(EDU)SHARENTING – BETWEEN PROMOTING AN EDUCATIONAL INSTITUTION AND PROTECTING THE IMAGE OF STUDENTS

Hanna Lewandowska[1]*
[1] Academy of Applied Sciences of the Alcide De Gasperi School of Euroregional Economy in Jozefów
* Correspondence: hanna.lewandowska@wsge.edu.pl

Abstract

The publication aims to draw attention to the phenomenon of teachers sharing everyday school activities on the Internet (mainly in social media). Lessons conducted, school events, and implemented pedagogical innovations are often widely discussed in the virtual space. Educational institutions report on school celebrations, trips and competitions in the form of photo reports posted on social media. However, this involves numerous risks for children and young people, similar to the consequences of "sharenting" (a term derived from the words "parenting" and "share", which describes the practice of parents sharing photos and information about their children on the Internet). A seemingly harmless activity often aimed at promoting the school may turn out to be dangerous for its residents. It is therefore worth knowing its scope.

The article presents the results of a survey (CAWI) conducted among professionally active teachers of kindergartens, primary and secondary schools regarding their awareness of the threats resulting from posting students' images on the Internet. The scale of the phenomenon, the topics of entries and photographs posted by teachers online, as well as the frequency with which they do so are discussed. The motivators for sharing students' images on social media, as well as teachers' awareness of the risks resulting from it, are also presented. The publication ends with a summary of compiled data and drawn conclusions that may contribute to changing the situation by developing teachers' awareness.

Keywords: student image, digitization of schools, digital competences of teachers, cybersecurity

The digital face of educational institutions

Nowadays, educational institutions are facing a number of new challenges related to the technological revolution, ongoing digitization and globalization of the society. Civilization changes have a direct impact on education, which should

constantly keep adapting teaching and educational activities to constantly changing conditions.

According to Lech Zacher, we are on the threshold of a transformation of the information society into a knowledge society, in which technology and the growing technological advancement, building a network and globalization of society play a fundamental role. The Internet and computers are used in the economy, education, administration, banking, culture and many other spheres of public life (Zacher, 2007). Modern educational institutions are becoming more and more digitized, enabling students to prepare for life in the society of the future. According to Paweł Dziekański, the development of the global information society means that information is treated as an economic good, a basic resource and a basic economic category (Dziekański, 2012). It is therefore not surprising that digital competences have been chosen as one of the fundamental skills of a citizen in a modern information society. The basic legal act that defines key competences in lifelong learning is the Recommendation on key competences in the lifelong learning process of the European Parliament and of the Council of the European Union of December 18, 2006, as amended on May 22, 2018. Furthermore, along with developing the ability to use information technologies, it is necessary to keep constantly expanding knowledge about them, because the assumption that ease of access to information and the speed of its processing is a sufficient condition for the development of knowledge is one of the myths of the information society (Dobrowolski, 2005).

One of the changes is clearly the evolution of social and economic needs as a result of the development of technology and popular culture related to consumerism. New professions have been created (and are still being created) in response to current market needs. More and more employees are concentrated in professions related to advertising, marketing and media production. Teachers are also forced to follow these trends and have the competences necessary to develop skills related to functioning in the information society.

As part of developing the competences of the future, Polish educational institutions can currently participate in many projects, often co-financed from EU funds:

- "Digital School" project – Conducted in 2012–2013 by the Ministry of National Education in cooperation with the Ministry of Administration and Digitization and units supervised by the Ministry of National Education: Education Development Center and Educational Research Institute. The program covered four areas: "e-teacher", "e-educational resources" (including "e-textbook"), "e-school" and "e-student";
- The "Learning School" (SUS) project – The program was initiated in 2000 by the Center for Civic Education and the Polish-American Freedom Foundation, under which teachers and management staff can benefit from training, workshops and webinars developing their practical skills in the use of digital technologies in teaching and deploying formative assessment

in everyday work. The concepts of the "Learning School" shape modern interpersonal relationships. The existing hierarchical relations based on formal procedures can be replaced by partnership relations based on respect, trust, care and internal motivation. Formative assessment not only changes the relationship between students and teachers, cooperation between teachers and distributed educational leadership between the principal and teachers by building an atmosphere conducive to learning and development. So far, over 160,000 teachers from all over Poland have participated in the program. The activities undertaken by the CEO and the "Learning School" program enabled, among others, introducing formative assessment into education law;

