

STUDENT SOCIAL MEDIA RIGHTS



Do I have the right to access social media while I'm at school?

SOMETIMES. Your school can set rules about when it is appropriate to use devices that allow you to access social media services. Some schools may prohibit personal cell phones on campus. Some schools may block certain sites on their computers and networks. Check your school's policy to learn the rules.

What is social media?

Social media includes apps and websites like Yik Yak, Facebook, Instagram, Snapchat, and Twitter.

Who can see my social media profile and posts?

The audience for your posts depends on your privacy settings. You have the right to control what others see using your privacy settings. For example, if you select the "Private Account" option in Instagram, only the people you approve as followers can see your posts.

But on some networks, certain things are always public. On Facebook, information such as your name, profile picture, and gender is always visible to others, even if they are not your friends.

Are my rights different if I use a school computer or device instead of my own?

YES. Most schools have rules for their own computers and devices that you have to follow. Your school may also install software on its own devices that monitors your activity, including browsing history.

If you use a shared school computer or device to access social media, be sure to log out of your accounts so that no one can access your private information later.

Can my school search for my social media activity without telling me?

SOMETIMES. If your school starts a social media monitoring program, your school district must let you and your parents know, allow you to see the information it has collected about your social media activity, and delete it when you leave the district or turn 18.¹

If your school does not have a monitoring program, you do not have the right to know what information teachers and officials find through their own searching on social media. Remember, anything you post publicly can be seen by anybody, including police officers, teachers, officials, and other students.

Can I be disciplined for simply expressing my opinion on social media?

USUALLY NOT. You have the right to speak your mind on social media. Your school cannot punish you just because it doesn't agree with your opinion.

Can I be disciplined for something I say on social media during the school day?

YES. But only for certain types of speech on social media. If you say something on social media during school hours or at a school function or event that officials believe could lead to a "substantial disruption," your school can discipline you.

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What counts as a “substantial disruption”?

Your speech is a substantial disruption when it encourages violations of school rules, illegal activities, or it risks causing a big interference with the education of other students. For example, threats to other students or your teachers using social media will likely be considered a substantial disruption.

Can I ever be disciplined for something I say on social media off campus and outside of school hours?

SOMETIMES, depending on what you say. If you use your own device and accounts outside of school hours and your posts are not related to school, your school cannot discipline you for those posts.

But if you post something on your own device or account outside of school hours that creates a “substantial disruption” to the school environment, your school can discipline you. For example, that threats of violence or harassment directed at classmates or school officials can get you in trouble, even if you post them on your own time and on your own device.

You can also get in trouble for “cyberbullying” outside of school. This includes creating false profiles, impersonating other students, or creating fake pages in order to bully someone.ⁱⁱ

What can I do to prevent school officials from looking at what I post on social media?

Make sure your passwords are secret so that others can’t sign in to your accounts and post as you. Manage your privacy settings to make sure only your friends see your profile and posts. And remember that the people you decide to share with may share your posts with others or in a public way.



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ⁱ California Education Code § 49073.6

ⁱⁱ California Education Code § 48900