

**DRAFT FOR REVIEW/6/5/23**

**Social Media Use & Personal Electronic Account Privacy Protection Policy**

**I. Policy Statement:**

Social media is a powerful communication and marketing tool to engage with others on behalf of the College. Social media provides college staff and faculty with the ability to reach students outside the classroom and offers a way to better inform the public about college news and events.

This policy applies to social media accounts or groups created, administered, or monitored by HCC employees and students for the express purpose of officially representing HCC groups, departments, or organizations.

The purpose of this policy is to encourage social media use to educate, inform, and collaborate with HCC students, staff, faculty, alumni and the community and provide expectations for employees. The policy also serves to outline student privacy protections in their use of their personal electronic accounts in accordance with Maryland law. (Annotated Code of Md, Edu Article 26-401)

Although this policy governs the organizational social media platform only, employees acting in an individual capacity on personal social media accounts are cautioned to adhere to all laws as it relates to interacting with minors, as some HCC students are under the age of 18, and to adhere to legal requirements of confidentiality and privacy as it relates to student information. Employees are not to identify themselves as acting as a representative of HCC on personal social media sites.

**II. Definitions: (for purposes of Section III)**

“Personal electronic account” refers to any account created outside a student’s engagement with the College through an online medium or service that allows users to create, share, or view user-generated content. This does not include an electronic account that is opened on behalf of, owned, or provided by the College in support of instruction or co-curricular activities.

“Grant access” refers to providing log-in information needed to gain access to a personal electronic account.

“Access information” refers to a username, a password, log-in information, an account name, or any other security information that protects access to a personal electronic account.

The term “student” refers to an individual who is registered at the College, either full or part-time, in a credit or continuing education class or classes who has either paid or made arrangement for payment of tuition and/or fees.

An “applicant” refers to an individual who has an assigned HCC student identification number and who has submitted a college application for credit enrollment.

A “prospective student” refers to an individual who has become a part of the College recruitment database who has been assigned an HCC student identification number

### **III. Student Social Media Privacy**

Under this Policy, the College may not:

A. Require or request a student, applicant, or prospective student to grant access to or allow observation of the individual’s personal electronic account(s).

B. Compel a student, applicant, or prospective student, as condition of acceptance or participation in curricular or extracurricular activities, to:

- Add any individual (including a coach, teacher, administrator, or any other College employee or volunteer) to the list of contacts associated with a personal electronic account
- Change the privacy settings associated with a personal electronic account
- Take any action or threaten to take any action to discharge, discipline, prohibit from participating in curricular or extracurricular activities, fail or refuse to admit an applicant,
- Penalize a student, applicant, or prospective student as a result of their refusal to grant access to or allow observation of the individual’s personal electronic account; add any individual to the list of contacts associated with a personal electronic account; change the privacy settings associated with a personal electronic account

C. Nothing in this Policy shall be construed to:

- Prohibit the College from requesting or requiring a student to disclose access information to allow the College to gain access to an electronic account opened at the request of the College or owned or provided by the College;
- Prohibit or restrict the College from viewing, accessing, or utilizing information about a student, applicant, or prospective student that can be obtained without access information or is available as the result of actions undertaken independently by the student
- Create a duty requiring the College to search or monitor the activity of a personal electronic account;
- Make the College liable for failing to request or require a student, applicant, or prospective student to grant access to or allow observation of the individual’s personal electronic account; or
- Prohibit a student, applicant, or prospective student from allowing a college employee or volunteer to view the individual’s publicly accessible communications.

- D. **Applicability:** This Policy does not apply to suspected criminal activity investigation into the publicly accessible communications of a student, applicant, or prospective student that is performed by law enforcement or the College Security team; or an investigation, inquiry, or determination relating to the publicly accessible communications of a student, applicant, or prospective student that is conducted in accordance with other applicable College policies and procedures.

#### **IV. Social Media Expectations**

When it comes to social media usage on behalf of the institution, HCC expects its employees to be honest and transparent in their electronic communications as they would be in person and to respect privacy, confidentiality, and copyright laws. Posted content on college social media sites should always be accurate, concise, student-oriented, sensitive to diverse audiences, and respectful to the mission of the College, its employees, students, and the community.

Employees and students are subject to the same laws, professional expectations, and guidelines when interacting online with students, parents, alumni, donors, and the media as they are in person. Confidential and proprietary information about the college, its students, faculty, staff, alumni, and donors may not be posted on social media sites. Other information that may not be posted includes information that violates federal or state laws and student information that is protected by FERPA.

Students and employees will be issued access to college-related electronic accounts (i.e., current Learning Management System( LMS), HCC email accounts, Self - service), and they are expected to use them for college-related business. (More information on these accounts and the appropriate use of them can be found in HCC Policy #5093, Use of Computing, Network and Communications Resources Policy.)

Electronic communication on HCC owned sites are the property of HCC and therefore employees should not assume electronic communications under this policy are private. The College may monitor, audit, and review communications to ensure employees are using technology in accordance with law and provisions of this Policy.

This policy requires that the administration create and maintain guidelines and employ best practices as applies to employees and students posting online material on behalf of HCC.

The policy does not apply to suspected criminal activity investigations or other investigations related to health and public safety, and information on publicly accessible accounts.

Fans and followers of official college social media accounts are expected to respect the terms of individual social networking sites and understand that HCC officials have the right to remove any content that is deemed disruptive to the educational program of the College, offensive, illegal, profane, of a harassing or threatening

nature, a violation of intellectual property rights or privacy laws, defamatory or contrary to the mission of the College. HCC reserves the right to block posts from fans or followers who violate these provisions.

HCC is not responsible nor endorses posts or comments made by fans, followers, or visitors to HCC's social media accounts.

### **Related College Policies**

- I. Use of Computing, Network and Communications Resources Policy (Policy No. 5093)
- II. Code of Trust (Policy No. 2030)
- III. Code of Student Conduct (Policy No. 4040)
- IV. Expressive Activity Policy (Policy No. 8068)
- V. Commercial Solicitation Policy (Policy No. 8069)