display those. [It's] not that you can't have [those opinions or beliefs], but you shouldn't display them on something like Facebook.  
(Violet)

The [First Amendment to the U.S. Constitution](#) ensures that people have rights to freedom of religion, speech, assembly, and petition. However, professional standards can have the impact of restricting some of these freedoms when evaluating teachers. For instance, the legal ramifications of sending a late-night text to a minor may vary from state to state, but school boards can adopt policies that penalize teachers from doing this. Similarly, school boards have the ability to interpret "appropriateness" and "professionalism" in a variety of ways

and can discipline teachers for perceived violations (e.g., pictures of drinking or smoking on Facebook, "friending" a student).

Though teachers have certain freedoms that are protected by the constitution, this protection does not mean that you can willingly violate district policies with immunity. You cannot, for instance, have romantic, sexual, or other inappropriate social relationships with students or minors, online or offline. You cannot solicit minors to use alcohol, drugs, or tobacco, and some have interpreted putting pictures of yourself drinking or smoking online as doing precisely that. You cannot carry or consume tobacco, drugs, or alcohol "while at school or at school-related activities," and many districts require their teachers to meet certain dress and grooming standards, like being "clean" and "neat, in a manner appropriate for their assignments" ([Texas Association of School Boards, 2010](#)). If you are disciplined for what you believe to be protected speech, you might have a case for a lawsuit against the district, but you might not win the case, and the overall experience might seriously impact your career.

Someone might think: "Wait a minute, I'm over 21, so it's legal for me to use alcohol/tobacco/etc, right? It's also legal for me to kiss my boyfriend/girlfriend in public, to wear a revealing swimsuit at the beach, to write racy fiction, to critique my boss behind her back, to cuss about the lunch menu, to vent about parents, and to pose as a model in a risqué video. So why should I need to be careful about posting those things online?" In short, you need to realize that you are in a position of power with the children that you teach, and parents and school boards expect you to be a role model for those children. As a result, if parents or the school board believe that you are not being a positive role model in terms of their interpretation of the morality of the things that you do, then they can cite "moral turpitude" as grounds for disciplinary action. So, you might not explicitly tell your students "alcohol is cool, you should all drink with me," but if you post a picture of yourself partying at the bar, then parents or administrators might interpret that this is your message, and teachers

have been fired or otherwise disciplined for posting things like this that they believed were completely harmless.

## **Fairness**

I do think that there is a difference in what people perceive teachers to be [in comparison to other professionals], and I do feel like it's unrealistic in some regards. (Penelope)

Is this fair? Is this respectful of teachers as professionals? Maybe. Maybe not. Either way, teaching contracts give school districts a good standing for making the case that even though you may not be acting illegally, they can fire or otherwise discipline you for any behavior that they think is questionable.

Additionally, electronic media makes the line fuzzy between what is private and what is public, what happens on school grounds and what happens away from school. So, if your district expects you to act in a certain way to fulfill your job duties, then those same expectations might apply to you in online spaces, especially if students, parents, or colleagues can see what you're doing, and even if it was not your intention for them to see it. For example, there have been many recent cases when a teacher sent a private message, text message, or picture to a friend or colleague, who then forwarded the content to others. In these cases, even though the teachers did not intentionally release the message or picture to the public, they are still accountable for the content when the person they sent it to reposts it or shares it with others.

The thing about electronic media is that it makes saving, sharing, and broadcasting easy. Even if you aren't the one doing the broadcasting, you could still be penalized if you put it into the electronic medium to begin with. So, could an angry ex-girlfriend/boyfriend share that private message that you sent them? Possibly. Could that co-worker

that you chatted with on Facebook when you needed to vent about a group of kids forward the chat contents to your boss? Again, possibly. These things have happened, and when they do, the teacher who creates the content to begin with is the one who comes under fire.

## **What do you think?**

Does society make fair demands on teachers' social media use?

- a. Yes, teachers are held to a fair standard.
- b. No, teachers are held to an unfair standard.

## **Teachers vs. Student Teachers**

We knew what we were getting into, and we knew that we were going to be role models, so we knew we were going to have very high standards. (Nora)

Are student teachers held to the same standards as full-time teachers? In a word, yes. Student teachers are generally treated like teachers, except that they don't have employment contracts with the schools where they work, and they are not treated as competent professionals, so they actually have to be more careful about the things that they do. This means that student teachers are expected to comply with all district, state, and national requirements discussed previously, just like full-time teachers, but they are also expected to receive written permission from their cooperating or mentor teachers before communicating with students via electronic media.

Additionally, student teachers are specifically prohibited from communicating with students for social reasons and are responsible for maintaining appropriate content and privacy settings on their personal electronic media (including social networking sites, like Facebook and Twitter, and blogs, like Tumblr or Blogger).