- The "Safe on the Net" project is an educational project aimed at supporting educators and young people in improving digital competences in the field of cybersecurity. The project was created thanks to the cooperation of the Minister of Digitization and the Scientific and Academic Computer Network belonging to the National Research Institute;

- The "Lekcja:Enter" project was a digital education project implemented by three organizations: the Orange Foundation, the Information Society Development Foundation and the Institute of Public Affairs. It was addressed at teachers from primary and high schools, and included free training, thanks to which teachers could learn how to develop students' creativity and motivate them to learn. Many teachers had the opportunity to improve their work and enrich it with elements based on key competences: developing the ability to think critically and creatively, teaching teamwork and using their own experience and research, with the help of publicly available digital tools, programs and applications. The project was implemented in the years 2019–2023, during which time over 82,000 teachers from over 10,000 schools benefited from the training. The "Lekcja:Enter" project was co-financed by the European Regional Development Fund under the Digital Poland Operational Program (Measure 3.1 "Training activities for the development of digital competences");

- The "OSE IT School" project – an educational platform with access to free e-learning materials and courses, developed thanks to the cooperation of NASK and the Ministry of Digitization. It offers free training among others in the field of: safe use of the Internet, artificial intelligence, programming and databases are addressed to both students and teachers. The OSE IT Szkoła portal was established by combining the IT Szkoła portal, known and liked by users, with resources of the National Educational Network. The OSE IT School portal responds to the educational needs of a modern school - open to new technologies;

- The "Comprehensive school development" project is another program of the Center for Civic Education supporting the implementation of a process in the institution in which teachers and principals improve their skills and

work on changing relationships between themselves and with students. This program focuses on three areas: formative assessment, student independence and teacher collaboration. Participants take part in conferences, workshops, training, online courses and online meetings;

- The "Educational Leaders Leadership Academy" (APLO) project is an innovative leadership development program in the education system, developed in 2011 by the Humanities Institute. Specialists from the world of business, psychology, social innovation, sociology and pedagogy, educating leading business leaders, cooperated in its development. The aim of the project is to advance the personality and social competences of the young generation to meet the challenges of the 21st century and the unknown future brought by the digital revolution, through the development of leadership in education. According to the Humanities Foundation, the task of the Polish education system is not only to achieve educational goals and prepare students for tests, but also (in cooperation with parents) to shape the personality and the value system of the young generation and its social competences.

The use of IT by teachers was confirmed by a study conducted by IBE in 2013, which showed that as many as 86% of surveyed teachers have been using ICT in their teaching for over two years. The remaining answers – "never" or "less than two years" – were indicated by groups of several percent (N 2228). In the "School for Innovator" study conducted on behalf of the Ministry of Development of the Republic of Poland in 2017, the use of digital resources by middle school teachers was rated the highest (80%). Respondents (N 70) indicated the most common ways in which they use digital resources in their work: to arouse curiosity about the world and discover possibilities, to develop ideas, shape courage and risk-taking skills, to learn how to explain and make sense of phenomena in the environment, and also to develop interests and teaching (Fazlagić, 2018). It can be assumed that, after several years, the scope of teachers' use of digital resources to carry out professional tasks continues to grow, especially after the Covid-19 pandemic and distance learning. Information technologies have become an inseparable element of life, and in order to meet social expectations and perhaps want to demonstrate innovation, schools and teachers also began to exist in the sphere of the Internet, previously primarily reserved for entertainment - social media.

