

# NASFAA's "Director Download" – Episode 9 Transcript

- Justin Draeger: Hey everyone, welcome to another addition of "Director Download." I am Justin Draeger.
- Beth Maglione: Beth Maglione, with NASFAA.
- Shar-day C.: And I'm Shar-day Campbell with Houston Community College.
- Justin Draeger: Shar-day, welcome to the NASFAA office.
- Shar-day C.: Oh man, it is a pleasure.
- Justin Draeger: What do you do for the Houston area community colleges?
- Shar-day C.: I am the financial aid, social media, and communications coordinator, and when I started, I did request that my title be as long as possible. And so, this position was the vision of our executive director JoEllen Soucier, who recognized that there was a gap for students, and that we really couldn't guide them unless they had dedicated staff towards communications. And so, she put the job description together, and she said that it's the fastest it's ever gotten approved. She's never seen anything like that before, but we do know that it's somewhat of an anomaly in the financial aid space, to have a dedicated communications person, and specifically communications with social media.
- Justin Draeger: And you did a presentation or are about to do a presentation for a whole bunch of schools in Michigan. Did that already happen? Or is that about to happen?
- Shar-day C.: It did happen, and that was quite awesome, awesome, awesome. It was a dedicated conference, probably the first that I've known about, for financial aid communicators, and that was the vision of University of Michigan's financial aid director, and one of her people had heard about my presentation at MASFAA, and that's how they ended up inviting me.
- Justin Draeger: So, one of the things when you were at MASFAA this last year, as I understand it, is there was a competition, like a viral video competition, and there were letters that you all had to develop some lyrics on, some rhythms on. So, catch us up here. Tell us what's happening.
- Shar-day C.: So, there was a viral challenge called For the D, and all lewdness just let your mind go where it goes. And there were celebrities, everyone rapping about what they were gonna do for the D, and I was like, "My goodness, this is legit terrible."
- Justin Draeger: You weren't deterred that celebrities were doing this? You were like, "I can do this."

Shar-day C.: You know, it started-

Justin Draeger: Houston can do this.

Shar-day C.: Right. It started off as a joke. I was like, "The only D they need to be worried about is that degree." And so, I was like, "Well, what will you do for that degree? Fill out my FAFSA early for that degree." And then it just kinda started, and I just started writing it, and one of our financial coaches has an in-house studio, and I was like, "Say, can I come record this weekend?" And she was like, "Okay." And that's how it all got started, and I had one of the students follow me around with my camera, my phone camera, and we shot a video for it, and it's probably ... I'll never be able to live that one down. Now I'm known as a rapper.

Beth Maglione: I love it. Have you been approached by any producers? Management representation for your talent?

Justin Draeger: Beth, you have a job. You can't be her manager. That doesn't work.

Beth Maglione: Oh, we would make beautiful music together.

Shar-day C.: Man, listen. You know, financial aid has bought an array of opportunities that I never would've thought possible, and apparently exposed my gift for allowing content to manifest into lyrics, because I didn't think that I was a writer.

Justin Draeger: All right. So, you have it pulled up? Go ahead. Let's see what we got.

Shar-day C.: [Music]

Justin Draeger: I love that. Very good.

Beth Maglione: I could not love that more. That is so good.

Justin Draeger: That was amazing.

Shar-day C.: Thank you, thank you.

Justin Draeger: So, that's just one example of the many talents that you're bringing to ultimately reach students. Like get messages to them.

Shar-day C.: Right. And so, my first day they said, "Well Shar-day, what do you wanna do with this position?" And I said, "Simply put, I wanna humanize financial aid." And so, a lot of times we do need to get that content out, that transactional content, but sometimes we need content that just connects. That doesn't have some type of call to action. Inherently, within those lyrics we talked about FASFA, we talked about early FASFA, we talked about work-study, we talked about the challenges of meeting your basic needs while you're in school. All of

those financial components, the debt, and going to a financial coach for financial coaching. So, it was a little bit of knowledge with some shenanigans.

Justin Draeger: So, the thing that I love about you is that you bring a level of authenticity of who you are, it's your personality is infused into the communication. So, what would be your advice to aid offices that are balancing like, we really do need students to do something, and on the other hand it's the connection piece you talked about. You gotta be authentic to make a connection. You can't just be corporate.

Shar-day C.: Oh man, absolutely. And I think part of it is being human. Deciding what your voice and your tone is going to be on social media, and I said I wanted to be authentic, helpful, with a touch of humor. Just enough touch where I don't get touched by the board for going too far.

Justin Draeger: All right, all right. So, let me ask a question about that, because what's ... people that dabble in humor, and NASFAA, we try occasionally too, but this is subjective sometimes people are like, "I just need the information. I don't need all ..." So, how do you balance that? Because along with that comes some risk.

Shar-day C.: Certainly. This was a risk. I did it ... even when I went to communications and I was trying to get them to shoot the video, but they were fully booked. They were like, "For the D, Shar-day?" And I was like, "Look, listen. It's awesome, I already recorded the song. It wasn't even an option." I was like, "Look, I just need to post it." But I wanted to make sure I had that clearance though. But it definitely is, is there a message attached to the humor?

We definitely want to be cognizant of not offending any communities, and if you're inherently bringing knowledge in a humorous way, and it's not offensive, I believe that you could ride that borderline. And it's funny, I asked my director, JoEllen, I said, "Well, do you wanna kinda approve the content that gets posted?" And she was like, "No, I trust you." And I was like, "Really?"

Justin Draeger: That's a lot of trust, for the person that's outwardly representing an entire office like that.

