



V-1.20 – UMCES POLICY ON STUDENT SOCIAL MEDIA PRIVACY

Approved by the President on February 21, 2014

Amended and approved November 4, 2014 by the President

I. PURPOSE

The purpose of this Policy is to adopt USM Policy V-1.20, as amended by the BOR on September 19, 2014, which sets forth the appropriate rules to protect student privacy interests while permitting the use of social media for academic and career based activities.

II. DEFINITIONS

- A. “Non-Public Access Information” refers to the security information required to access a student’s Personal Social Media Account. Examples include: passwords, log-in information or other private and confidential information required to gain access to a social media account.
- B. “Personal Social Media Account” refers to a social media account that allows social interaction and dissemination of information to others, created and maintained by a student exclusively for private use. It does not include:
 - 1. an account on a social media platform owned or provided by an educational institution;
 - 2. an account on a social media platform created by a student specifically for academic or University-assisted career-based activities; or
 - 3. an account that would otherwise qualify as a Personal Social Media Account under this definition but that the student uses, at his or her own election, for academic or career-based activities.
- C. “Social Media” are internet-based applications that enable users to participate in social networking by exchanging content with other users. Examples of “social media” include but are not limited to LinkedIn, Facebook, Twitter, YouTube, Flickr, Instagram, Tumblr, and Vine.

III. SOCIAL MEDIA PRIVACY POLICIES

In compliance with the Family Educational Rights and Privacy Act (FERPA) this policy prohibits the following conduct:

- A. UMCES employees shall not require, request, or suggest that a student or prospective student disclose Non-Public Access Information pertaining to their Personal Social Media Accounts.
- B. UMCES employees shall not require that a student or prospective student change the privacy settings on a Personal Social Media Account.



- C. UMCES employees shall not require a student or a prospective student to designate an UMCES employee or agent of UMCES as a “friend” a “follower” or any other designation that would afford the employee or agent access to a student’s Personal Social Media Account.
- D. UMCES employees shall not require a student or a prospective student to log onto a Personal Social Media Account in the presence of an UMCES employee or agent of the institution.
- E. UMCES employees shall not require that a student provide names of the social media platforms that he/she employs.

IV. DISCIPLINE

UMCES employees shall not suspend, expel, discipline, or otherwise penalize a student or a prospective student for refusing to comply with any of the prohibited conduct set forth in Section III of this Policy.

V. LIMITATIONS

Under appropriate circumstances, an authorized UMCES employee may gain access to a student’s social media account. Authorized UMCES employees include the Laboratory Directors and the President of UMCES, or UMCES staff given authorization by the Directors or President. The Policy does not prohibit any of the following activities:

- A. An authorized UMCES employee may require a student to access a social media account, share information from a social media account, or create a (generic) social media account as part of a required or optional academic assignment or career-based activity provided that:
 - 1. the student has the option, at his or her own election, to complete the assignment or activity by using an existing Personal Social Media Account or by creating a generic social media account;
 - 2. access is limited to the academic or career-based activity;
 - 3. the student is not required to provide Non-Public Access Information;
 - 4. the academic or career-based activity is designed and administered in a manner that is consistent with the institution’s FERPA obligations.

UMCES employees are required to obtain approval by a Laboratory Director or the President of UMCES before instituting academic or career-based activities involving access to such accounts. In addition, UMCES employees are encouraged to provide notice to students, in syllabi or other relevant written publications, when use of such accounts is required.



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- B. Authorized UMCES employees may request a student to allow them to see content on the student's Personal Social Media Account for the purpose of fulfilling UMCES obligations under federal or State law, such as when conducting regulatory compliance investigations, e.g., Title IX. Campuses should have documented procedures for this exception to this policy.
- C. UMCES employees may access Personal Social Media Account information that has been voluntarily provided to them by the student or an authorized third party.
- D. UMCES employees may access publicly accessible information relating to a student's Personal Social Media account.
- E. Authorized UMCES employees may access information from a Personal Social Media Account to investigate significant health and safety threats.