POLICY Board of Trustees - Montgomery College **42003**

Chapter: Student Affairs Modification No. 001

Subject: **Student Social Media Privacy Protection**

I. Introduction

Montgomery College recognizes the importance of privacy in a student's personal activities involving the use of social media. It also recognizes that the use of social media by College employees plays a valuable and appropriate role in academic and career-based activities to the benefit of students. The purpose of this policy is to set forth appropriate rules to protect student privacy interests while permitting the use of social media for academic and career-based activities.

II. Definitions

A. "Access information" means a user name, a password, log–in information, an account name, or any other security information that protects access to a personal electronic account.

B. "Personal electronic account" means an account created via an electronic medium or a service that allows users to create, share, or view user–generated content, including uploading or downloading videos or still photographs, blogs, video blogs, podcasts, messages, electronic mail, Internet Web site profiles or locations, or any other electronic information. Personal electronic accounts do not include an account that is opened on behalf of, or owned or provided by, Montgomery College.

C. "Student" includes an individual who is a participant, trainee, or student in an organized course of study or training offered by the College.

III. Prohibited Activities

Subject to subsection IV below, the College may not:

A. Require, request, suggest, or cause a student, an applicant, or a prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the individual's personal electronic account;

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

1. Add to the list of contacts associated with a personal electronic account any individual, including a coach, a teacher, an administrator, another employee of the College, or a volunteer; or

2. Change the privacy settings associated with a personal electronic account;

C. Take any action or threaten to take any action to discharge, discipline, prohibit from participating in curricular or extracurricular activities, or otherwise penalize a student as a result of the student's refusal to:

1. Grant access to, allow observation of, or disclose any information that allows access to or observation of a personal electronic account;

2. Add any individual to the list of contacts associated with a personal electronic account; or

3. Change the privacy settings associated with a personal electronic account; or

D. Fail or refuse to admit an applicant as a result of the applicant's refusal to:

1. Grant access to, allow observation of, or disclose any information that allows access to or observation of a personal electronic account;

2. Add any individual to the list of contacts associated with a personal electronic account; or

3. Change the privacy settings associated with a personal electronic account.

IV. Limitations

Nothing in this policy shall be construed to:

A. Prohibit the College from requesting or requiring a student to disclose access information to allow the College to gain access to an electronic account:

1. Opened at the College's behest; or

2. Owned or provided by the College;

B. Prohibit or restrict the College from viewing, accessing, or utilizing information about a student, an applicant, or a prospective student that:

1. Can be obtained without access information;

2. Is publicly accessible; or

3. Is available to the College as the result of actions undertaken independently by the student;

C. Create a duty requiring the College to search or monitor the activity of a personal electronic account;

D. Make the College liable for failing to request or require a student, an applicant, or a prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the individual's personal electronic account;

E. Prohibit a student, an applicant, or a prospective student from allowing an athletic coach or administrator to view the student's, applicant's, or prospective student's publicly accessible communications; or

F. Apply to:

1. A suspected criminal activity investigation into the publicly accessible communications of a student, an applicant, or a prospective student that is performed by law enforcement; or

2. An investigation, an inquiry, or a determination relating to the publicly accessible communications of a student, an applicant, or a prospective student that is conducted in accordance with applicable College policies and procedures.

V. The President is authorized and directed to establish procedures necessary to implement this policy.

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Effective Date: January 23, 2017.
Modification Date(s): n/a
Last Review Date: June 15, 2026.