



ALABAMA  
ASSOCIATION OF  
SCHOOL BOARDS



# SOCIAL MEDIA

## *Survival Guide*

Lesley Bruinton, APR  
October 6, 2025



**SOCIAL MEDIA IS OKAY...**



# **FIRST AMENDMENT**

- Everyone has the right to Free Speech; however, because of your role as a board member or superintendent, there may be limits to what you can say/write and the time and manner you do it.
- The same is true for teachers/staff and students.
- It is a best practice for adults connected to a school district to be mindful of how they use social media and understand how the implications of their personal use could affect their professional lives.

# **BEFORE CRISIS HITS**

- Ensure the district has clear social media policies and guidelines in place and review them regularly.
- Empower the superintendent and communications team to manage the district's online presence and respond to issues.
- Remember board members' professional responsibilities when using social media, even on personal accounts.
- Participate in board-level social media training to assist with communicate effectively online.



# Mistakes



Don't try to fight every battle or argument that arises on social media. The board's power comes from its authority, not individual online debates.



Avoid the knee-jerk reaction to shut down comments or disable social media features. This can backfire and push critics underground.



Don't expect the communications staff to be available 24/7 to respond to social media posts. Set reasonable expectations and boundaries.





# **AFTER THE DUST SETTLES:**

- Focus board discussions and decisions on doing what's best for the entire community, not just appeasing vocal social media critics.
- Encourage the public to attend in-person meetings to share feedback, rather than relying solely on social media.
- Begin working to re-establish/re-build community trust.



**KEEP**  
**SOCIAL MEDIA**  
*Social*



*School  
Spirit*  
**PR**



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# LIKES, SHARES & SCHOOL BOARD AFFAIRS



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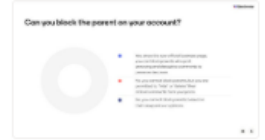


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# HYPO #1

**Q:** The board hires a qualified candidate for a teaching position. However, before the employee's first day of work, the superintendent comes across a nasty-worded post on the teacher's Facebook account criticizing the country's president. The superintendent has now recommended termination, how should the board proceed?

- A.** Since the teacher is a probationary employee, the board can vote to terminate the teacher without fear of any consequences.
- B.** The board should vote its conscience, keeping in mind its affirmations to avoid personal or political bias per the Governance Act.
- C.** The board should not fire the teacher; her post is protected by the First Amendment and doesn't affect her job performance.





## The superintendent has now recommended termination, how should the board proceed?

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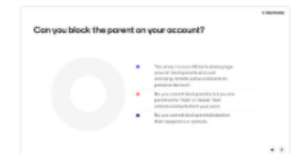
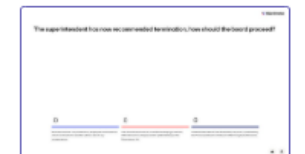
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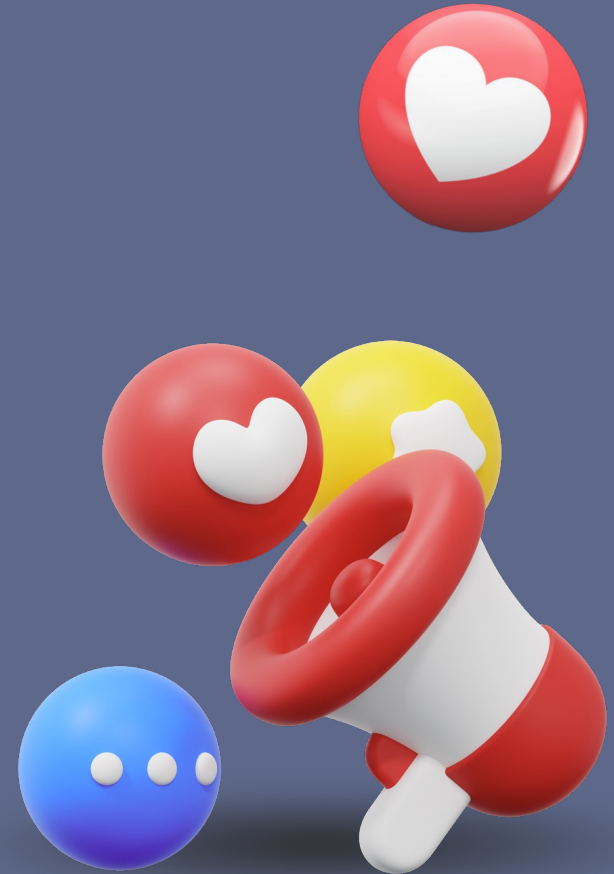
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# GOVERNANCE REFRESHER

“A local board of education is the legally constituted body that governs a local school system, promotes student learning, and prepares students to be college and career ready. A local school board, and not individual board members, is entrusted with this responsibility. To function effectively, board members, both individually and collectively, must operate with the highest degree of accountability to these responsibilities and their fiduciary duty to act in the best interests of the local school system, without self-interest.”