Student teachers should also consider the fact that since they will be entering the job market to become full-time teachers, what they do online will be judged to at least the same standard as full-time teachers when they are being considered for a job. After all, if districts see that you aren't abiding by their district policies when you're a student teacher, then why would they hire you as a full-time teacher?

Sometimes student teachers might think that they're safe, because any questionable content that employers might find online about them has dates associated with it, and they believe that employers will recognize this and cut them some slack. "She was just a typical, crazy college student" or "everyone experiments with stuff like that in high school" are not good defenses, and your employer will probably not give you any benefit of doubt, because instead of asking you about it, they'll most likely just throw out your résumé, no questions asked. Schools don't want college kids teaching their students; they want competent professionals. So, you need to show them that you aren't just "a typical, crazy college student." You should try to show them that there is nothing in your life that could be interpreted as immoral or inappropriate, no matter if it happened last week or ten years ago.



IMG\_1505.jpg, MAFS-USA Intercultural Program via Flickr, CC BY-SA

## Risky Behaviors

"Because children are so naturally inclined to follow examples, ... would I want my son's teacher to have pictures of her drinking on Facebook? No. ... So I kind of understand ... why ... there's so much pressure on us not to post those kinds of things. ... I think that with other professions there is less of that pressure, because you are not working with their kids. ... It's not like they are entrusting their child to you for seven hours a day, five days a week. (Penelope)

Many in our culture act differently online than they would in real life, and federal and state legislators and school districts have passed laws and policies regulating the use of what they call "electronic media."

"Electronic media" are subject to the same requirements as any other type of communication medium (e.g. speaking, telephone calls, etc.).



So, if you could get into trouble saying or showing it to someone in person, then you could get into trouble for saying or showing it online. Just because something's online, it doesn't mean that it's special or protected or anything of that sort; it just means that it can go viral more quickly.

In legal and policy documents, "electronic media" includes any form of electronic communication. This includes, but is not limited to, text messages, instant messages, emails, blogs, forums, chat rooms, video sharing services (e.g. YouTube, Vimeo), editorial comments (e.g. online newspapers, YouTube comments), social networking sites (e.g. Facebook, MySpace, Google+), telephones, cell phones, and web-based applications (e.g. Google Docs, online video games) ([University of Texas at Austin, 2011](#); [Texas Administrative Code, 2010](#); [Texas Association of School Boards, 2010](#)).

So, basically, the technology doesn't matter. If you can communicate with someone through it, then it is considered to be a form of "electronic media," and you're just as much responsible for what you say in electronic media as you are for what you say in real life.

Some educators believe that they can say or do whatever they want via these media as long as they do so "privately." The problem is that privacy in online media is very different from privacy in real life and may not really exist. Email, Facebook messages, and text messages can always be forwarded, hacked, or shown to others, and a great number of teachers who have gotten into trouble for how they use electronic media were only posting things that they thought were "private."

## **Examples of Risky Behaviors**

"Duh! I'm not going to ask my students to join me at a dance party over Facebook! This doesn't apply to me."

Well, you might want to think about it, because school districts interpret what is and isn't appropriate behavior, and here are a few examples where teachers have gotten into trouble:

## Examples

- A fifth-grade teacher in New York is awaiting termination hearings after she privately said on Facebook that she "hates [her students'] guts" and that she wouldn't save them if they were drowning (<https://edtechbooks.org/iL>).
- A Massachusetts biology teacher lost her job after calling her students "germ bags" and local residents "arrogant and snobby" on Facebook (<https://edtechbooks.org/sR>).
- A substitute teacher and coach in New Hampshire was fired after "friending" a student on Facebook, which the district viewed as a breach of appropriate boundaries (<https://edtechbooks.org/Kc>).
- A teacher in the UK was fired for self-publishing a novel about the exploits of some of her students that included risqué content and profanities (<https://edtechbooks.org/Yo>).
- A Missouri teacher and volleyball coach was fired when administrators discovered that she had worked as a porn actress two decades before (<https://edtechbooks.org/vp>).
- A Pennsylvania English teacher was suspended after calling some of her students "rat-like ... rude, disengaged, lazy whiners" in a blog post (<https://edtechbooks.org/rP>).
- A Maine football coach resigned after accidentally posting a naked picture of himself on Facebook (<https://edtechbooks.org/sU>).
- A Maryland school district employee was fired after light-heartedly correcting a student's spelling on Twitter (<https://edtechbooks.org/geK>).