Student's effigy and identity on the Internet

In today's reality, most of the activities of young people are to some extent linked to the virtual world. The network and the tools available there offer entertainment, development, social contacts and easy access to information and databases that enable effective learning. As an effect students are subject to mediatization, defined by Tomasz Gackowski as a process of media intermediary in understanding the

world by their recipients (Gackowski, 2013). Therefore, it can be concluded that these media create patterns that shape young people. This process is by no means one-sided. Every network user can influence it and shape it according to their own preferences. Social media enable participants to interact, yet often force them to adopt the arguments presented in them, their way of life, passions, beliefs and even appearance. According to Ewa Kubiak-Szymborska and Olga Furtak, the Internet is undoubtedly one of the most (if not the most) widespread media (…). It provides a wide range of possibilities for obtaining various information or in-depth knowledge (Kubiak-Szymborska, Furtak, 2018). It also allows creating one's own image. Such a creation is extremely attractive because it allows the user to focus only on those aspects of the image that they want to show to the rest of the community. Undesirable features can be omitted or hidden, which certainly proves tempting for young people who want acceptance from their peer group. As E. V. Sullivan writes: Mass media have become the most powerful instrument in shaping the value system (...) Mass media communication creates immediacy (Sullivan, 1987).

In the literature on the subject we can find many definitions of effigy. In Polish the word "effigy" itself comes from the German word Viserung and means someone's likeness, image of something, portrait or painting. It is also the way in which a given person is perceived and presented (Dubisz, 2003, p. 457). Jadwiga Izdebska, on the other hand, defines it as a set of features, individual external and internal properties of the child, especially regarding his or her verbal and instrumental behaviour, the child's relationships with other people, character, expressed feelings, the degree of their intensity as well as childhood successes and failures (Izdebska, 2008). Therefore, the author does not focus on the physical features, but on broadly understood characteristics that make a child identifiable. An effigy is therefore not just an image. When creating an online image, not only the photo is important, but also the context in which it is published. It often presents the student's place of residence, interests, acquaintances, and ways of spending free time.

Legal aspects of protecting a child's effigy

There is no legal normative definition of effigy in the Polish legal system. In its case law, the Court of Appeal in Katowice adopted a definition focusing on the physical characteristics of the person presented: The concept of image should be understood as any likeness, regardless of the production technique, i.e. a photograph, a drawing, a silhouette cut-out, a film, a television broadcast or a video broadcast (Judgment of the Court of Appeal in Katowice of May 28, 2015, reference number I ACa 158/15), however, according to Edyta Jóźwiak, in addition to physical features that enable unambiguous identification of a person based on the presented image, additional aspects of recognition should also be taken into account, i.e. clothing, way of moving, gestures , makeup, props etc. (Jóźwiak, 2016).

Effigy protection is also among the areas covered by the European Commission in the EU Cybersecurity Strategy presented in 2020 (https://digital-strategy.ec.europa.eu/en/policies/cybersecurity-strategy). Chapter 7 of the Act of July 5, 2018 on the national cybersecurity system (Polish Journal of Laws/Dz.U. 2023.667, version from April 7, 2023) contains rules for sharing information and processing personal data. Pursuant to the EU Personal Data Protection Regulation of 27 April 2016, personal data is any information relating to an identified or identifiable natural person (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC). Images of specific students are therefore considered to be personal data and are therefore protected under the Personal Data Protection Regulation.

Effigy protection also applies to Art. 23 of the Civil Code, which defines it as one of the personal rights. Taking into account that this is an open catalogue, it should be assumed that the legislator considered the image to be a good of particular importance. The provisions of the Civil Code allow for broader effigy protection than provided for in Copyright Law. Article 23 protects the image not only against uncontrolled dissemination, but also against any other infringement, because even permitted use of an image may cause harm (which especially applies to public figures). Both the effigy as a likeness of a human being and its intangible dimension constitute the personal good of a natural person and as such are subject to protection (www.parp.gov.pl).

