

POLICY

13000-04

GENERAL COMMITMENTS - AUDIO, VIDEO, AND DIGITAL RECORDING

Adoption Date: July 18, 2017
Legal Ref: I.C. § 35-31.5-2-176; 20 U.S.C. § 1232g; 34 CFR Part 99 (Family Educational Rights and Privacy Act, “FERPA”)
Cross Ref: 13000-03

I. Definitions

The following definitions apply to this Policy:

“Recording” is the capture of any individual’s voice and/or image through audio and /or video tape, digital, or other electronic means for any period of time. This includes photography, “live streaming,” or using a personal communication device to take or transmit recording.

“Meetings with parent or guardian” includes any meeting between a WWS employee and a student’s parent or guardian. These meetings include, but are not limited to, parent-teacher conferences, case conference committees, and discipline-related conferences.

“WWS property” includes any building owned or leased by Westfield Washington Schools; on WWS property or grounds (including parking lots, athletic facilities, etc.); in vehicles owned, leased, or operated by WWS; and during WWS events, even if held outside of WWS property (for example, prom or field trips).

II. General Policy

This policy applies to all WWS employees, students, parents or guardians, visitors, and third parties on WWS property.

Recording is generally prohibited on WWS property, as it frequently materially interferes with WWS’s educational mission. The Superintendent or his or her designee shall have the ultimate authority to determine if recording should be permitted to support WWS’s educational mission.

Everyone on WWS property may be subject to video recording (surveillance) in areas where individuals do not have a reasonable expectation of privacy, including but not limited to: classrooms, office areas, break rooms, parking lots, hallways, eating areas, etc.

The public is permitted to record public school board meetings in accordance with state law.

Nothing in this policy shall be interpreted as an interference with an individual's constitutional rights.

III. Meetings with Parents/Guardians

Video recording of meetings with parents or guardians is prohibited. However, audio recording of meetings with parents or guardians may be permitted. If a parent or guardian wishes to audio record a meeting, they shall inform WWS with five (5) instructional days' notice prior to the scheduled meeting. All audio recording is subject to approval by the Superintendent or his or her designee. If the parent or guardian receives approval, they are responsible for providing their own equipment and maintaining their own recording. If the parent or guardian elects to record the meeting, WWS shall also record the meeting.

If WWS audio records a meeting with parents or guardians, the recording may be maintained as part of the student's education record in accordance with state and federal law. Further, such records may be destroyed in accordance with state and federal law.

IV. Classrooms and Other School Property

Recordings made in, or of, classrooms or other WWS property are prohibited without prior written approval from the Superintendent or his or her designee.

Any recording made in, or of, classrooms or WWS property without prior written approval is subject to state and federal statute, including but not limited to copyright and privacy laws and the Family Educational Rights and Privacy Act (FERPA).

WWS employees, students, parents or guardians, visitors, and third parties may take photographs, record audio or video, or "live stream" only if authorized in advance to do so by the Superintendent or his or her designee. WWS students are prohibited from recording, receiving, capturing, or in any way transmitting a recording of any WWS employee or student without prior approval.

WWS students are prohibited from recording, receiving, capturing, or in any way transmitting exam or assessment information or any other information that may constitute fraud, theft, cheating, or academic dishonesty.

Employees may take photographs, record audio or video, or "live stream" the classroom only if doing so assists in 1) furthering WWS's educational mission, vision, and goals; or 2) supports classroom activities, educational research, or professional enrichment.

V. Violation

WWS students and employees who violate this policy may be subject to discipline, up to and including suspension and termination, respectively. Visitors who violate this policy may be removed from WWS property and may be subject to a trespassing violation if they return to WWS property.