One thing that you should notice from this list is that no two cases are

identical, and few of these teachers broke the law. What they have in common is that the district believed each teacher's behavior to be immoral or inappropriate, and the district had the power to enforce its interpretation of morality and professionalism upon its teachers. Some involve alcohol, some involve crude language, some involve risqué photos or behavior, etc., and most teachers didn't think they were doing anything wrong, thought they were posting content "privately," or "accidentally" shared something that they otherwise wouldn't have shown to students. None of that really matters, though, because they were disciplined all the same.

## **What do you think?**

Do you have some risky content on social media that should be changed, cleaned up, or deleted?

- a. Yes, definitely
- b. Maybe a little
- c. Not at all

## **Recent Scenarios and Analyses**

All of the examples above made major headlines, but most teachers who get into trouble for these types of behaviors are disciplined quietly, which means that you never hear their stories.

One of the most common ways that teachers are getting into trouble with electronic media is through "boundary violations." Though not always illegal, a "boundary violation" constitutes a breach of appropriate boundaries that should be placed between teachers and students. Boundary violations are sometimes difficult to recognize, because they often begin with good intentions or appropriate behaviors but at some point cross a fuzzy line. Below are 5 deidentified, real scenarios (taken from recent cases and provided by an anonymous author) wherein teachers have gotten into trouble. The

provided analyses are intended to help you understand what the teacher did wrong and when their behavior "crossed the line."

## **Scenario 1**

**Fact Pattern:** Mrs. Apple taught junior high school. One day, Sally Student came into her classroom visibly upset. Sally had a difficult home situation. Mrs. Apple gave the student a hug and listened to Sally. Sally felt validated. Over the next several months, Sally repeatedly went to Mrs. Apple for advice and comfort. Mrs. Apple gave Sally her phone number and told her she could call if she needed to talk.

Mrs. Apple and Sally frequently talked on the phone and exchanged numerous text messages. One day, Sally's father discovered the messages on Sally's phone. He met with Mrs. Apple and asked her to stop communicating with his daughter. Mrs. Apple stopped calling Sally, but Mrs. Apple felt that Sally still needed her support, so she communicated with her over social media. She also met with Sally outside of school to give her gifts, such as clothes and art supplies.

**Analysis:** This situation will result in a possible termination of employment and suspension of the educator's license for up to five years, depending on aggravating and mitigating circumstances. In addition, it will likely result in difficulty in the relationship between Sally and her father.

While it is good and appropriate for educators to express encouragement and empathy to students, educators should maintain boundaries with students. Communicating with students in an extensive, ongoing fashion is not appropriate. If a student needs counseling, the educator should refer the student to the school counselor. Gifts to specific students are not appropriate. Communicating with students privately over text or social media is not appropriate. If an educator needs to communicate with a student regarding school or extracurricular activities, the educator may use

text or email, but should include a principal or parent on the message. Situations where the educator exceeds boundaries and becomes a parent-like figure to the student may result in a rift between the student and his or her parent. The student will transfer affection to and share confidences with the educator rather than the parent. The rift is further broadened because the student will hide the relationship with the educator from the parent, and secrets create separation.

## **Scenario 2**

**Fact Pattern:** Tammy Teacher has a boyfriend who asked her for pictures of her naked. Tammy used her school-issued iPad to take pictures of herself. Tammy had been told that she could use the iPad for personal reasons, so she thought it would be fine. Unknown to Tammy, the iPad automatically saves to the cloud storage system set up by the school. The images were subsequently located by a student on the cloud account who then emailed them to everyone in school.

**Analysis:** Tammy's employment will likely be terminated for violation of the school's acceptable use policy. In addition, Tammy's educator license may be suspended for up to two years. The Utah educator standards prohibit possession of indecent or pornographic images on school property or on school devices, which includes the school-issued device. She could also be charged criminally. It is a class A misdemeanor in Utah to access indecent or pornographic materials on school property. See Utah Code Ann. § 76-10-1235. If Tammy had possession of the images while at school, she would have violated the law.

## **Scenario 3**

**Fact Pattern:** Tom Teacher is a coach and teacher. He has a personal Twitter account that is public, meaning anyone can follow and unfollow Tom at any time. Tom likes to post pictures of his team on his Twitter account and share information about the team's games/tournaments/success. He tells his players he is on Twitter and

some students follow him. Tom follows some students on Twitter as well. In addition, Tom is following celebrities and other Twitter users who will post images of sex or nudity on their Twitter feeds or who will post jokes or stories with sexual or racist content. Tom will sometimes retweet those posts. One day, a parent saw her child looking at Tom's Twitter feed and saw some of the sexually suggestive posts that Tom had retweeted.

