



### What is social media?

Under federal law, a “social media platform” is a website or internet platform that:

1. Allows a person to become a registered user, establish an account or create a profile.
2. Lets a user create, share, view and interact with content.

Some examples of social media are Facebook, TikTok, Instagram, Snapchat, LinkedIn and YouTube. On those platforms, you can register as a user, create a profile, create new content and interact with other people’s content, by liking, reposting, commenting, etc.



### What are my social media rights in school?

While the exact rules differ depending on the school district, most districts have something called an “acceptable use and internet safety” policy. That policy restricts how you can use school networks and equipment. They also generally restrict social media use on school networks along with inappropriate language, viewing or downloading obscene material, bullying, stalking and commercial activity.

Some policies only permit the use of school equipment (like school computers or wifi networks) for academic purposes. Other districts permit some non-academic uses of school equipment, but only after regular school hours.

In 2024, Ohio passed a new law that requires public schools to create policies around students’ use of cell phones during school hours. Those policies must be in place by July 1,

2025 and they should limit the use of cell phones in order to reduce classroom distractions, but they may allow cell phones for learning or health needs. The new law does not require that cell phones be banned from schools, but it does *allow* schools to adopt a complete ban if they choose.

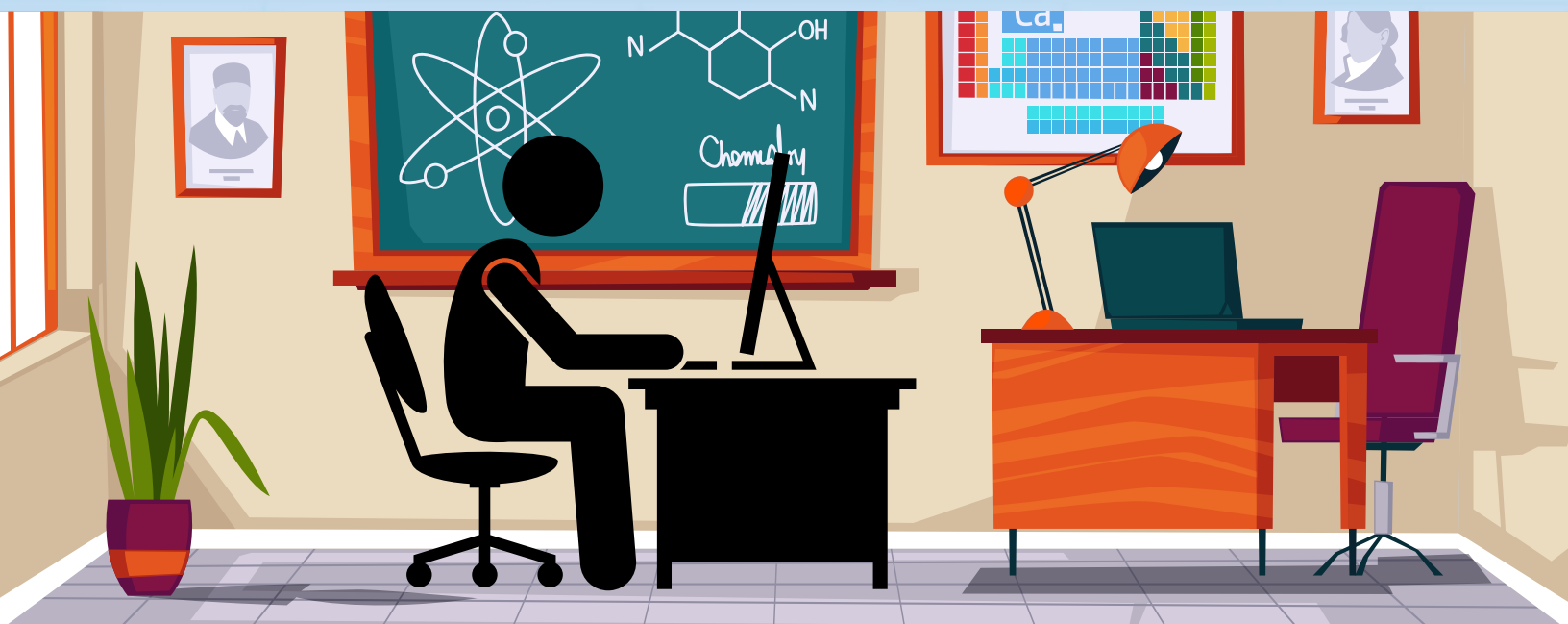
Students generally **do not** have privacy rights on the school devices they use or on the personal devices that they bring onto school property or to school events. This means, for instance, that school officials can monitor or inspect the documents you save on school computers or look at the websites you visited. They can also look at the search history or social media of your personal phone if you’re on the school wifi network.



