

Section:	General Policies
Policy Name:	Social Media Privacy and Use
Policy Number:	14 - XXXX
Policy Owner:	AVP for Strategic Communications
Responsible University Office:	Office of Strategic Communications/ Office of Human Resources
Origination Date:	March 20, 2018
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Authority:	CA. Educ. Code §§99120 – 99122; CA Lab. Code §980

I. SCOPE OF POLICY

This policy governs the use of social media by University employees during worktime and using University resources, as well as privacy rights of employees and students in personal social media.

II. DEFINITIONS

- A. Social media: An electronic service or account, or electronic content, including but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, Internet Web site profiles or locations and all others means of communicating or posting information or content of any sort on the Internet, including, without limitation, one's own or someone else's web log, blog, journal, diary, or personal web site, social networking or affinity web sites, web bulletin boards, and chat rooms. Use of social media also includes permitting or not removing postings by others, where one can control the content of postings, such as on a personal profile or blog.
- B. University-affiliated social media: Use of social media (as defined above) for university business, operations or activities by a university student, officially-recognized student organization, university employee, university department or division. As used in this policy, the term "University-affiliated social media" does not include surveys or other research tools.
- C. Personal social media: Use of social media (as defined above) by any member of the university community for personal purposes unrelated to official or sanctioned

university business or any other purpose not included within the definition of University-affiliated social media.

III. POLICY STATEMENT

The University of La Verne recognizes and values the use of social media by members of the University community, as well as for matters related University affairs. In order to protect privacy rights related to personal social media, and avoid potential distraction and loss of productivity during working hours, members of the University community are required to comply with the provisions of this policy in their use of social media.

IV. POLICY STANDARDS AND PROCEDURES

A. Privacy Issues for All Members of the University Community:

1. The University reserves the right to access, monitor and review all University-affiliated social media with or without notice. Accordingly, there is no expectation of privacy in the use of University-affiliated social media.
2. University employees, including faculty, staff and administrators, are prohibited from requiring or requesting a student, prospective student, student group, employee or applicant for employment to do any of the following:
 - (a) Disclose a user name or password for accessing personal social media.
 - (b) Access personal social media in the presence of a University employee or representative.
 - (c) Divulge any personal social media information, except as provided in Section IV.A.6, below.
3. University employees, including faculty, staff and administrators, shall not suspend, expel, discipline, threaten to take any of those actions, or otherwise penalize a student, prospective student, or student group in any way for refusing to comply with a request to do one or more of the actions described in Section IV.A.2 of this policy.
4. University employees, including faculty, staff and administrators, shall not discharge, discipline, threaten to discharge or discipline, or otherwise retaliate against an employee or applicant for not complying with a request or demand to do one or more of the actions described in Section IV.A.2 of this policy.
5. The privacy protections of this policy shall not do any of the following:

- (a) Affect the University's existing rights and obligations to protect against and investigate alleged student misconduct or violations of applicable laws and regulations.
 - (b) Prohibit the University from taking any adverse action against a student, prospective student, or student group for any lawful reason.
 - (c) Preclude the University from requiring or requesting an employee to disclose a username, password, or other method for the purpose of accessing any University-issued electronic device.
 - (d) Prohibit the University from terminating or otherwise taking an adverse action against an employee or applicant if otherwise permitted by law.
6. Nothing in this policy shall affect University's existing rights and obligations to request an employee to divulge personal social media reasonably believed to be relevant to an investigation of allegations of employee misconduct or employee violation of applicable policies, laws and regulations, provided that the social media is used solely for purposes of that investigation or a related proceeding.

B. [Intentionally Left Blank]

C. Employees' Usage of Personal Social Media

The University respects employees' interest in using social media/networking sites but such use presents certain business and legal risks and, hence, carries with it certain responsibilities.

To minimize the business and legal risks associated with employees' social media use, to avoid potential distraction and loss of productivity, and to ensure that University information technology resources and communications systems are used appropriately, the University requires Classified and Administrative Professional employees to adhere to the following directives and guidelines concerning the use of social media:

- Employees shall refrain from using social media for personal purposes during worktime. An employee may use University-affiliated social media for business-related purposes during worktime if authorized to do so.
- Employees are prohibited from engaging in personal social media activities using University e-mail addresses, computers, networks, information technology resources, and communications systems.

- When engaging in social media activities, whether in connection with authorized business activities or during personal time, employees must adhere to all applicable University policies governing inappropriate conduct and proper use of University resources, including but not limited to policies related to prohibiting discrimination and harassment, standards of conduct and discipline, use of technology resources, Conflict of Interests and Workplace Violence.
- When engaging in social media activities, whether in connection with authorized business activities or during personal time, employees must comply with all applicable laws and regulations regarding the dissemination and protection of data and information that is confidential, particularly with regards to the Family Educational Rights and Privacy Act of 1974 (FERPA) (a federal law that protects the privacy of student educational records) and the Health Insurance Portability and Accountability Act (HIPAA) (a federal law that protects confidential medical records), and any other applicable state and federal legislation dealing with information privacy.
- Employees are prohibited from posting confidential or proprietary information of the University or of persons associated with the University, including, without limitation, trade secrets, and other internal, business-related, confidential communications, reports, and information. Employees should be mindful of and respect the copyright and intellectual property rights of the University and others.
- Do not use the University's name, logo or any other University images or iconography on personal social media sites to promote a product, business, cause, political party, or candidate.
- Unless expressly authorized to do so, an employee must not present him or herself as a spokesperson for the University or post anything on the Internet in the name of the University or in such a manner that the posting could reasonably be attributed to the University. If an employee posts content related to the University on personal social media sites, he or she should make clear that he or she is an employee, and that his or her views do not represent those of the University. The following is an example of an appropriate disclaimer: *"These postings are my own and do not necessarily reflect the views of the University of La Verne."*

D. Social Media and Policy Violations

1. Use of social media that is determined to violate any University policy may subject the user to discipline under the applicable employment policies or student conduct code.

2. University employees determined to have violated the social media privacy provisions in Section IV.A of this policy may be subject to discipline, up to and including termination of employment, in accordance with the applicable employment policies.

Date of Approval: 3-20-18

Approved by:

- ☐ Board of Trustees
☒ President's Executive Cabinet
☐ President
☐ Other: _____

Audience:

- ☒ Public
☐ University Community Only
☐ Department Only: _____