



Social media marketing for school administrators

What you say, when you say it, and how it's interpreted could make or break your reputation.

Social media marketing is used to promote everything from magical skin-care products to the latest weight-loss fad. Social media marketing is also quickly becoming a tool for school officials to promote themselves and their school districts. An incoming superintendent recently introduced himself to the school community via seven different forms of social media: Facebook, LinkedIn, Vine, YouTube, Twitter, Instagram, and Snapchat.

Social media is an efficient means to communicate school achievements and upcoming events in a format the school community understands and regularly interacts with. However, there are some practical and legal considerations to take into account when a school administrator is establishing a social media presence.

1. Don't mix business with pleasure

If a school administrator is going to use social media to promote district achieve-

ments and upcoming events, it is recommended that the same social media account not be used to share highly personal photos and updates, since many social media services allow any "friends" to post and tag someone in messages or photos. Imagine that your mother-in-law posts an unflattering picture of you in a bathing suit from a recent family vacation to your social media account for the whole school community to see. While your mother-in-law might have only the best of intentions, you may not want your personal life so "exposed."

2. Quiet in the wings

Some social media outlets make it difficult to remove unwelcome content unless it rises to the level of violating the law. For this reason, it is recommended that school administrators maintain a professional and respectful demeanor online and reduce the

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opportunity to invite public scrutiny.

School administrators also should be mindful that when they create an online forum for school district matters on social media, free speech protections might make it difficult to remove any unwelcome comments. When a school district creates an open forum for free speech online, a school district administrator may not be able to remove a post without suppressing the poster's free speech, in violation of the U.S. Constitution. Speech that is obscene or discriminatory is not considered protected speech, but comments that are merely critical of district policies or procedures might be considered free speech that is protected by the United States Constitution.

To assert more control over what may and may not be posted by the public to a social media page, a school administrator may want to include a disclaimer, such as: "This page is established to share achievements and information related to school district matters. Any comments that are obscene, discriminatory, illegal, irrelevant to school district business, in violation of school district policy, or harmful in any way may be removed."

3. Legal recourse against offensive posts

Unfortunately, social media may also be used for personal attacks against school administrators. While most school administrators have developed a thick skin and are used to defending themselves in the court of public opinion, online comments can have a far broader reach than traditional media and leave a longer lasting impression.

In a case that went all the way to the federal court of appeals, a 13-year-old girl went on social media and called a school administrator a child molester and his wife a gorilla. After the administrator disciplined the student, her parents filed a lawsuit arguing that the discipline violated her free speech rights for the "parody" she created online. The court sided with the student but noted that the school administrator could have brought a private action against the student.

If a school administrator is the subject of a personal attack on social media, there are



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several steps available to take in response to such attacks. These options include but are not limited to: (1) requesting that the student, parent, or community member remove the offensive post; (2) requesting that the social media site remove the post; (3) initiating disciplinary action against a student, which may be permissible if the post causes a substantial disruption to school, or is threatening or is obscene; (4) seeking an injunction to legally require the poster to remove the post; or (5) filing a civil action against the poster in court, since a civil right of action may stand for libel, slander, defamation or harassment.

However, it is noteworthy that for purposes of defamation law, a school administrator would likely be viewed by a court as a "public official," and there is a higher burden of proof to meet in order to prove defamation against public officials. As a public official, a school administrator would have to prove that an offensive comment was made with actual malice and reckless disregard for the truth. Conversely, an ordinary citizen may bring a case for defamation if an offending statement is merely negligent with regard to the truthfulness of the statement.

4. Political speech is a touchy subject

In the November 2016 election cycle, we saw social media as a driving force to gain support or opposition for ballot measures of local, state, and national importance. In their role as private citizens, public school administrators are free to comment on political issues or ballot measures. However, in their role as public employees, only neutral, fact-based information

should be shared with regard to political issues or ballot measures.

In the social media context, the lines are often blurred when a school administrator is speaking as a private citizen as opposed to speaking in their official capacity as a school administrator. If social media is used by school administrators to promote district achievement and upcoming events, then administrators can assume their posts will always be viewed as being made in their official capacity and could potentially influence a political issue, in violation of the law. Furthermore, even if a post regarding a political issue is legally permissible on a social media site maintained as a private citizen, school administrators should be mindful of the impact of their speech from a public relations standpoint. In any school community, there are bound to be differing views on any political issue before the public. Accordingly, school administrators should proceed with caution when making any social media post related to a political issue or ballot measure.

The foregoing recommendations are not intended to dissuade school administrators from promoting themselves and the school community through social media. Rather, school administrators are encouraged to "think before they post" and consider the potential impact of their statements online.

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