

## PUBLIC CRITICISM OF DISTRICT EMPLOYEES

Where Free Speech Becomes Harassment

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Social media (**Facebook, Twitter, etc.**)  
has replaced face-to-face meetings and  
public board meetings as the primary  
means for parents and students to express  
dissatisfaction with school employees.

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## Bullying of School Employees

According to the 2010 National Survey of  
Violence Against Teachers, **50%** of K-12  
teachers were victimized by students, parents,  
or colleagues in the past year.

Many of these attacks came in the form of  
cyberbullying or harassment through  
social media.

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A 2006 National School Boards Association study reported that **26 %** of teachers and principals in the U.S. have been targeted by **online attacks**.

A more recent study in the UK found that **1 in 5** teachers had unwarranted, negative and harassing comments posted about them or directed towards them online.

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The four most commonly cited forms of online harassment are: (1) negative reviews on RateMyTeacher.com; (2) Facebook school/teacher "hate groups"; (3) "Tweets"; and (4) embarrassing YouTube videos.



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## WORLDWIDE PHENOMENON

### Parents using Facebook to attack school staff

PETER HARRISON/REUTERS/DAVID J. PHILLIPS



**PARENTS** are using Facebook and other social networks to attack principals and teachers they dislike or believe have wronged them or their children.

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### Cost to School Districts

- Psychological harm
- Decreased morale
- Lost wages
- Lost instructional time/productivity
- Increased workman's compensation payments
- Litigation costs
- Negative publicity / Lost levies
- Negative student behavioral and academic outcomes

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### First Amendment Implications

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### Duties of the Employer

- Laws requiring employers to maintain safe workplaces
- Collective bargaining agreements

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**Recent Headlines**

**Students sue... intensifies**

**Social media creating 'hostile working environment' for coaches**

**school coaches**

By David La Vaque Star Tribune | MAY 17, 2016 - 8:10AM

Updated: 7:14 AM CDT Nov 26, 2017

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**Duties of the employer if the harassment is based upon:**

- Race
- Gender
- Sex
- National Origin
- Religion
- Sexual Orientation
- Disability

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**Students expelled after Facebook group calls for 'execution' of Jews, black people**

About 15 students wrote messages championing "white power", posted pictures of guns and encouraged recruitment so they can "complete their mission"




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## Warning – Sensitive Language

Tweets Tweets & replies Media

 **Garrett Ake** @g\_ake68 · 1h  
My Genetics teacher is a faggot

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 **Eric Mendenhall** @eric\_mendenhall

I don't condone use of that term, & it has no bearing on my ability to teach you genetics  
@ See you Thursday

Tweets Tweets & replies Media

1h  
My Genetics teacher is a faggot

RETWEETS  
14,896

LIKES  
18,566

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## What if the online chatter alleges abuse or misconduct:

- Physical/mental harm to students
- Sexual improprieties by staff
- Alcohol/illegal substance use

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### What if the online chatter is threatening or criminal:

- Threats of harm
- R.C. 2917.01 – Telecommunications Harassment
- R.C. 2903.211 – Menacing by Stalking

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### Other ways the Board and/or administrators can help cyber-bullied employees ...

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### How employees can help themselves

#### Some advice Administrators can offer:

- Follow Board policy on use of social media and reporting of bullying or harassment!
- Regularly search your own name online. Google yourself, search for Facebook pages and Twitter accounts which include your name.
- Do not connect with ("friend") current and potential future students and parents on social networks.

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- Password protect everything online. Keep all accounts set on the most private settings. Also, password-protect your mobile phone.
- Keep your private life private. Don't share too much about your family, home, and background to your students and their parents.
- Consider speaking with an attorney to file a defamation or other cause of action.

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## Questions?

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