### Can I prevent school officials from looking at what I post on social media?

Social media sites generally permit users to restrict access to their profiles to only those who the user has approved. For example, if your Instagram account is private, posts can only be seen by your account’s followers, who you approve. But remember, if you’re on a school wifi network, school officials can look at your activity. And keep in mind that any comments you leave on other people’s posts may be public.

It is always safest to permit only those who you know personally, outside of the internet, to view your profile. Even then, posts can be screenshot, copy-and-pasted or otherwise reproduced. It could be impossible to re-privatize something that has been posted online. As a safety measure, you should always avoid including personal, identifying or other private information online.



# What Are My Rights on Social Media?



## Can I get in trouble for my use of social media *outside* of school?

**Sometimes.** It depends on what you say.

If you use your own device and accounts outside of school hours and off campus and your posts are not about school or people in school, then the school generally can't punish you for those posts.

But if you post something on your own device or account outside of school hours that causes a "substantial disruption" at school or "materially interferes with" school activities, then the school *can* discipline you.

"Substantial disruption" means that you have said something (in person or online) or acted in a way that encourages violations of school rules, breaking the law or interfering with the education of other students. For example, threats to other students or your teachers will likely be considered a substantial disruption, even if it is on your own time, device and wifi network.

Cyberbullying is another way that your use of social media outside of school can get you into trouble in school. Cyberbullying includes creating false profiles, impersonating other students or creating fake pages in order to bully someone. Under Ohio law, schools are required to have policies that prohibit harassment, intimidation or bullying.

And while the law doesn't outright mention social media, cyberbullying is generally understood to be included. There are a number of other ways that you can be negatively affected by posting on social media. Here are some examples:



### School Punishments

If you violate your school's social media policies, you could get in trouble. This might mean detention, suspension or even expulsion. It could also be something less severe, like a warning or having to talk to a counselor. And if you do something like share test answers on social media, it could impact your grades or school standing.



### Legal Trouble

If your social media post breaks the law, you could end up facing serious legal trouble. You can break the law by threatening someone, attempting to falsely damage someone's reputation, sharing inappropriate images or bullying someone. Legal consequences for breaking the law can range from having to pay fines to, in very severe cases, serving time in juvenile jail.



### College and Job Applications

If you apply to colleges or jobs, they might look at what you've posted on social media. If they see inappropriate posts, they can decide not to admit or hire you.



# What Are My Rights on Social Media?



## Can I get in trouble for simply expressing my opinion on social media?

**Usually not.** You have the right to express your opinions on social media. Under the First Amendment to the U.S. Constitution, you have a right to free speech. But that right is limited in several ways. While a school can't punish you just because they don't agree with what you say, you can face consequences for breaking school rules or the law, including making threats, falsely damaging someone's reputation or causing a substantial disruption at school.



## What can social media platforms do with my information?

When you create an account on a social media platform, you agree to terms and conditions and are provided with a privacy statement. Right now, most social media companies can freely use and sell the information they get from you when you use their sites. Ohio doesn't have any rules to protect your data, but five other states in the U.S. do. If Ohio decides to make similar rules, it would mean that you would own your personal information and could decide who can see it. But, as of now, Ohio law doesn't give you this right.

## My Ohio Rights is brought to you by:



## Tips for using social media:



**Review your school rules.** They have a policy in place for social media and cell phone use.



**Be careful what you say.** You have a right to free speech, unless it causes a disruption.



**Don't break the law.** Threats, bullying and inappropriate pics can get you in legal trouble.



**Think of your future.** Applying to colleges or jobs? They can look at your social media.