

'Cybersullying' and You

The lack of privacy in the social networking era means some of your staff may cross the line. Here's why you should consider a policy that sets the boundaries of acceptable behavior

Sometimes public school-related events serve as cultural markers. They shock the conscience, alter one's view of the world, or constitute such a curiosity that media coverage spreads like wildfire and, from coast to coast, tongues wag tirelessly like the upstart tail of a jubilant puppy.

Such an episode arose in late 2008 when a North Carolina teacher engaged in "cybersullying"—of herself. In this case, the term refers to electronically imploding one's own good reputation in the community via spontaneous or downright silly online deeds.

Specifically, a Charlotte-Mecklenburg school teacher maintained a personal Facebook page on the Internet. She used the social networking site to brand her Thomasboro Elementary School neighborhood as "ghetto," explaining "I hate my students," and telling the world: "I teach chitlins." Making bad matters worse, elsewhere on the Facebook site the young woman posted pictures of herself wearing scant clothing and drinking. Result: Reputation goes bye-bye and job is in jeopardy.

Besides being a cultural marker, however, this incident also presents an opportunity for smart superintendents and board members to pause for thoughtful introspection. The reality of 21st century communication and the impulsivity of youth make an episode

like this almost inevitable. The question becomes: What do you do about it?

For school districts, the answer is a policy that sets the boundaries of acceptable behavior—serving as both a stern warning and a legal brickbat against employees who misplace rationality.

Facebook, with 90 million-plus members, is a growing influence, particularly for young teachers just graduating from college. Another social networking site, MySpace, has 106 million members, but primarily attracts a younger crowd. Often, publicly available pages serve as a scrapbook for personal pictures or a diary for personal thoughts. Such revelations can be unprofessional but basically harmless. Sometimes, though, the stream-of-consciousness nature exposes an immaturity that causes far wider doubts.

Role models

Teachers, like it or not, are quasi-public figures. In the eyes of the community and students, they are individuals who are—or should be—beyond reproach. They have an opportunity to shape the minds, beliefs, outlooks, and lives of youngsters.

Is that public figure status unfair? Perhaps. But every job choice has ups and downs. It's unfair that attorneys must work constantly to meet billing quotas; it's unfair that manufacturing workers get laid off; and it's unfair that professional, college, and high school sports coaches

bear all the blame for team losses and get fired.

But the career selection to be a teacher means living life in the public eye. A certain celebrity attaches to being a classroom leader, and that means adhering to restraints that others might not have.

The North Carolina incident sparked a national debate. Charlotte-Mecklenburg Superintendent Peter Gorman said teachers must be held to a higher standard. "We have a special faith put in us, a special trust," Gorman said. "When you have the most precious thing any family has—their children—you have to act in a different way than what others find acceptable."

What does the policy say?

Charlotte-Mecklenburg's teacher conduct policy is written broadly enough that the young teacher is being recommended for dismissal under a provision that forbids "behaving in any unethical or lascivious conduct at any time; if there is a reasonable and adverse relationship between the conduct and the continuing ability of the employee to perform any of his/her professional functions in an effective manner."

The wording is important. The policy draws a nexus (or legal connection) between outside conduct and what happens in school. Because private acts have undesirable consequences back at school, they are subject to policy. But what happens when school officials discover a website on their own and hence have none of the notoriety? What is the nexus then?

The tricky issues when constructing a policy are deciding what areas are worth mentioning explicitly, how broad it should be, what sorts of due process and punishments should be attached, and how to

preserve a school board's maximum flexibility to respond without unduly imposing on a teacher's private life. These issues can only be answered locally and in concert with your school attorney.

Charlotte-Mecklenburg is doing three smart things. First, Gorman, said, "If we find a case where someone has done something inappropriate we just have to act in a fair, firm, legally consistent manner."

Second, officials are developing a new policy to specifically address these types of occurrences, and will train incoming teachers. And, third, the district sent a memo to its more than 19,000 employees to warn about Web postings.

An attorney for the teacher, who was not named in news accounts, said she only meant to share the comments with friends. The final resolution had not been determined at press time.

Facebook is not to blame

The websites are not to blame. The problems clearly stem from user error. For example, the Teacher Support Network, the National Science Teachers Association, and even *American School Board Journal* maintain a Facebook presence. Some schools even encourage teachers to use Facebook's beneficial aspects to help students, since youngsters often communicate more openly and build personal ties online. Also, teachers bemoan that morning announcements and school-sponsored e-mail accounts pale by comparison as communication tools.

Education groups are not of an identical mind about the best approach. The Missouri Education Association warns teachers in the legal section of its website against partaking in social sites. Similarly, the Ohio affiliate of the teachers' union has sent out a memo discouraging teachers from the practice. Yet, the National School Boards Association in July 2008 found that 96 percent of students with online access are signing on to networking sites, and it encourages the educational possibilities.

In an April 2008 story titled, "When Young Teachers Go Wild on the Web," the *Washington Post* discovered: "One

Montgomery County (Maryland) special education teacher displayed a poster that depicts talking sperm and invokes a slang term for oral sex. One woman who identified herself as a Prince William County (Virginia) kindergarten teacher posted a satiric shampoo commercial with a half-naked man having an orgasm in the shower. A Washington, D.C., public schools educator offered this tip on her page: "Teaching in DCPS—Lesson #1: Don't smoke crack while pregnant."

In Mississippi, two school districts—Lamar County and Lauderdale County—have policies that simply forbid faculty from text messaging students or connecting with them on Facebook or MySpace.

In a 2008 Connecticut court case, teacher Jeffrey Spanierman created a MySpace page to communicate with students. A colleague noticed that the site had pictures of naked men with inappropriate captions. The colleague convinced Spanierman to remove the page. But then Spanierman started another account with the same sorts of comments. The colleague turned him in. The school district, in Ansonia, Conn., placed Spanierman on leave and did not renew his teaching contract, based on the site.

Spanierman challenged the decision, saying it was a violation of his free speech and other constitutional rights. Last fall, the U.S. federal district court rejected all of his claims.

Self-imposed discipline

There are three easy solutions for teachers or other school employees who are tempted to bare all (literally or figuratively) on the Internet:

1. Keep your privacy settings high. Set up the electronic screen so only people whom you choose to relate to can see it, rather than everyone in the world. Restrict your page to true, real-life friends. Do not make pages accessible through regional groups or other portals.

2. Use discretion. Don't say anything on Facebook, MySpace, Ning, LinkedIn, or any other site that you would not say face-to-face and out in the open.

3. Never communicate with students. That goes not only for current students, but also applies equally to younger students who potentially could be in your class in the future and to students from the past.

Districts should consider whether to consult Facebook or other sites before hiring. The private sector frequently conducts "character checks" by reviewing social networking sites, Google, and other sources.

Another idea: Routinely check online profiles of all employees. After all, posting racy photos, raunchy comments, or disparaging remarks about children, parents, or administrators can be a reflection of the person's suitability for the school.

Ultimately, what it takes to avoid trouble is good judgment. Until then, young teachers in particular occasionally will fall prey to the trapdoors of the Internet and engage in behavior that is the electronic equivalent of shooting oneself in the foot—cybersullying. ■

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Policy questions to consider

- Does your school district have a policy that specifically addresses social networking sites or are you familiar with the section of policy that would apply?
- Do you train incoming teachers about the downfall that could follow if they fail to use Facebook or MySpace correctly?
- Are you applying current policy consistently to avoid accusations of bias or making an example of someone?
- Have you made a practice of checking networking sites before employment and regularly afterward?

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