Ala. Code § 16-1-41.1(b)(2)





# CERTIFICATE OF AFFIRMATION OF SCHOOL BOARD MEMBER

As required by the **School Board Governance Improvement Act of 2012**, I do hereby affirm all of the following

1. That each decision, action and vote I take or make as a member of the school board shall be based solely on the needs and interests of students within the system.
2. That I will make no decision, action or vote to serve or promote my personal, political, or pecuniary interests.
3. That each decision, action and vote I take or make shall be based on the educational interests of the school system as a whole.
4. That I will consider the views of all members of the board and the superintendent before making a decision or taking an action on any measure or proposal before the board.
5. That, except to the extent otherwise provided by law, I shall take formal action only upon the written recommendation of and in consultation with the superintendent, and that I may not individually or jointly attempt to direct or corrupt the operations of the school system in a manner inconsistent with the discharge of the statutory functions and responsibilities of

6. That I shall actively promote public support for the school system and a sound statewide system of public education, and shall endorse ideas, initiatives and programs that are designed to improve the quality of public education for all students.
7. That I shall attend scheduled meetings and actively participate in school system functions, activities and training programs that promote quality boardsmanship unless good cause is shown.

**Affirmed on this** \_\_\_\_\_ **day of** \_\_\_\_\_, **20**\_\_\_\_\_

By: \_\_\_\_\_ (Signature)  
\_\_\_\_\_  
Name) \_\_\_\_\_  
\_\_\_\_\_  
Board of  
Education

# SHOULD BOARD MEMBERS USE SOCIAL MEDIA?

- It's a personal choice.
- Could be good... or bad.
- Depends on the user.





## HYPO #2

**Q: You receive harassing messages on your personal Facebook account, which occasionally includes posts about school board matters. You want to block the users for safety reasons. How should you proceed to protect yourself without violating the First Amendment?**

- A. Block the users and ensure your account is clearly designated as personal with a disclaimer.**
- B. Avoid taking any action because you occasionally posted about school board business so the account is a public forum.**
- C. Delete the account.**

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## How should you proceed to protect yourself without violating the First Amendment?



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Choose a slide to present

Slide 1: The superintendent has now recommended termination, how should the board proceed?

Slide 2: How should you proceed to protect yourself without violating the First Amendment?

Slide 3: As a public official, what is the superintendent's responsibility when posting political content?

Slide 4: Can you block the parent on your account?

Slide 5: Effects of the following best practices on school system legal obligation regarding non-disparaging for social media?





# PUBLIC FORUM



- Whether or not a board member's social media page is a public forum depends.
- Fact specific.
- If a public forum, then First Amendment protections are triggered.

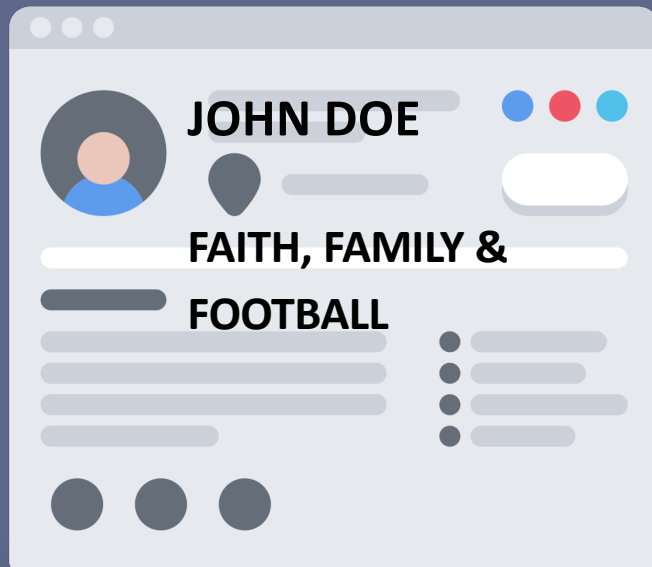
# PREVENTING YOUR PERSONAL SOCIAL MEDIA FROM BECOMING A “PUBLIC FORUM”:

- Use a disclaimer
  - E.g. “The views expressed on this page are strictly my own.”
- Do not post about school board business
- Regulate profile settings
- Limit accessibility

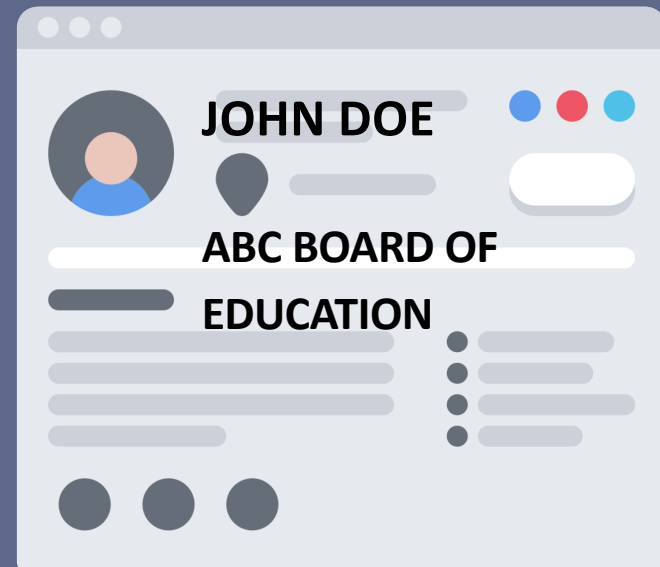


# USING TWO ACCOUNTS IS OKAY.

## PERSONAL



## BUSINESS





# HYPO #3

**Q: You are a superintendent who maintains a personal Facebook account. During election season, you post your support for a local candidate and share commentary on education-related legislation. You post from your personal phone during non-work hours. A community member accuses you of using your position to influence political outcomes. As a public official, what is the superintendent's responsibility when posting political content?**