Furthermore, Article 81 of the Copyright Act states that an effigy of a person may be distributed only with the consent of the person visible in the photo or recording (Polish Journal of Laws/Dz.U. 2022.2509, version from: December 6, 2022). Importantly, this consent to image sharing should be presented in writing. This document should contain information such as the duration for which it is granted, the person granting it, and the conditions and goals outlining the form of use of the image. If the effigy of a minor is to be shared, the consent of his or her legal guardian is required.

Certain aspects of effigy are also regulated by the Act of January 26, 1984, the Press Law. It provides for the possibility of publishing the image of persons against whom preparatory or court proceedings are pending, as well as witnesses, victims and injured parties only if they consent to it.

Since an image is personal data, there is a need of fulfilling the information obligation referred to in Art. 13 and 14 of the GDPR towards persons whose image has been recorded, even if it will not be distributed. Depending on the method in which data is obtained, the person to whom the image relates must be provided with a range of information, the most important of which are:

- identity of the processor,
- purpose and legal basis for data processing,
- their recipients,
- data storage period.

The person whose image has been recorded should be informed about their rights (to raise an objection or complaint, to transfer data or to limit their processing).

Research results

The survey was conducted in the second half of 2023 and made use of a Computer-Assisted Web Interview (CAWI). 154 teachers from 38 educational institutions operating in the Masovian Voivodeship took part in the study. All of them, apart from the gallery posted on the school's website, also run a fanpage on Facebook.

The first part of the study allowed measuring the scale of the phenomenon of teachers sharing the lives of their school and students on social media. It turned out that as many as 88% of surveyed teachers documented class life on social media. Interestingly, only 74% assessed such activities positively. This means that there is a group of respondents who, despite a negative perception of the phenomenon of sharing students' images online, still do it. It would therefore be necessary to investigate in the future what the reasons for this decision are. The above data is presented in figure no. 1.
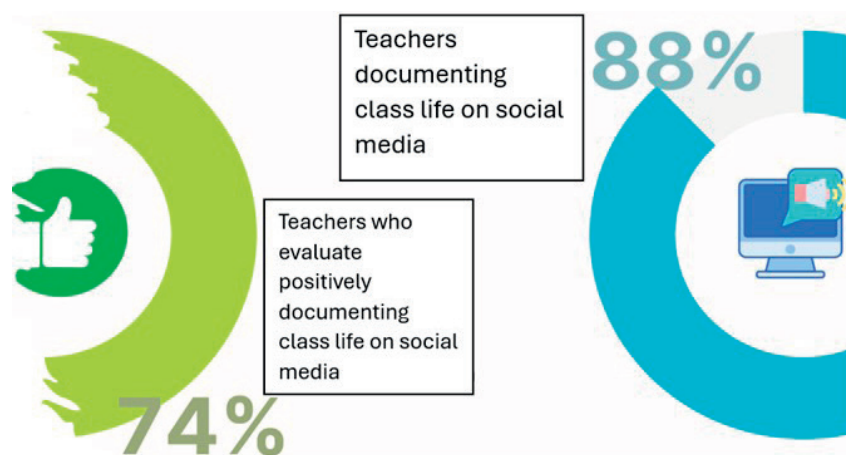

Figure 1. Scale of occurrence

The next important issue was learning about the topics of posts published on social media. The largest part of respondents (95%) answered that they related to teaching activities. The second position (84%) was occupied by lessons conducted outside the school premises. The next most frequently reported topic was school trips (72%). The fourth position (68%) were pedagogical innovations implemented by teachers, both methodological and programmatic ones. The last frequently chosen answer (52%) comprised visits by guests during lessons at school. The above data is presented in figure no. 2.
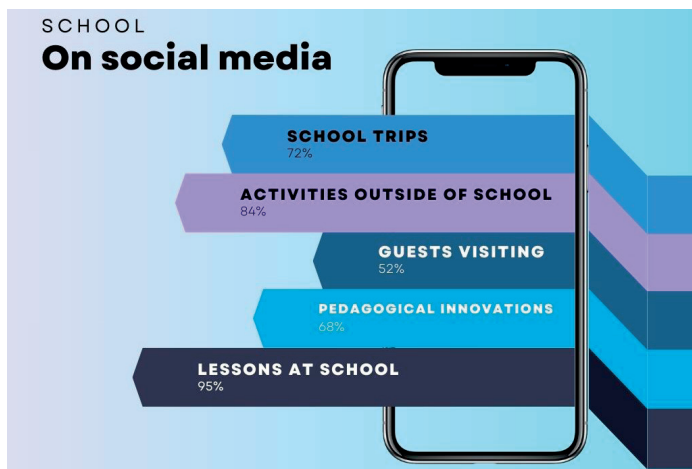
Figure 2. Topics of entries posted on social media by teachers

