Responding to Electronic Communication & Social Media Complaints

GaPSC

ETHICS
CERTIFICATION
EDUCATOR PREPARATION

Georgia Professional Standards Commission

Protecting Georgia's Higher Standard of Learning

Where Do I Start?

1. Review the complaint.

2. What is the nature of the allegation?

3. Should you contact police?

4. Who or what is the source of the allegation?

5. What rules, policies, or laws are relevant to the case?

6. Does the allegation involve school system technology?

7. What social media platforms are involved?

Is it a Crime?

If a criminal act has been committed:

- Secure all evidence

- Contact law enforcement

- Document what has been done

- Consult with law enforcement before continuing to investigate

Local Investigation

- Does the allegation involve a student?

- Will you need make arrangements to limit the educator's interactions with the student?

- Does the allegation involve school system technology?

- Involve your I.T. staff and take steps to preserve digital evidence.

- Identify any devices that have been issued to the educator and secure them as early as possible.

- If you identify evidence of physical or sexual abuse, stop investigating and make the mandated reports.

Digital & Physical Evidence

Evidence is anything that can provide relevant information, or something that can be used to validate information.

- Internet history

- Network activity logs

- Screenshots or photos of inappropriate activity

- Social media profile information

- Messages, photos, videos that were sent or received

- Acceptable Use Policy and signed agreement

- Payroll or timesheet information to verify access to network

Sources of Evidence

- Complainant – many complainants save records of inappropriate activity

- Educator – ask the educator to show you the device an applications. Note the screen names used by the educator.

- Work the case from both ends. If the case involves inappropriate communications with a student, ask the student and the educator for their communications.

- Other witnesses – get detailed statements.

- Ask all witnesses for the contact information and screen names used by the educator and the primary student.

- Will the evidence be jeopardized when the investigation is disclosed?

Internet Research

- Familiarize yourself with the social media platform

- Locate the educator's profile

- Google the educator's username(s) and email addresses

- Note if the educator's account is available to the public

- Who are the educator's "friends" or followers?
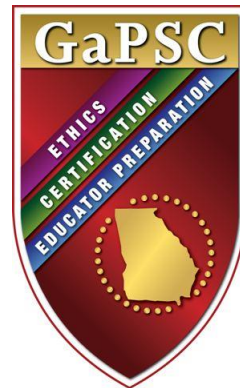
- Who does the educator follow?

Digital Images and Videos

Most forms of digital media contain metadata that can provide information about its origin.

- Type and model of device used to create the media
- Map coordinates of the location the images were captured
- Date and time stamps
- In some cases, the identity of the owner of the device

Electronic Communication Policy

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Do You Have a Policy?

- A 2015 report to congress revealed that 35% of ESM cases involve social media.

- This 2015 report is accurate for cases in Georgia.

