

Notice of Virtual and Livestream Instruction Privacy Concern

In order to adhere to the requirements issued by the Pennsylvania Department of Education on re-opening schools for the 2020-2021 school year, and to maintain the health and safety of the Big Spring School District (District) student and staff community by allowing learning to occur from a remote location if and as necessary, the District will engage its teachers and students in various types of instruction such as live virtual lessons, recorded virtual lessons and readings/exchanges, and one-to-one virtual instruction/interaction with a teacher or other support professional.

Additionally, the Board has adopted Policy 831, Livestreaming, to allow for “live” learning from a remote location. The main purpose of Policy 831 is to authorize the creation of hybrid classes. A hybrid class is one in which the teacher and a portion of the students in the class are located in the brick and mortar classroom on District property, and a portion of the students are located off District property, participating in livestream instruction and other educational activities. Additional staff may engage with the hybrid class, whether on or off District property. The District will livestream instruction through the broadcast of live video content through the Internet and virtual platforms, which may include social media platforms.

The Family Educational Rights and Privacy Act (FERPA) is a federal law created to protect personally identifiable information (PII) located in a student’s education record from unauthorized disclosure. The District annually distributes a FERPA notice to provide a comprehensive description of parent and student rights as well as District obligations in relation to those rights. This notice applies to recorded virtual and livestream instruction. The District’s FERPA notice can be accessed at: <https://www.bigspringisd.org/domain/68>.

The District is making reasonable efforts to protect PII found in education records; however, this notice serves to apprise families that District cannot entirely ensure student privacy when utilizing virtual instruction and/or livestream instruction. Live lessons with teachers or other educational professionals may be recorded, and thus, contain student interaction.

When a Student is Engaged in Virtual and/or Livestream Instruction From a Remote Location

To the maximum extent possible, the student must engage in virtual or livestream instruction in a space away from noises and distraction.

- The student should put a curtain or object in the background to prevent others in the hybrid class from viewing items in the remote setting.
- The student may need to wear headphones or earbuds to prevent noise in the remote setting from distracting the hybrid class. Should ongoing distractions occur, and if student does not utilize headphones or earbuds, the teacher may have to mute the student in the remote setting.

Only the invited student may attend the virtual and/or livestream instruction from a remote location.

- Families must not disrupt or engage in students' instructional processes. Families/parents who wish to assist in their child's instruction from a remote setting must have prior approval from the District.
- If a parent or third party happens to be present when protected information is shared via virtual and/or livestream instruction, that person is prohibited from re-sharing the information.

Student behavior in a remote setting will be handled in a manner similar to in-person classroom settings. Policy 831 incorporates the Code of Conduct and its disciplinary processes, including suspension and expulsion.

Parents/guardians and students are prohibited from recording virtual and/or livestream instruction without District permission.

Electronic communication with teachers (audio and/or video) must be for legitimate educational purposes only. Legitimate educational purposes include matters relating to teaching, educational support, counseling, athletics, and extracurricular activities.

We ask that all members of the school community make every reasonable effort to abide by and implement these privacy guidelines. The District staff thank you and appreciate your cooperation with the above matters as we provide valuable educational opportunities to your child during the 2020-2021 school year. Please direct any questions about this letter to Dr. Kevin Roberts, Assistant Superintendent at 717-776-2000.

****Additional Notice to Parents/Guardians Relative to Livestreaming****

Livestream instruction may be recorded, and thus, contain student interaction. The District will not share these recordings or any educational records with anyone who does not have a legitimate educational interest without written parental consent. The recordings may, however, be shared with other students for instructional purposes, in which case you will be notified. While this livestreaming will provide tremendous benefit to those unable to physically attend their classes, it is important for those receiving the live stream to understand:

- That if/when my child is in the classroom on the District campus, his or her interactions may be captured and livestreamed to students engaged in instruction off the District campus;
- That if/when my child is engaging in instruction from a site not located on the District campus, the livestream may capture the visual and audio interactions taking place in the remote setting;
- That recordings of hybrid class livestreams are the property of the District;
- That should I receive a recording of a hybrid class livestream it is because I have a legitimate educational interest in my child's education;
- That if I receive a recording of the livestream I am obligated to abide by privacy protections and shall not share this livestream recording with anyone, even if it is the parent of another student in my child's class. Only the District is authorized to share livestream recordings.
- That I shall utilize the livestream recording only for the remote instruction of my child.
- That should I violate such privacy requirements – i.e. share this livestream recording with anyone or on the website or on social media – I will be prohibited from gaining access to future recordings.

Student Name: _____

Grade: _____ Date: _____

Parent Signature: _____