

Missouri lawmakers vote to repeal Facebook limits

September 26 2011, By Dave Helling

Missouri lawmakers passed and sent to the governor Friday a bill designed to refriend Facebook and other electronic media for thousands of Missouri's teachers and students.

Not everyone, however, has decided to "like" it - including Gov. Jay Nixon, who wants to hear what teachers and school boards think.

The Missouri House overwhelmingly passed a repeal of an earlier law barring most private electronic contact between teachers and students, including exchanges on social media websites such as [Facebook](#).

But the new bill does more than just repeal the so-called Facebook law. It also requires local school districts to adopt their own policies by next March, "to prevent improper communications between staff members and students."

Opponents said that part of the bill would simply allow dozens of Missouri school districts to illegally block electronic interactions between teachers and students.

"We are going to ask the governor to veto the legislation," said Gary Brunk, executive director of the [American Civil Liberties Union](#) of Kansas and Western Missouri. "It could be a nightmare ... these local districts could be all over the place, including (enacting) some things we really don't like at all."

But supporters of the repeal said the bill allows districts to tailor policies that best fit the needs of students, teachers, and parents.

"We don't tell local school districts how to do it at all," said state Rep. Chris Kelly, a Columbia Democrat, adding the district-by-district approach would help administrators quickly learn the best ways to keep an eye on electronic communications.

Missouri lawmakers - worried about potentially predatory web discussions - approved the original Facebook law last spring as part of a broader measure addressing [inappropriate behavior](#) between teachers and students.

That measure prohibited private electronic contact between teachers and students on social media sites, which sponsor state Sen. Jane Cunningham, a St. Louis County Republican, called "a pathway to sexual misconduct."

But the new law brought complaints from hundreds of teachers and some students. A lawsuit was filed and a judge blocked the law this summer, leading to the repeal debate in the September special legislative session.

Nixon would not indicate Friday whether he will sign the repeal bill. Some lawmakers worry the measure is unconstitutional because it goes beyond the governor's original request for lawmakers to use the special session to simply repeal the Facebook law.

"We need to interact with some local school boards and some individual teachers to see what their thoughts are," Nixon told reporters at a news conference. "It appears that they've (lawmakers) gone in a broader focus than what my intent was when we brought folks to town."

While Nixon and others expressed concerns about the Facebook fix,

others said they were happy lawmakers were closer to clarifying social media rules that will allow teachers and students to use what's become an important educational tool.

Mark Enderle, superintendent of the Fort Osage School District, said he supports a district-by-district approach. He opposed the initial, more restrictive proposal.

"It was trying to legislate a solution to a problem that did not exist," Enderle said. "Social media is how students and teachers communicate ... To deny them access to that tool is a disservice to the student and the staff."

Student publications teacher Patricia Smith, for example, appreciates the value of text messaging her students. She said not being able to use new technology to communicate with pupils would make her job much tougher.

"I was so upset (by the initial proposal), that I was willing to break the law and I told my principal and superintendent just that," said Smith, who has taught high school for 13 years. "They were telling me I couldn't talk to my kids," she added, her voice cracking with emotion.

Carrie Cox, 17, and editor of the school newspaper, said most students thought the original law was ridiculous.

"It makes me happy that they edited the law to make it more flexible," she said. "I feel our district will work with us to develop a policy."

Enderle said district officials, along with parents, already have begun discussing what an appropriate policy might look like.

"I'm sure it will be something simple, like communicate on all [social](#)

[media](#) with [students](#) and parents being appropriate and professional," he said.

Andrea Flinders, president of the Kansas City Federation of Teachers, said the repeal bill - if it's signed into law - will provide clarity for her members.

"Teachers aren't trying to do anything wrong," Flinders said. "The sooner the district comes up with the policy, the better off we're going to be."

Some districts, Flinders noted already block Facebook on classroom computers - in part because it can be a distraction during the school day.

Meanwhile, several lawmakers said they were embarrassed they caused an uproar among [teachers](#) and school administrators. The House measure passed 139-2 on Friday. The Senate passed it earlier by a 33-0 vote.

"When we make errors we need to fix them, and that's what we're doing here today," Kelly said.

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