Shar-day C.: And it's huge. So, my advice to directors is ... JoEllen decided to hire someone without financial aid experience but with communications experience. And so, and within that context, she decided to give that role creative freedom. And so, if you have the foresight to hire for this role, it has to be with a certain level of creative freedom to allow that person to thrive, see how they can connect the messages in different ways that haven't been connected before, but it's almost like the conversation of people who decide to allow people to work remotely. You have to change your mind set about what the workspace looks like.

So, going into this as a director, change your mind set in how much you allow creative freedom within it.

Justin Draeger: So, how many other aid offices do you know have a position like yours?

Shar-day C.: You know, honestly?

Justin Draeger: Not enough?

Shar-day C.: Not enough. That is the perfect, perfect answer, and I think there are a lot of financial aid administrators who are trying to figure out who to do it on the side, and how to launch, and after how to launch it, how do I create this content? So, they're inherently ... there's this skills gap. They have the knowledge. They're the S-M-E, right? But there's a skills gap attached to the communications space that they're still struggling with, and almost getting paralyzed by. And so, it's definitely not enough people dedicated to it, because when you have a dedicated person, you have the time to execute creatively, see the pulse of the office, and see what's going on.

And so, there's not enough people dedicated to it.

Justin Draeger: All right. So, this really kinda I think ties into ... and I wanna get into the different type of mediums that you're using, we have some statistics on this, but before we get there ... So, I hear what you're saying about a lot of folks are doing it on the side, or it's a back-burner issue for them. It's something they think they should be doing, but it's not maybe a strategic priority, or a funding priority, because maybe they don't see, or their administrations don't see the true ROI on what proactive social media outreach and connection can really do. So, how do you guys measure that? What are you looking at to effectuate? How do you know you're having an impact?

Shar-day C.: So, you said a key word, it's not a part of the strategy. So, one thing when I'm out presenting at these conferences, and when I'm speaking to people who are struggling to garner buy-in, to have dedicated people, or be able to have access to the social media channels, is I tell them, "You need to connect with your already strategic goals of your department." So, if institutionally you've been called to increase FASFA numbers, then your content needs to be around that, and it needs to be a part of the buy-in conversations. From a strategy standpoint, higher ed is definitely moving into the space of guided pathways. So, how can you have a guided pathway without communication? And so, if I'm gonna guide them through this process, I need to have communications on different mediums.

So, there's some institutional conversations that tie to the strategy that's needed, and financial aid needs to be a part of those conversations specifically around communications. And when I started this role, I had to do some benchmarking. I had to see what else was out there. I was doing searches and geo targeted searches to see who was already posting about financial aid on social media-

Justin Draeger: And when you say geo targeting, you mean like in a geographic area then, for the folks that aren't familiar? In your district?

Shar-day C.: Right, so on Twitter, you can search by city within a certain amount of miles what tweets are about financial aid. And what I saw was that I didn't really have a lot to benchmark. There are some institutions who started admissions handles that have financial aid content being posted on there, but I'm really convinced that there was some type of national convening that everyone decided that we're just going to post pretty pictures on our social media channels, and not the actual content of how to get admitted here, and how to pay for it. And so, it's just kinda confounding when you go out there, and you know this content is needed, and it's just like this level of resistance that I know people are meeting, and that's a challenge even when I'm speaking, is I got people at different levels of resistance within their institution wanting to do something, but not knowing how to get it done, but also not knowing how to scale it and do it long term.

Justin Draeger: All right. So, Beth, you have some numbers on age breakdowns from different social media platforms, and then I wanna go back to you Shar-day, and talk a little bit more about that. So, what do you got?

Beth Maglione: Yeah, I did a little digging. So, overall Pew research says that 88 percent of 18- to 29-year-olds say they use social media, and to this last point about return on investment, there were also questions asked by a separate study that Hootsuite did of brands, so let's consider your institution or your organization your brand, and 90 percent of the brands said that they use social media to increase brand awareness, so just who is your school, who is your organization, but two thirds of them don't measure the ROI on that, and I think that points to what a confusing complex topic the measurement piece could be, too. So, there's that. And we can probably talk around that. I have specific questions about this, because I have, in my past, been the director of communications, and tried to quantify these things, like well how many conversions and how much engagement did that garner you? And I find it very challenging.

Shar-day C.: As far as impact, I am completely unable to speak to the ... or quantify likes, or shares, for higher ed administrators. It literally means nothing to them. But what I can say is that the greatest return on investment is that it's an extension of your customer service arm. So, how many missed opportunities are you having to create engagement? Whether you're trying to fix a problem, or whether it's just something that is a neutral. A lot of what I find are neutral comments, neutral questions. I just need to know the answer specifically, type deal. So, there is this anxiety around that I'm going to be having a public discord with angry students. And what I found is that it's just not true. There are times when I do have to deescalate, but it's also centered around delays.

And so, to say that students will never get around a delay, by the time they get to social media, they probably have felt like this is my last option.

Justin Draeger: Right. It's like it's shouting into the public sphere, like I am so frustrated, when it gets to that point. So, if the ROI is more, is an extension of us, we're resolving issues, and we're doing it publicly, we've got nothing to hide, so let's take an example. Student is frustrated by the wait times at HCC.

Shar-day C.: Right.

Justin Draeger: What do you do? What do you do? And they post on let's say Twitter ... we'll come back to the mediums in a second, but they post on Twitter and they say, "These wait times are ridiculous. I just need X, Y, Z." Or whatever. Or why can't HCC get it together? What do you do with that? Do you engage? Or ... because I think most people would be afraid to try and engage in some way.