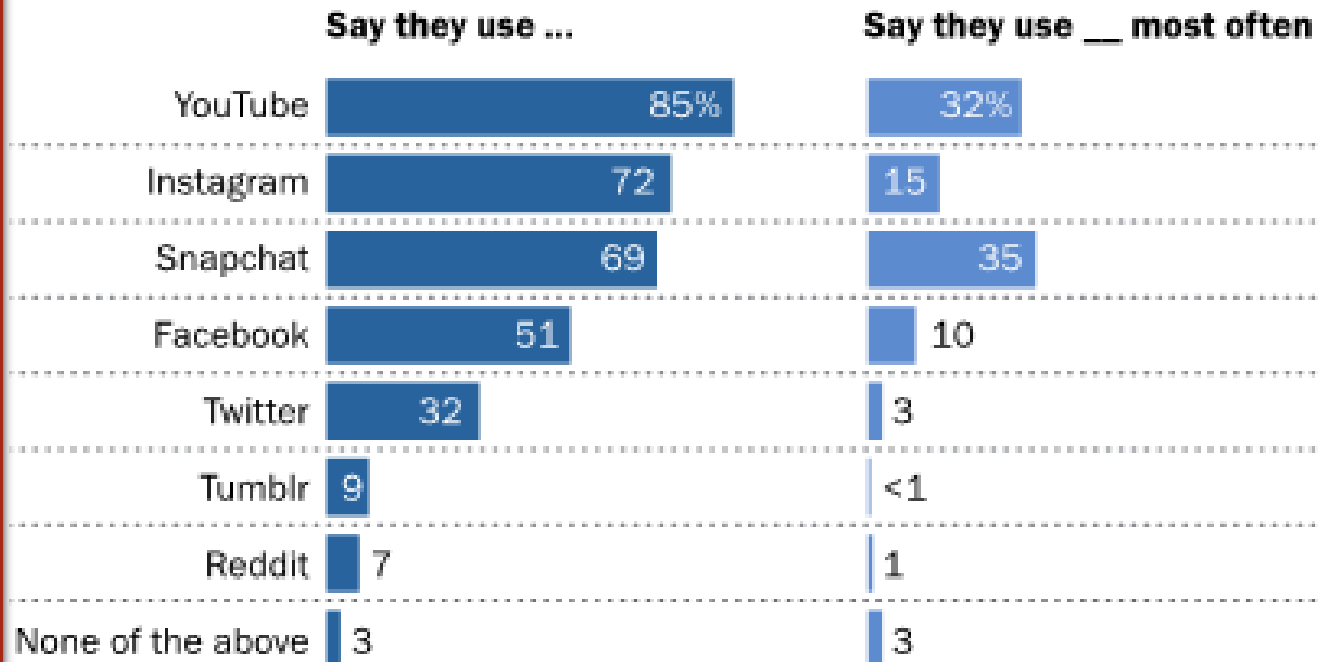Georgia Professional Standards Commission

Ubiquity of Technology

- 95% of teens have access to a smartphone

- 45% say they are online almost constantly

- 96% of teens have access to a computer at home

- 75% of low income homes have a computer

- 85% of low income homes have a game console

Teens & Technology

YouTube, Instagram and Snapchat are the most popular online platforms among teens

% of U.S. teens who ...

	Say they use ...	Say they use __ most often
YouTube	85%	32%
Instagram	72	15
Snapchat	69	35
Facebook	51	10
Twitter	32	3
Tumblr	9	<1
Reddit	7	1
None of the above	3	3

First, Most Harmful Event

Exchange of contact information

- – Removes boundaries

- – Gives students access to personal time

- – Appearance of impropriety – GROOMING

Policy Considerations

- Direct communication with students on social media or via other electronic means.

- Use of school system approved electronic platforms (Remind, GroupMe, Cel.ly).

- Disclosure of personal cellphone numbers to students.

- Friending and/or following students on social media.

- Personal websites or pages used for class interaction.

- Information leading to mandated reports.

- **The hardships of students are not fodder for social media.**

Policy Suggestions

Policies should prohibit electronic communications that could be perceived as sexual, obscene, racially or sexually insensitive, or promoting illegal activities.

- **Encourage** staff to be aware of who can access their social media accounts.

- **Discourage** accepting friend requests from students.

- **Encourage** staff to be cognizant of how their online activity will reflect on your school, the staff member, AND the teaching profession.

- **Don't PUI**: AKA Posting Under the Influence – especially on sites reflecting association with the school system.

- **DON'T** PERMIT STAFF TO USE SNAPCHAT WITH A STUDENT.

New Social Media Platforms

- <u>Housparty</u> – group video chat application.

- <u>Kik</u> – similar to Facebook messenger & SnapChat, but allows more anonymity.

- <u>Vero</u> – similar to Instagram, without the algorithm

- <u>Tik Tok</u> – short video platform, similar to Vine

* Video platforms are expected to continue to rise.

Confidential Information

The educator posted congratulations to students on Facebook for their perfect scores on a specific test. The students were identified by name.

Did this educator disclose confidential information?

Something to Consider

If you communicate with a student via text, have you just created an educational record that must be maintained?

This is still being decided by the courts.

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