Another issue raised in the study was the frequency of teachers posting entries about school life on social media. It turns out that the largest group are teachers who post photos irregularly (59%). Much fewer respondents said they did it once a week or more often (23%). A similar number of respondents post stories once or twice a month (18%). Data on the frequency of creating entries in social media are presented in figure no. 3.
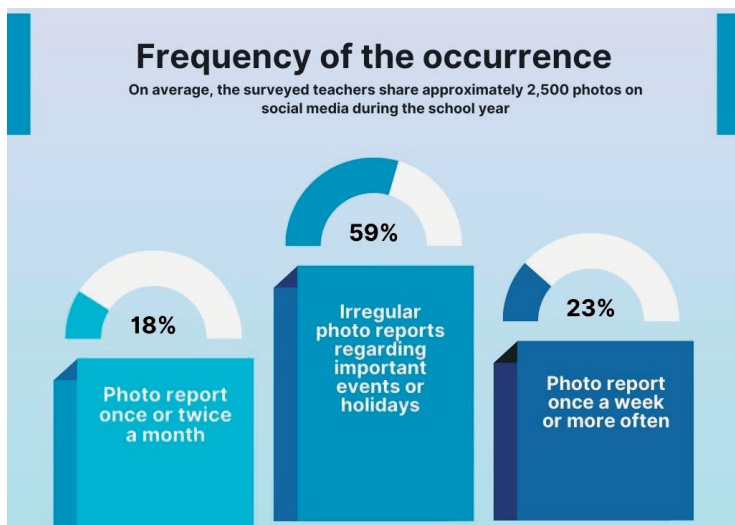

Figure 3. Frequency of teachers posting entries about school life on social media

Given the answers obtained, it became reasonable to ask about motivation of the teachers to share students' images on social media. The three most frequently repeated answers were selected from among the answers provided by

the respondents. It turned out that the most common reason for this behaviour is a sense of pride in students and/or the work done by them (65%). The second position were customs adopted in the facility or a direct order from a superior (25%). Perhaps surprisingly, the expectations of students' parents came last (10%). This may arise from the fact that the vast majority of educational institutions run fanpages and therefore there is no need for parents to express similar expectations. The above data is presented in figure no. 4.
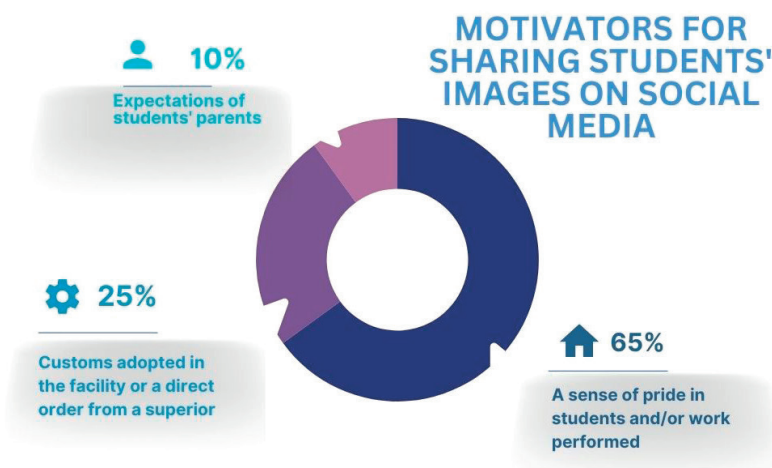