Shar-day C.: So, my thing is, is that I would take a look. So, let me leverage what data I already have. We know the foot traffic. We're tracking in foot traffic at the campus. And so, if I go and I see that it's backed up at a campus, then I need to one, let the people ... see if they need help at that campus. So, a part of it is that you may be bringing attention that at the district office, we may not have realized at this point. So, it's almost a triage effect. So, then I would call over to the campus and see if there's someone who can, in person, deescalate it. And then that would be my response. So, I would wait to try to have some type of resolution before I would respond, and that typically deescalates the situation.

Justin Draeger: So, you're using social media in a way to take the temperature. Like we are seeing a spike over here, we're seeing something, aggravation over there, and then you guys can adjust accordingly inside. Otherwise, you might not have any indication that something's gone awry.

Shar-day C.: Yeah, certainly. It's definitely a temperature gage, but I also use the call center as a temperature gage. Like what should I be posting at this time? What is spiking calls? So, it's really playing off of one another. If the calls are spiking, and I start seeing things on social media, or if maybe I need to go and put a message on top of the phones to say, "Hey, we're having extended wait times. Here are your other options." So, it's not negative. It's an opportunity. Don't look at it as a challenge. It's an opportunity to maybe service in a different way that you weren't considering.

Justin Draeger: So, do you guys ever engage individually with students that are posting? Or is it your general policy to sort of address an issue but not respond directly to student critique?

Shar-day C.: No, I get in there. Listen ... that's my job. I'm the one that has access that is directly responding. And my goal is to get it within 24 hours. Because they are expecting an answer, quickly. And if it's an extension of our customer service arm, it needs to have the same standards around how quickly do we respond to emails? How quickly do we respond to live chats? What's our call drop rate and

our call time? It still needs to have the same standards of excellence for customer service around it.

Justin Draeger: So, I'm just gonna speak from personal experience. On Twitter, I find when I've reached the point where I'm aggravated, and I post something publicly, the companies that engage directly with me, and just say, "Hey, we're sorry." Or here's the issue, or here's ... I become like a new person, because I feel like at the very least somebody heard me.

Shar-day C.: Right.

Justin Draeger: I just feel like right now, one of a million. But if somebody ... and the other piece I'm thinking about, around here, we love ... well, I love to hate on Metro, which is our subway system, which is like on fire 50 percent of the time.

Beth Maglione: Literally.

Justin Draeger: Yeah, literally 25 percent, but other fire-esque issues. But when they're proactive to be like, "Look, we're having problems today." Then I can sort of be like, "All right. You're being proactive at least to tell us."

Beth Maglione: Right.

Justin Draeger: Not being in the know, why am I standing in a line, that I have no idea why this line is so long, that alone alleviates I imagine, concern or angst for students.

Shar-day C.: Right. And so, we're battling a narrative that there's no one on the other ends of the phones. Financial aid never answers. And so, when they get an authentic, non-generic response that really tries to assess their situation and see what could be done, that's paramount. What it does is it creates an expectation that I can rely on social media as an option to get my financial aid questions. That's Metro. We're dealing with students money. They have plans around this money, so one thing that we saw during Hurricane Harvey, and going back to that conversation of getting buy-in, and what's the ROI, if social media isn't a part of your crisis plan, specifically even in a financial aid department, you are setting yourself up to take an L. And for those that don't know that that means, a loss.

So, you know, what happened was that the call center wasn't in during Harvey, the website was being updated as much as possible, but it wasn't real time, and all their questions went directly to social media. There was anxiety around it. School hadn't started, disbursements hadn't started, can we get our money early, we're dealing with this. And I was there, but there was financial aid questions, but there were also other business office questions. Our extended deadlines for the payment plan. So, a lot of those questions are gonna be purely financial. So, at minimum, if you can make that a part of your institutions crisis communication plan, if financial aid is at the table and it's not a retroactive conversation where you realize oh, we probably should've been there, but you

already have a plan, you already recognize who's gonna have access and you know what type of information is gonna be disseminated.

Justin Draeger: All right. Let's go back to the mediums question. Do you have a breakdown Beth, on numbers? Like who's using what?

Beth Maglione: I do, and I'm really curious to hear how you address the different platforms. So, obviously Facebook, I think we all know that's the most ubiquitous platform used by the most people worldwide. And in the United States. But we are seeing an increase in the number of older users, so that's kinda happening right now. Twitter trends younger, certainly younger than Facebook. 36 percent of Americans 18 to 24 years old are on Twitter. And that percentage drops with each age group. LinkedIn is ... that's interesting. That tends to actually skew in the middle range in terms of age group, but the unique thing about LinkedIn is that it's especially popular with high income and college graduates. So, I mean, look at a lot of alumni programs make use of Twitter ... excuse me, of LinkedIn, and then Instagram is probably on the younger end of the platforms. 30 percent of their users are 18 to 24, and 30 percent of their users ... another 30 percent are 25 to 34. So, yeah. Full 60 percent of their users are between 18 and 34.

Justin Draeger: So, here's my question. I have three kids, two ... one in junior high, and one in high school. Facebook is nowhere on their radar.

Shar-day C.: It's a dinosaur to them.

Justin Draeger: Right, that's right. So, then Instagram. Eh, they signed up. They don't really use it. Twitter, they're just maybe too young, I don't know. They're not into Twitter. They use things like SnapChat, VISCO, which I've never heard of until my daughter signed up for it. Now I'm signed up for so many things that I feel-

Shar-day C.: To monitor them.

Justin Draeger: I feel like ... right. A creepy 40-year-old guy, because I'm only there to watch what my kids are doing.

Beth Maglione: When you signed up, a red alarm went off.

Justin Draeger: Right. They're like, "There's somebody over the age of 20 in this social media channel." But how do you ... especially at a community college, where you're dealing with traditional age students, non-traditional age students, are you posting to multiple platforms? Do you focus in on a couple? A single? What's the strategy?

