I. PURPOSE

This policy serves as a guide to ensure compliance with the Annotated Code of Maryland, Education Article, Section 26-401. It applies to all University faculty, staff, and students, and helps ensure the privacy rights of students. It recognizes that the use of Social Media by University employees plays a valuable and appropriate role in academic and career-based activities to the benefit of students. The policy is intended to permit the appropriate use of Social Media while ensuring compliance with state and federal law and protecting student privacy. Ultimately, however, it is the responsibility of each University employee (e.g., instructor, teaching assistant, athletic staff, counselor, etc.) to ensure they are in compliance. Individuals who violate the state law may be subject to civil liability.

II. DEFINITIONS

A. “Non-Public Access Information” refers to the security information required to access a 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, prospective student, or applicant in whole or in part for private use. It does not include:

1. An account on a Social Media platform owned or provided by an educational institution; or
2. An account on a Social Media platform created by a student, prospective student, or applicant specifically for academic or University-assisted, career-based activities.

C. “Social Media” are electronic 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, and Tumblr.
III. UMCP SOCIAL MEDIA PRIVACY RULES

A. University employees shall not require, request, suggest, or cause a student, prospective student, or applicant to disclose, grant access to, or allow observation of Non-Public Access Information pertaining to any Social Media account. University employees shall not require that a student, prospective student, or applicant change the privacy settings on a Personal Social Media Account.

B. University employees shall not require a student, prospective student, or applicant to designate a University employee or agent of the University as a “friend,” a “follower,” or any other designation that would afford the employee or agent access to Personal Social Media Account information that is not publicly available.

C. University employees shall not require a student, prospective student, or applicant to log onto any Social Media account in the presence of a University employee or agent of the institution.

D. University employees shall not require that a student, prospective student, or applicant provide names of the Social Media platforms that he/she employs.

IV. DISCIPLINE

University employees shall not suspend, expel, discipline, penalize, or threaten to take any of the aforementioned actions against any student, prospective student, or applicant for refusing to provide information in response to a request that is prohibited under Section III of this Policy.

V. LIMITATIONS

This Policy does not prohibit the following activities:

A. University employees may require a student to use a Social Media account in an academic or career-based activity provided that:

1. The student has the option, at his or her own election, to complete the activity by using an existing Personal Social Media Account or by creating a generic (or alternative) Social Media account;
2. Students are not obligated to violate the terms of service of any Social Media account;
3. Use is limited to the academic or career-based activity;
4. The student is not required to provide Non-Public Access Information; and
5. The academic or career-based activity is designed and administered in a manner that is consistent with the University of Maryland, College Park Policy and Procedures on the Disclosure of Student Education Records (III-6.30[A]) and the University of Maryland Disability & Accessibility Policy and Procedures (VI-1.00[D]).

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University employees are encouraged to obtain unit-level approval before instituting academic or career-based activities involving student Social Media accounts. In addition, University employees are encouraged to provide notice to students, in syllabi or other relevant written publications, when use of such accounts is required.

B. University employees may view Personal Social Media Account information that has been voluntarily provided to them by a student, prospective student, applicant, or third party.

C. University employees may view publicly accessible information relating to a student, prospective student, or applicant’s Personal Social Media Account.

VI. COMPLAINTS

Students should report violations of this policy to their unit administrator.