Figure 4. Motivators for teachers to share students' images on social media

Since sharing students' images is such a common phenomenon, it seemed reasonable to find whether teachers knew the possible consequences of such behaviour. Four of the proposed answers were most frequently chosen: a shared photo may reveal the student's whereabouts (82%), a shared photo may contain the student's biometric data (68%), a shared photo may expose the student to social ostracism (41%), and a shared photo may expose the student to online hate (36%). The results obtained are presented in figure no. 5.

The employed method is certainly not optimal and clearly entails certain research limitations. Both the recruitment method of participants in the study and the relatively low level of sample implementation (many refusals to participate in the study) may result in reduced representativeness of the study and, consequently, reduced accuracy. It should be noted, however, that in the case of sensitive topics, the refusal rate in the study can be high. The surveyed teachers are often not aware of risks associated with sharing students' images on the Internet (e.g. unlawful use of the image for marketing or criminal purposes, digital kidnapping, and cyberbullying). Therefore, it is necessary to further train teaching staff on the risks associated with sharing students' images on the Internet. It also seems reasonable to investigate in the future the scale of negative consequences of teachers sharing students' images on social media.
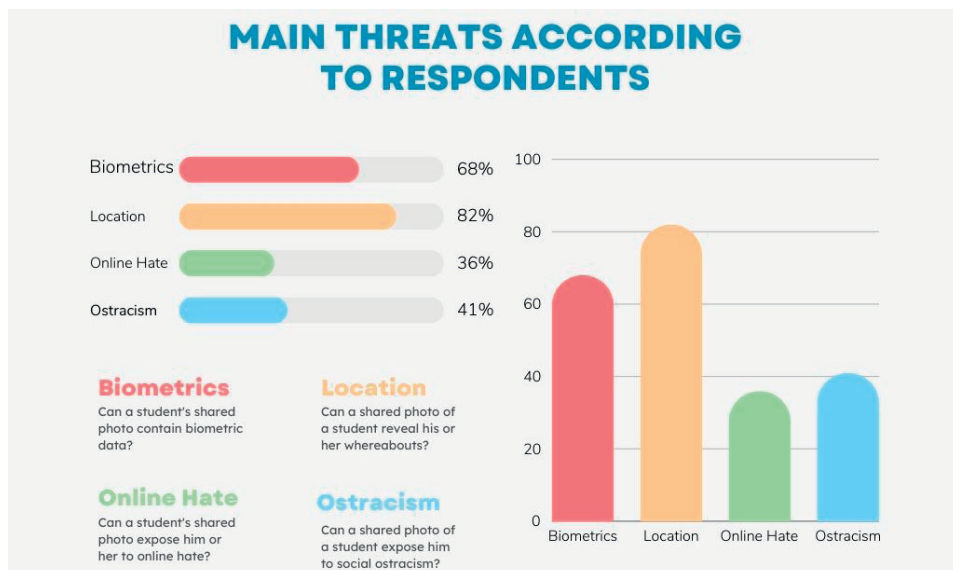
Figure 5. Dangers of sharing students' photos on social media

Summary

Nowadays, it has become common practice in educational institutions that information about events, trips and organized classes are shared on social networking sites. However, little is known about what students think and feel about teachers' behaviour in also sharing their image. This is also important in the context of possible legal consequences related to inappropriate dissemination of students' images. However, this raises questions because the information teachers share leaves digital traces (Steinberg, 2016) and contributes to the construction of their students' online identities (Marasli et al., 2016). In the case of the youngest students, there may even be a situation in which, through school activities, they gain an online identity before they become active on the Internet and social media. They will then lose the ability of independent shaping of their own image on the Internet. Obtaining more knowledge about how students perceive schools sharing their image seems to be a necessary step in sensitizing teachers to their behaviour related to posting photos and videos from school life on social media.

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