Shar-day C.: So, because our age range is so vast at a community college, I can speak to that. Our largest platform is Facebook. Then followed by Twitter, and then by Instagram, but I think there was maybe a later adoption of Instagram. We have a SnapChat, but SnapChat is somewhat of a real-time platform, so to have

dedicated ... you almost have to have a dedicated team to go on out there, getting that content live, scheduling those takeovers. Our district communications team hasn't gotten to that point where there's a strategy around SnapChat-

Justin Draeger: And even if your younger students are using SnapChat, maybe they're not using it for corporate messages. That might not be the place they would look.

Shar-day C.: It's not what they go ... I would consider SnapChat as almost like a personal diary of your day, and then I'm integrating with the likes of transactional content. To make financial aid attractive, there's only so much I can do, you know?

Justin Draeger: It's still financial aid, we should all acknowledge that up front.

Shar-day C.: You know? I can only rap so much.

Justin Draeger: Right, right.

Shar-day C.: So, I believe that there are universities who are doing it well, and I think from a admissions standpoint, there's a financial aid probably integrated broad content type piece. From an Instagram standpoint, because it's kinda the older millennial ... like you were saying, the younger ones have it, but they're posting, but for the older millennials, it's a really curated platform. We use it to stunt, and if I could go ahead and translate my urban vernacular, it's just to make myself look good. Like here I am at a national podcast, hey.

Justin Draeger: Hey, you gotta do what you gotta do, right?

Beth Maglione: Check her Instagram for this photo.

Shar-day C.: And so, I have access to Facebook and Twitter. Instagram was more of a very picture driven platform that they wanted to kinda reserve for those highly curated images. So, I took what I could get, and I made the decision not to create separate social media channels. And here are the numbers around that. At a community college, you have a 50 percent retention rate. Like I would be in a constant state of trying to build an audience. And so, that takes away time from actually building content. So, and then we have this concept of we need to meet students where they are. Well, if they're already on those platforms, I'm not gonna ask them to go come to another platform just to get that content.

Justin Draeger: Right. So, you kinda have to picture where the critical mass is, and then balancing out this how am I keeping up with where they are, along with I have to create content. Like you actually have to make the connection. Students are gonna find the least path ... the path of least resistance.

Shar-day C.: Certainly.

Justin Draeger: If they're gonna find ... if your social media strategy smooths the way for them, they'll use it. They'll go wherever they can get help. This is what people want social media to be. People talk about the downside, but this is the piece that makes the difference. The connection, the helping, the guiding ...

Shar-day C.: Right. And even if ... let me say, even if you're not posting content, if you can make a commitment to work out an access to the platforms where you work out something with the communications team that when a financial aid question comes through, that there will be somebody on your team that's answering them, and I'm going back ... I was tracking all of my interactions, and then hurricane Harvey hit, and I just lost the ability to track, but I'm going back and retroactively tracking now, and there's not just a surge that is so overwhelming that one person can't handle it.

Justin Draeger: And you guys are big. What's the enrollment in your district? What's the-

Shar-day C.: We have roughly about 100,000 and about 40,000 on aid.

Justin Draeger: So, people often I think, that they'll think, "Well, I don't know if we wanna open that door because once we do, we won't be able to handle the volume." What you're saying is you can scale around it. People will come, it's manageable, you shouldn't be afraid to jump in because you're afraid you'll be overwhelmed.

Shar-day C.: Yeah. I'm the only person answering questions, and if you have someone that doesn't have a financial aid background, somewhat of a process optimization that happened during hurricane Harvey, is that I had to rely on our director of processing as my go-to S-M-E to get questions answers, to get account issues resolved, because no one else could really just press the button, per se. And we were manually verifying attendance, which is a lot. So, I needed that real time information. And so, from now, since Harvey, I always, when I have an issue on social media, I go to her, get a holistic overview of the account, because one thing I wanna do is not just address the question as being asked, because I don't want to leave you and say, "Oh yeah, you're good with your account now." And then I gotta circle back and they have another question, or they get another to-do list item. I try to give a holistic view of what's going on with their account.

Justin Draeger: All right, so if people in the aid community wanted to reach out to Shar-day, how would they follow you? Where are you at? What's your presence?

Shar-day C.: Right. So, you can follow my content every Friday, except for holidays I'm posting.

Justin Draeger: She takes the holidays off, I got it.

Shar-day C.: You know?

Justin Draeger: Good for you.

Shar-day C.: I'm posting on hashtag financial aid Fridays, with an S, on Houston Community College's Facebook and Twitter. So, you can follow the content that way. And I'm sure they're gonna have a landing page with maybe my contact information so my email address is really long, so-

Justin Draeger: We'll put it in there. We'll put it in there. And you are very gracious with your time, and it's always interesting to me to see how the financial aid office evolves, and changes. And you're at the forefront of what I think is another evolution in our profession, which is you have to be savvy enough to be able to connect with students where they are. Thank you for coming in.

Shar-day C.: Thank you for having me.

Justin Draeger: We're very pleased to have had you. We are going to have a part two to this podcast that's more focused on individual social media posting, with our HR attorney. And she'll be talking through some of the things people might wanna consider when they're personally or professionally posting. But Shar-day, you've contributed a lot, and we look forward to working with you far into the future. So, thank you for coming in.

Shar-day C.: Awesome, thank you.

[Music]

Justin Draeger: Okay, so we just heard from Shar-day. I wanna bring in a couple other people into this next part of the conversation. Joelle, you're joining us again.

Joelle Fredman: Yes.