**Analysis:** Tom could possibly lose his job, and his educator license could be suspended.

Educators should be aware that their social media activity may subject them to discipline by their employers. The Utah Educator Standards prohibit exposing students to harmful material. If an educator suggests that a student follow him/her on Twitter and then posts material that could be viewed as inappropriate or harmful for a student, that would be a problem. If an educator has public profiles on social media, then he/she should take care to make sure that content is something he/she would feel comfortable with a parent of a student seeing. If the educator doesn't want to come under public scrutiny for social media activity, he/she should make the profiles private and not allow parents or students to follow or friend the educator. It is best practice not to friend students.

#### **Scenario 4**

**Fact Pattern:** Trent Teacher accesses sexually explicit videos on YouTube at school on his school computer. He only does it before school, after school, and during his prep period. Patty Principal stopped by to talk to Trent one day about a student and saw the phrase "Brazilian Babes" on Trent's minimized internet bar.

**Analysis:** Trent may be fired for violation of the school's acceptable use policy. In addition, Trent will most likely have his educator's license suspended for up to two years. He may also be prosecuted criminally. School acceptable use policies and the Utah Educator

Standards prohibit possessing pornographic material at school or any school-related activity. UPPAC usually suspends the licenses of educator's who access pornography at school. In addition, there could be criminal charges. Utah Code Ann. § 76-10-1235 prohibits accessing pornographic materials at school.

## Scenario 5

**Fact Pattern:** Pat Principal was approached by a student, Tina Teen. Tina told Pat that she had been sent a text message with a nude picture of another student, Samantha Student. Samantha had sent the picture to her boyfriend, Tim Teenager. When Tim and Samantha broke up, Tim sent the picture to numerous other students. Pat asked Tina to email him a copy, and he called the police. The police investigated and several students were charged with distribution of child pornography. Pat was also charged for possession of child pornography because he had Tina send him the picture. (The charges were later dropped.)

**Analysis:** When an educator becomes aware of a student in possession of possible child pornography, the educator should not have the student (or anyone else) transmit the image further. Instead, the educator should contact the police immediately who will then take possession of the device containing the image.

## Best Practices

When considering how to behave online, you should keep these principles at the forefront of your mind:

## **Principles**

1. Draw clear lines between personal and professional social media use.
2. Never post anything anywhere that you would be uncomfortable with your students or their parents seeing (or that you would mind being featured on the nightly news).
3. Be critical of yourself, and regularly evaluate your online persona (by conducting searches on yourself, etc.).
4. Realize that posts to social media are never completely private.

With these principles in mind, some concrete best practices that can guide you to use social and other online media safely include the following:

## **Best Practices**

1. Keep personal use as private as possible.
2. Check (and periodically re-check) your privacy settings.
3. Consider how others will interpret your posts.
4. Be mindful of your clothing and activities in images and videos that are posted online.
5. Never mention students by name in any social medium.
6. Avoid saying anything negative about your students, individually or as a group.
7. Do not post student work to social media.
8. Periodically logout of your accounts and search for yourself online to evaluate your digital footprint.
9. Be very careful and thoughtful about how you connect with students, parents, and colleagues online (e.g., friending).
10. Do not create, view, or share pornography (or anything that could be considered pornographic).



## Conclusion

The problem with giving clear answers about what's okay and what's not okay to do in online spaces is that it depends on the community, school board, administrators, students, and parents that you work with, because they are the ones that make judgements on moral turpitude and appropriateness. Especially if you are a new teacher, you don't know how these different people will interpret your actions. Before posting anything online, however, you should carefully consider the risks of posting the content against the benefits. If the benefits don't outweigh the risks, then don't do it.

Especially if you are young in the profession, it might be hard for you to make this judgment, because you may not know what all the risks are, how community members might react, and so forth. If in doubt, it may be a good idea to ask administrators or veteran teachers in the school in order to get a feel for the school and larger community, but, obviously, even veteran teachers and administrators get into trouble sometimes. So, the bottom line is that there will always be risk with posting personal information online. The question you have to consider is how much risk are you willing to take, and what might you need to give up in order to avoid unnecessary risk.

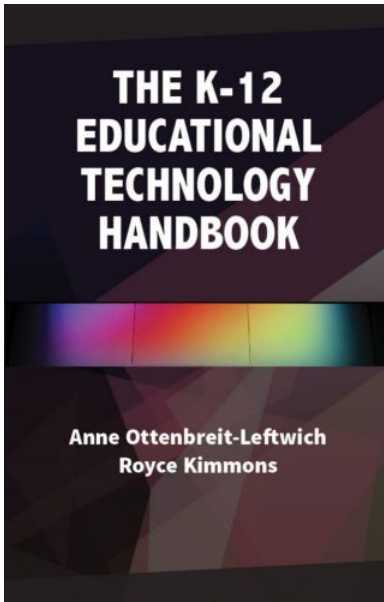
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