**A. Despite being a public official, the superintendent is free to express political views because he still has First Amendment rights.**

**B. The superintendent may express political views if the account is clearly personal and avoids school references and implied endorsement.**

**C. The superintendent must avoid posting any political content while employed by the school system, as it could be seen as partisan influence.**

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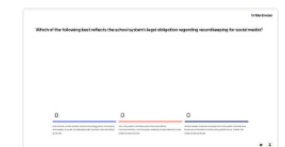
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## As a public official, what is the superintendent's responsibility when posting political content?

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# TOUCHY TOPICS



- Politics, religion, etc...
- Public officials cannot use the trappings of their office to promote a political message.





# DIGITAL FOOTPRINT

- Post reactions: likes, loves, laughs, etc...
- Tags
- Mentions
- Shares
- Follows



# HYPO #4

**Q: You are a school board member who regularly uses your Facebook page to post updates about school board meetings, system policies, and community events. Your page includes your official title and contact information. A parent frequently comments on your posts with opposing views and criticizes the school board, which you find annoying and disruptive. You consider blocking them to maintain a more positive environment. Can you block the parent on your account?**

**A. Yes, since it is your official business page, you can block parents who post annoying and disruptive comments to preserve decorum.**

**B. No, you cannot block parents, but you are permitted to “hide” or “delete” their critical comments from your posts.**

**C. No, you cannot block parents based on their viewpoints or opinions.**

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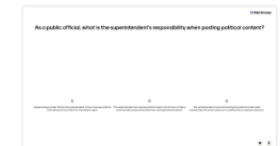
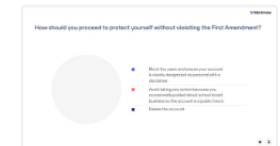
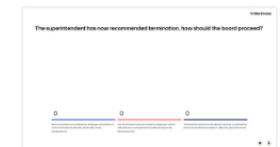
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# BLOCKING USERS

It depends...

- Parents
- Students
- Employees
- Annoying community members
- The superintendent
- Co-board members



# DEVELOP GUIDELINES



- Guidelines help facilitate healthy discussions on school system's page
- Include prohibitions, e.g. obscene/sexual language, threats, off topic content, etc...
- Implement consequences for violations
  - Also consider appeals process



# HYPO #5

**Q:** You are an assistant superintendent who helps manage the school system's official social media accounts. These accounts are used to share announcements, meeting schedules, emergency alerts, and responses to public comments. The system's director of public relations suggests that since social media is informal and fast-moving, there's no need to archive posts or comments unless they're part of a formal press release or other formal record. Which of the following best reflects the school system's legal obligation regarding recordkeeping for social media?

- A.** The school's social media content including posts, comments, and replies, may be considered public records and should be archived.
- B.** You only need to archive posts that are official communications, such as press releases, board decisions and other formal records.
- C.** Social media content is exempt from the public records laws because it's hosted on third-party platforms so it does not need to be archived.



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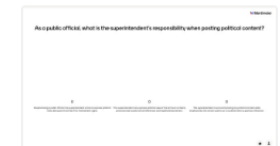
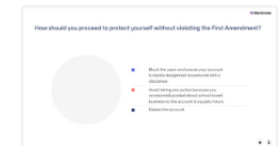
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Choose a slide to present



# PUBLIC RECORDS



- If using school system social media, posts and activities are likely public records.
- Duty to maintain and archive.
- Hidden and deleted posts.



# MANAGING SCHOOL SYSTEM'S SOCIAL MEDIA



- Designate employee
- Refrain from sharing account information
- Have protocols in place





# FROM POSTS TO POLICIES?



- Knee-jerk reactions to implement policy.
- Creating a policy will increase the school system's liability exposure.





# BOARD'S ROLE IN...

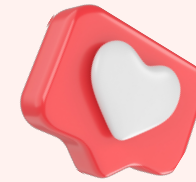
- Social media use by **employees**
  - School boards are fully empowered to respond to inappropriate, unprotected speech by employees without a policy.
- Social media use by **students**
  - School boards have the right to “[prescribe] rules with respect to behavior and discipline of students enrolled in the schools under its jurisdiction.” Ala. Code § 16-1-14(b).
- Social media use by **fellow co-board members**
  - Reprimand or censure of the offending board members and/or referral to State Superintendent.





# OTHER POINTS TO CONSIDER





# QUESTIONS?



Reed Wainwright, Esq.  
*General Counsel & Director of Legal Advocacy*

Angel Moreno, Esq.  
*Staff Attorney*