Justin Draeger: So, we just talked with Shar-day about all these ways that schools can get their social media message out, connect with students, effectuate positive outcomes, but there's also this other piece of the equation that is people posting on Facebook or Twitter, or other social media accounts, have to show some caution.

Joelle Fredman: Yes, exactly. Especially if you're posting and you're the head of your organization, or you're just known to represent your group.

Justin Draeger: Yeah, and stuff that you post today could last forever.

Joelle Fredman: That's true.

Justin Draeger: So, we are bringing in our legal counsel, Julia Judish, she's joined us before, to sort of talk through legally, and then sort of best practices, things to keep in mind when we're posting personally, or professionally on social media.

Joelle Fredman: Yes, and she really delves into posting when you're working for a private organization, like a private institution versus a public institution. So, definitely some interesting things to keep in mind.

Justin Draeger: All right. Let's get into it. Julia was on a previous episode of Director Download, A Hug or Handshake. So, Julia, you came in today, and I did not hug you, offer a hug, ask if you needed a hug, or shake your hand. I didn't offer any of those, but I did smile again.

Julia Judish: Yes.

Justin Draeger: And you felt welcomed?

Julia Judish: I felt very welcome.

Justin Draeger: Okay. That's fantastic.

Beth Maglione: I'm sorry about that awkward kiss.

Justin Draeger: That, to me, is one of my favorite episodes. So, we invited you back to help us navigate another I think thorny HR issue, in regards to social media. And I think what we'll be looking at this in a couple different angles. The first angle would be maybe from an employer's perspective. So, an institutional or financial aid office, what their policy on social media should be for themselves, for maybe their work study students, whatever. And then the second is, the angle from the employee. So, if I am working somewhere and I wanna tweet about something work related, or maybe not even work related at all, what are the sort of the things that people should be considering there?

First question I wanna ask, before we get into this, is who in this room is doing some sort of social media? Do you do social media, in some form or another?

Julia Judish: I have a personal Facebook.

Justin Draeger: Which you keep blocked off, right?

Julia Judish: I actually do. I don't-

Justin Draeger: You have a policy.

Julia Judish: I do.

Justin Draeger: A personal policy.

Julia Judish: Apologies to anybody out there who knows me through my professional life, because I will not accept your friend request, but I also realize that that's not probably protecting me. I just do that. And I've always done that.

Justin Draeger: So, Joelle. I don't wanna assume, because of your communications background that you're doing, but I know you at least handle NASFAA's.

Joelle Fredman: Yeah. So, I run NASFAA's Facebook page. So, I post from there daily, and then the other reporter runs our LinkedIn and Twitter account, Allie. But I have my own Twitter account too, and I promote all my own stories, and I retweet some things that we tweet out, and I'm following almost identical to who NASFAA's following.

Justin Draeger: Right. Because people know you, they know you work for NASFAA, so there's like a pretty big overlap there.

Joelle Fredman: Yeah, it is. It's so different on Facebook. There's no connection whatsoever. But I guess because it's different forums, on Twitter anyone can follow you. On Facebook, you have to be accepting.

Justin Draeger: Right. Julia?

Julia Judish: I have a Facebook page that I largely use to look at other people's photos.

Justin Draeger: Lurking.

Julia Judish: Yes.

Justin Draeger: That's totally fine.

Julia Judish: I do sometimes post photos, and I have a LinkedIn page in which I do post, and I read what other people post, but it's largely posting at the same time that we would put out a client alert on a development.

Justin Draeger: So, LinkedIn is like an extension of your professional self.

Julia Judish: Absolutely.

Justin Draeger: You don't post family pictures on LinkedIn?

Julia Judish: I absolutely do not.

Justin Draeger: Am I using it wrong? What's going on?

Beth Maglione: Wait a minute. Note to self.

Justin Draeger: Okay. So, let me drop a scenario here. I think most people with ... I'm gonna assume, most people with enough common sense would realize different platforms for different sort of things. So, you might use Twitter more professionally, or Twitter accounts might be tied back to a professional, more aptly than a Facebook account that's locked down. But let's say on your

Facebook account ... So, I'm gonna forgo the person who goes on a rant on Twitter. That seems to be pretty clear. If you cross a line, despite whatever warning you put up-

Beth Maglione: Yeah, if you say something defamatory, harassing-

Justin Draeger: Yes. Or threatening, that's clearly gonna come back. Let's say it's Facebook, it's locked down, and I go on a rant just for my friends, in off hours, not using any employer device, as an employer, do I or should I be concerned about what people are posting in that environment?

Julia Judish: So, if you have an employee who is in their house, going on a racist rant, does that effect you? Should you care? Not unless it has overflow into the workplace. If they go on that rant with a few close friends, should that effect you? Not unless the word gets back. And social media is just a version of that house where you said, based on your settings, how many people are sitting on the room with you, and hearing what you have to say. The larger that group is, the more likely it is that it may get back to the workplace, and therefore affect the workplace. So, why does it matter if it gets back to the workplace? If you are heard making a statement that another employee interprets as racist, sexist, they're going to interpret your behavior through that lens as well I now have evidence this employee has these views, and therefore the reason that I think this employee did this, or doesn't interact with me as much as these other employees in a different protected group is because I saw or I heard that this employee has these kinds of views.

Justin Draeger: So, if I'm a supervisor, or let's say I'm a supervisor of supervisors. So, can you craft a policy that basically says what I'm hearing you say, which is your personal lives are your personal lives, but to the extent anything that would become public that would I guess, reflect badly on the institution or our office, or whatever, that that person could be held accountable no matter where they posted it, and how locked down they thought it was?

