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# **Student Personal Electronic Account Privacy Policy**

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## **I. Philosophy and Scope**

Frederick Community College (“FCC” or the “College”) protects the privacy of students in the use of their personal electronic accounts in accordance with §26-401 of the Education Article, Annotated Code of Maryland. This applies to social media accounts that are private and established outside students’ engagement with the College.

This Policy addresses personal electronic account privacy protections for students with specific prohibitions on the use of these accounts by the College. This Policy does not address the overall technology use at the College, including the use of media accounts and web pages used to support instruction. Technology use on behalf of the College is covered in the [Technology Use Policy and Procedures](#) under Section VII.

## **II. Definitions for the Purpose of this Policy**

- A. **“Personal electronic account”** is defined as any account created outside a student’s engagement with the College through an online medium or service that allows users to create, share, or view user-generated content. This does not include an electronic account that is opened on behalf of, owned, or provided by the College in support of instruction or co-curricular activities.
- B. **“Grant access”** to a personal electronic account is defined as providing log-in information needed to gain access to a private electronic account.
- C. The term **“student”** means an individual who is registered at the College, either full or part-time, in a credit or continuing education class or classes who has either paid or made arrangement for payment of tuition and/or fees.
- D. An **“applicant”** refers to an individual who has an assigned FCC student identification number and who has submitted a College application for credit enrollment.
- E. A **“prospective student”** refers to an individual who has become a part of the College recruitment database who has been assigned an FCC student identification number.

## **III. Personal Electronic Account Privacy Protections for Students**

Under this Policy, the College may not:

- A. Require or request a student, applicant, or prospective student to grant access to or allow observation of the individual’s personal electronic account(s).
- B. Compel a student, applicant, or prospective student, as condition of acceptance or participation in curricular or extracurricular activities, to:
  - 1. Add any individual (including a coach, teacher, administrator, or any other College employee or volunteer) to the list of contacts associated with a personal electronic account; or
  - 2. Change the privacy settings associated with a personal electronic account.

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- C. Take any action or threaten to take any action to discharge, discipline, prohibit from participating in curricular or extracurricular activities, fail or refuse to admit an applicant, or otherwise penalize a student, applicant, or prospective student as a result of his or her refusal to:
  - 1. Grant access to or allow observation of the individual's 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 opened at the request of the College or owned or provided by the College;
- B. Prohibit or restrict the College from viewing, accessing, or utilizing information about a student, applicant, or prospective student that can be obtained without access information or is available 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, applicant, or prospective student to grant access to or allow observation of the individual's personal electronic account; or
- E. Prohibit a student, applicant, or prospective student from allowing a College employee or volunteer to view the individual's publicly accessible communications.

### **V. Applicability**

This Policy does not apply to:

- A. A suspected criminal activity investigation into the publicly accessible communications of a student, applicant, or prospective student that is performed by law enforcement or the College Security team; or
- B. An investigation, inquiry, or determination relating to the publicly accessible communications of a student, applicant, or prospective student that is conducted in accordance with other applicable College policies and procedures.