

Defamatory Websites and Social Networking Pages

A multitude of websites offer social networking services and/or act as public message boards that cater specifically to students. Some of these websites, such as ratemyteachers.com, encourage students to comment publicly about the teachers in their school.

Many of these websites do not monitor or filter the content or comments posted by the students that use them. Further, these services offer students a level of anonymity that may lead to a diminished sense of culpability. The result is that some of the comments and/or content posted on these websites is rude, hurtful, and even defamatory.

Historically, when a person was the subject of an offensive and/or defamatory publication, that person could sue the publisher and the author of the defamatory content. Today, the Internet has added a new level of complexity to this course of action. Many websites are run from servers located outside of Canada and the operators can be very difficult to locate. Nevertheless, victims of offensive or defamatory postings have avenues of recourse aside from civil litigation.

Most reputable websites and social networking services, such as Facebook and Myspace, have policies in place to ensure that any offensive or defamatory postings can be removed as soon as they are brought to the attention of the service operators. Postings on other websites, like ratemyteachers.com, can be more difficult to remove. This type of website actively encourages students to post comments about their teachers and their policies state that they will remove comments only in extreme cases. Also, ratemyteachers.com does not offer an easy-to-use content removal procedure. However, despite these variances between website policies, it is generally understood that offensive or defamatory content should be removed once discovered and brought to the attention of the appropriate managers.

Even though offensive content may be removed from these websites once discovered, this does not mean that it is expunged from the Internet. Search engines, such as Google and Yahoo, store snapshots of billions of websites in their databases to provide fast search results. Consequently, offensive content from these websites may get caught and stored in these databases. As a practical matter, search engines must also be contacted directly in order to have all of the offending content removed from the Internet.

What You Can Do

Monitor your online reputation. Action can be taken quickly to remove the offending content. Also, be mindful of your “online footprint” and carefully consider the information and pictures you post on the Internet so that you can minimize the chances that someone will use your own information and/or pictures to harass you.

Periodically search your own name in various search engines to ensure nothing offensive or defamatory is posted on some or all of the following websites:

- google.com
- yahoo.com
- msn.com
- search.com
- live.com
- webcrawler.com (this service searches several different services at once)
- ratemyteachers.com
- youtube.com
- flickr.com
- facebook.com
- myspace.com

If you find something offensive and/or potentially defamatory, note the date, time, and web address (i.e., <https://ratemyteachers.com/ca/ontario/toronto>) of the offending web page, along with any other potentially useful information.

Contact your ETFO local president or staff in Professional Relations Services for additional advice.

Protect your “online footprint” by minimizing the amount of personal information you publish about yourself on the Internet:

- check your privacy settings on Facebook, Myspace, MSN Messenger or any other similar service that you use to ensure your page can be accessed by only those whom you have invited;
- **DO NOT** invite or add students to your Facebook, Myspace, MSN Messenger, or similar service;
- review the pictures of yourself posted on the Internet; if you do not want your students or employer to see a certain picture or series of pictures, have them removed;
- minimize the amount of personal information you give to various online services; ask yourself, “do I *need* to give my friend list/phone number/email address to this service?”;
- consider creating a separate online email account through Hotmail or Gmail or a similar service with minimal personal information specifically for using online services without giving out your personal email and/or address information.

For further information contact your local ETFO president or Professional Relations staff in Protective Services at 416-962-3836 or 1-888-838-3836.

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