Julia Judish: So, the default expectation in the workplace is that all employees are at will. And so, that's just a statement of use common sense, because other things that you may do in your personal life, which are ill advised, and that come back, could also lead your employer to decide it's now a liability to us to continue to associate with you. So, so long as it's not an unlawful reason, or doesn't breach the contract that you have, an employer could get rid of you. The one caveat to that for public universities that are subject to the first amendment is your employees do have first amendment rights. But non-governmental entities, there's no first amendment restriction on employers saying we don't like what you said, and that it's floating around that you said it.

And even for public employers, there are limits to first amendment protection, especially if the comment is not on an issue of public concern.

Justin Draeger: So, if I'm on a campus, and we do not have a social media policy, your recommendation would be get one. You should have one.

Julia Judish: Yes. Because it's not just for the protection of the employers, it's for reminding employees about how this can impact them. Many employees aren't thinking about that. Most employers don't want to play gotcha, ha. They'd rather not have something-

Justin Draeger: Keep people out of the trouble. We don't wanna ever have to get to that point. Yeah.

Julia Judish: And sometimes it can be as simple as set your privacy setting. So, I had one client who contacted me to ask me to see if I could see what was on one of their employees, I believe it was a Facebook post, but photos she had posted because the client had heard from someone else that there were photos of this employee in states of undress. The client did not wanna look themselves, so ... but the reason this came up was because they had heard that one of the clients customers had noticed this, and the employee had an unusual name, had just been Googling this employee to find out more about her background, and this had come up. What the employer did then was have a very awkward conversation with the employee who was naturally mortified, and did not think when she posted these, oh, this could come out and affect my professional reputation.

Justin Draeger: So, would you advise an employer, who comes across something like this-

Julia Judish: Yes.

Justin Draeger: In this scenario, would your advice to the employer be address it? Because my inclination, this is just me, is always like what people do in their personal time in their personal lives is not my concern. Let's say someone goes out to the bar with their friends and has too much the drink, and they didn't post anything, but somebody took pictures of them out on the dance floor, maybe that the pictures are not at all flattering, maybe there's some inappropriate gestures, whatever. The point is, they were living their personal life, and somebody ... are we telling people they can never go out to the bar and let loose?

Beth Maglione: I think what Justin's pointing to here is we all know we should keep our public image clean, whatever that ... but it is ... and I understand this feeling. It's kind of a bitter pill to swallow, to be like big brother is legitimately always watching you. And I think it's maybe even harder, I'm just gonna say this, for those of us who didn't always live our lives with the social media world, because there was some expectation of privacy, but I think it's entirely possible that the future generations may not have that basic expectation of privacy. That we're like, "Dang it. No." Because I feel what you're feeling.

Justin Draeger: It sort of feels like we live in a place where we are always being surveilled.

Beth Maglione: Bitter pill to swallow.

Justin Draeger: It's a bitter pill, yeah. I think it's hard.

Julia Judish: Right? It is.

Justin Draeger: I would give employees a lot ... not groping someone or assaulting, or doing something racist, or something like that. But to some extent, I might see behavior that I would say, "I would not expect to see that at work or at one of our conferences, but I don't care if you're drinking and look a little disheveled."

Julia Judish: Absolutely right. And so, the question is, is what is out there about you such that a person reasonably would view this as reflecting really poor judgment or reflecting on your professional self?

Justin Draeger: But that's subjective and could change though, by employer to employer, right?

Julia Judish: Right. But-

Justin Draeger: So, let's say I work for a very conservative college. Maybe it's a religious affiliated school that has a code of conduct that's stricter than maybe a flagship four-year public. So, I went to a school that was very conservative, separate dorms for men and women. My wife went to a school where men and women were all intertwined together. So, I could just see different standards that would be applied, and that feels a little capricious, doesn't it?

Julia Judish: Well, again, you're ... there's the public, private, and then there's also the religious issue and there are exceptions to some rules.

Justin Draeger: Okay, let's say it's not religious. Let's just say it's different ... conservative versus more liberal approach to code of conduct.

Julia Judish: To some extent, it would depend where it was located. There are some states that have enacted laws that say an employer cannot fire an employee for engaging in behavior outside of work, that is recreational and legal. Some of the driving force behind some of these bills is protecting smokers from termination. Because smoking often leads to higher benefit costs. So, if the conservative institution were in such a state, it couldn't do that, right? Assuming again that it wasn't assault, or something illegal, because this is lawful recreational activity. In other states, is it the wise thing to do to terminate someone because they're living their personal life in a way that doesn't overlap? No.

Justin Draeger: But they could.

Julia Judish: But they could.

Justin Draeger: And maybe this is a good transition to then, what individuals ought to be thinking about as they post to social media. So, we're talking about the major ones here, but this probably, because we already drew the connection between personal life and professional life, I assume the same standard might apply, but the crux of the matter maybe goes to what you said Beth, which is, is there ever a time now where you assume anything you're doing couldn't be just made public? Which sort of leaves no room for humanity, or mistakes, or ... I'm not gonna ask if whether you've ever yelled at your child. I may have, in a moment of weakness, raised my voice, that I'm sure neighbors or someone on the street could certainly have heard. But that would not be my proudest moment.

Julia Judish: Right?

Justin Draeger: I didn't post it to social media, but it could've been.

Julia Judish: Right. So, I guess I would say is that social media merely expands the amplitude of what was the case before and provides the evidence of it. Right? So, to use the example, it could be that if you yelled and used intemperate comments, that was overheard by your neighbor, who then runs into your boss or your coworker. Well, Justin really lost it yesterday. This is what I heard. It's so unlike him.

Justin Draeger: Right.

Julia Judish: Right? Who's going to do something based on that sort of hearsay, second hand report? But, if someone took a video of it, and posted it to social media, and that went viral, because you used very colorful language, or ... right. Who knows? Right? Then one, it speaks for itself, right? It's a video. It's not a second-hand account, so it's more immediate. And second, simply the fact that it's gone viral, changes the whole dynamic. Right? It becomes associated with your reputation. He's that guy. Oh, he's the guy in the video who did this. Right? In a way that having your neighbor overhear and pass on the report wouldn't do.

So, yes, it's a change, and it's not necessarily a good change.

Beth Maglione: I mean, it's been used in social justice cases widely now, right? The exposing of people saying terrible racist things, terrible sexist things, so I guess there are some ... it's terrifying that anything you say could be captured, because we all do have moments of intemperance, and weakness. But you know, there's that flip side too, that-

Justin Draeger: Where you get a fuller picture of who someone might be, or their underlying motivations?

Beth Maglione: I mean, I can't help feeling a great deal of Schadenfreude, which is that German term for I am enjoying seeing you suffer, when a terrible racist is exposed that

somebody took a video of him saying terrible racist things and then he loses his job.

Justin Draeger: All right. Let's assume most people aren't committing horrible acts. Let's assume though, that some people might be frustrated after a long day at work, and they are tempted to post wherever, on a professional social networking site or personal, something ... some frustration they felt with their boss, their university policy, or students. And they don't name ... there's no personally identifiable information, but it's just a frustration.

Julia Judish: Well, I'm gonna see that and raise you that they do name names. And that they're naming their manager.

Justin Draeger: Okay.

Julia Judish: And that they're using language that would not be considered appropriate in polite society. But they're also expressing that they ... their anger about the managers related to how the manager treats them at work, or certain policies. So, there's the National Labor Relations Act, which protects employees, whether they're in a unionized or non-unionized workplace. It protects them, their right to engage in collective action, concerted activity about the terms and conditions of their employment. And there have been a number of cases in which in exactly that scenario, when the employee is terminated by the-

Justin Draeger: Disgruntled employer.

Julia Judish: Yes.

Justin Draeger: Yes.

Julia Judish: It's found to be an unfair labor practice, because that was protected speech-

Justin Draeger: Because they were discussing their work environment, potentially trying to voice their own frustration with their work environment.

Julia Judish: And to do that, especially if they had ... were doing it on a social media site where they counted coworkers among them.

Justin Draeger: So, that could be Twitter.

Julia Judish: Yes.

Justin Draeger: So, I could publicly ... someone could publicly disparage or comment their frustration with the manager, on Twitter ... Now, this might not be advisable, but they could, and that would be protected.

Julia Judish: It might be protected. These are all very fact specific things. So, I'm not recommending that any employee go and do that.

Justin Draeger: It might not even be advisable. That might not be the strategy if you are not so maybe emotionally charged you would employ, but the point is, that it might not result in the loss of a job in that specific scenario. All right. So, let's say that somebody on a college campus is voicing frustration over a policy at the institution that might have nothing to do with their employment. It might be a student aid related policy. Let's take the scenario of a school decides they are going to start awarding financial aid, not just based on the need of the student. So, they're gonna be looking at other criteria, and let's say somebody in the financial aid office really disagrees with this, and they say, "We want our financial aid to be need-based."

Julia Judish: And solely need-based, you do these merit aid grants, then you're taking money away from the-

Justin Draeger: Let's say that's the scenario.

Beth Maglione: Criticizing their employer.

Justin Draeger: Criticizing their employers decision that's ... whatever. Maybe it's on the news, or maybe-

Julia Judish: And it's a private employer with no first amendment ... protections?

Justin Draeger: Well, let's start with a private school, and then we'll go to a public. So, I'm a private school employee, and I disagree with it, and I voice that disagreement on social media.

Julia Judish: So, that is harder to argue is protected by the NLRA.

Justin Draeger: Because it's not about your work environment.

Julia Judish: Unless the employee's job is to enforce it, or there's some way that they can tie it in to their work, and their conditions. There's not a clear line about what is terms and conditions of employment when you're talking about employees who are discussing the policies that they're being asked to implement, or to advise students on.

Justin Draeger: So, that's a little foggier, because it's within their wheelhouse. Their job function is related to the policy. Let's say that I'm a financial aid administrator, and I have a problem with the football program.

Julia Judish: Exactly. Or I think it's stupid that the philosophy department has these pre-requisites to graduating.

Justin Draeger: So, in those scenarios, what's the ... if I'm an employee, what's my-

Julia Judish: So, you're badmouthing the employer, publicly, in a way to harm the employer's reputation, and in those situations the employer might be able to take adverse action against you. But not if they're a public employer.

Justin Draeger: Okay, so I was gonna go ... so if you're working at a public institution, you have a little more protection?

Julia Judish: You do, because the policies of a public institution are matters of public concern, and so commenting on that is a matter of public concern.

Justin Draeger: So, you might be acting in your role as citizen, as opposed to employee.

Julia Judish: Right. How is the university spending its money? Either in terms of aid packages, or football program, or designing the philosophy major, those are all matters of public concern. If, however, the employee is using the social media post to complain in a personal attack about someone that wow, I thought the so and so at the cafeteria today, was a loser, and ugly, and all that, that's not of public concern and it's not about terms and conditions of employment-

Justin Draeger: So, their liability would be much larger there.

Julia Judish: Their risk of losing their job, yes.

Justin Draeger: Okay. So, let me ... now let's say it's nothing objectionable, per se, but let's say I'm working at an institution, and I very much am ... I'm very liberal in my views. And I am a registered democrat, and I support liberal causes, and democratic causes, whether they overlap with my job function or not, and I'm very vocal about that on social media.

Julia Judish: At a public or private?

Justin Draeger: Well, let's start private, and then go to public.

Julia Judish: So, for private in part I would say it depends where the institution is, because different states and jurisdictions have human rights acts that protect different kinds of characteristics. In DC, where we're sitting right now, political affiliation is a protected characteristic.

Justin Draeger: And if I'm at a public institution?

Julia Judish: And at your public institution, then political issues are core citizenship, core first amendment issues. So, but partly it depends on what you're saying, and how you're saying it. There are some issues which are matters of political legislation and movements, which depending on how they're phrased can be viewed by

others as discrimination based on national origin, expressing those sorts of views, and can have ramifications in the workplace.

Justin Draeger: So, right now we have made a matter of political import, this caravan moving up through Mexico. So, if I was ... I thought, as a private citizen, commenting on that, and let's say I was tweeting, or making comments on social media about strong borders. That could be construed then, if I'm working with migrant, or legal or undocumented students, that could be construed as effecting my work then. That's what you're saying here, right?

Julia Judish: Right.

Justin Draeger: If it could be tied back that you are ... could be perceived as behaving in a non-fair way for a protected group of people that that's how it could come back and hurt you. Even if you think you're talking about something has nothing to do with financial aid.

Julia Judish: Right. It's the same thing, if you're at the supermarket with your wife, and you make that comment to your wife and someone is there who overhears it, who reports it back, it's okay, this employee who is reviewing my financial aid application, and I'm not a US citizen, and they are not giving me as generous a financial aid award as I wanted, how do you know it's not because they're discriminating against non-US citizens?

Justin Draeger: So, let me ask you another question. You talked about retweeting the source. Okay? So, we know President Trump and others have retweeted things that end up coming from like white nationalists, and obviously ... well, I don't know obviously, my assumption is it was just sloppy. But maybe not. I don't wanna infer anything I guess here, but could you be held liable by your employer, or risk your job, based on who you follow? Or based on who you interact with on social media?

Julia Judish: So, again, public private. So, let's go with the private. If you're seen as endorsing someone who has racist views, that's only one step removed from someone reasonably attributing to you holding those views. Even if, at the head of the-

Justin Draeger: Did you say follow or retweet?

Julia Judish: I said endorse.

Justin Draeger: Endorse.

Beth Maglione: And I would ask, is endorsement ... is a retweet endorsement? Is sharing something considered legal standard in endorsement?

Julia Judish: Well, it's not the legal standard, it's how is it perceived? So, where did you see that? Why did you see it? Right? What if they were tweeting about apple pie is so much better than apple crumble, because I love that top crust.

Justin Draeger: Let's say minced meat. Yeah. Minced meat pie.

Julia Judish: Right? Something totally innocuous.

Justin Draeger: Right.

Julia Judish: Right? But you chose them to retweet. It's sort of tarnishment by association. It's not legal liability, but the question is we're talking about is sort of professional risks, and how are you perceived, and if your staff is making decisions that affect the financial ability of students to attend the institution, or they're making decisions about promotion, the supervisory employees that are about coworkers, so all of these data points help shape their overall professional reputations.

Justin Draeger: Well, let's talk about a personal policy, because one of the ones I see most often on social media is my views do not reflect the views of my employer, or yada, yada, yada.

Julia Judish: Mm-hmm (affirmative).

Justin Draeger: People even say this something in conferences.

Beth Maglione: Get out of jail free card.

Justin Draeger: Yeah.

Beth Maglione: Totally. Right? No?

Justin Draeger: Does that hold water in if you were-

Julia Judish: It's helpful. Right?

Justin Draeger: It's helpful. So, if I'm Justin Draeger, and I say, "My views do not reflect my employer", and I am the head of NASFAA, or I'm the head of a financial aid office, they kinda do though, don't they?

Julia Judish: Well, they do in the same way as if you say I have X personal view, this is just my personal view, it's not NASFAA's official position. In fact, NASFAA has the opposite position, or has not taken a position on this issue. What you've done is identified that NASFAA has chosen to employ as its chief employee someone with that view. So, assuming that your view is not anathema, or horrible, then that's fine. You can say, in my personal view-

Justin Draeger: But your employer could also say, "We require you to publicly support our views in your position."

Julia Judish: Not in your personal life. So, if you're supporting Jane Doe for school board, it's totally appropriate and you should say, "This is my personal view. NASFAA does not endorse someone in this local school board."

Justin Draeger: What if it was who I wanted to be speaker of the house, or something like that, that's a little more germane to NASFAA's advocacy domain?

Julia Judish: Then it would be something that the board might consider, that you're publicly aligning yourself with someone in this political view, and your job includes advocacy, and you're supposed to refrain from those because it's inextricable. But I wouldn't say don't tweet about anything. I would say think before you tweet.

Justin Draeger: Right. The risk reward though, is that for those who can navigate this successfully, they can make a name for themselves on social media, they can build their professional brand, when they go in for a new job interview or title, people will know them and say, "Oh, this person stands up for this, or this, or that." I mean, the reward is you could come out ahead too, but navigating though I think is the challenge.

Beth Maglione: Yeah, you can build community. Not just push your brand strategy or whatever, but also really effect change. I mean, you see whole social justice activities taking place now purely on the back of social media platforms. And that, one might argue, has made a wonderful good difference now in the world. So, it does go both ways.

Justin Draeger: All right. Julia, thanks for coming in. People who have questions for us on this topic, couple different ways. One, you're welcome to send your comments. Remember to subscribe, tell friends, also our leadership conference where we'll be talking about issues in leadership and management will be February 25th through 27th here in Washington, DC. Check the NASFAA website for more details. Remember to continue to subscribe to today's news, stay in touch, till next time.