

KEYSTONE OAKS SCHOOL DISTRICT

Policy Guide



Policy No. 865

Section OPERATIONS

Title USE OF LIVESTREAM VIDEO ON DISTRICT PROPERTY

Adopted OCTOBER 20, 2020

Last Revised _____

	POLICY NO. 865 USE OF LIVESTREAM VIDEO ON DISTRICT PROPERTY	
Section 1	<u>Purpose</u>	
	The Board recognizes that livestream video may be helpful to the District and its employees in both fulfilling its educational mission and in expanding the reach of school district events and activities to those not able to attend in person. The Board further recognizes that without parameters, livestream video may pose legal risks to the District and its employees, and may otherwise disrupt the educational environment.	
Section 2	<u>Definition</u>	
	Livestream video , as used in this policy, shall mean utilizing any camera to broadcast live video content through the internet or other electronic means, including through a social media platform.	
Section 3	<u>Guidelines</u>	
	<u>Student Initiated Use of Livestream Video</u>	
	The Board prohibits student-initiated use of livestream video at any time during the school day or at any school sponsored event that is not open to the general public, unless the building administrator, in consultation with the Superintendent, has authorized the use of livestream video by giving written consent.	

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Employee Initiated Use of Livestream Video

The Board authorizes the use of livestream video for instructional and other educational purposes at the discretion and direction of teachers, administrators, and other employees, if approved by the Superintendent.

Any in-school use of livestream video by students, as authorized in this section for educational purposes, shall be supervised by a professional employee or by an administrator.

Livestream Video of Classroom Instruction / Distance Learning

The Board authorizes the use of livestream video to deliver academic and special education instruction remotely when approved by the Superintendent.

Students shall be notified prior to the use of livestream video in their classroom or other areas of the school where they may be captured on the livestream.

Livestreams shall be set up to visually capture the instructor and their materials, but may unintentionally capture other students attending the same instruction in-person.

Prior to approving instruction via livestream, the building administrator shall determine if such instruction shall be recorded, and if so how long such recording shall be maintained to provide student access. Access shall be provided to students only through a secure password-protected classroom management system and no such recordings shall be posted publicly on the internet. Students shall be notified prior to a livestream being recorded. All recordings must have the approval of the Superintendent.

Recordings of livestream video distance-learning are the property of the District. Students are prohibited from reposting such videos on the internet, removing them from the classroom management system, and/or from sharing them with other individuals.

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Students who access academic instruction via livestreaming shall be considered present for attendance purposes during those hours in which they received instruction.

Livestream of School District Events Open To The Public

This policy does not prohibit employees, students, person(s) in parental relation, and/or members of the public from livestreaming district events which are otherwise open to the public. Students, person(s) in parental relation, employees, and members of the public shall have no expectation of privacy while attending public school events. By attending such events they recognize and accept they may be captured and broadcast on a livestream video to the same extent as they could at any other public or community event, or within any facility open to the public.

However, district administrators may prohibit livestreaming at specific events hosted by the District on a case-by-case basis to comply with applicable law, to comply with contract terms, or to prevent a substantial disruption to the public event.

The Board specifically prohibits livestreaming of copyrighted musical performances, theatrical performances, or any material or performance which may be in violation of copyright law.

Livestream Video In Lieu of Homebound Instruction

Upon acceptance of a physician or healing arts practitioner's recommendation that homebound instruction is medically necessary, the Board directs that consideration be given to whether or not the student should receive livestream access to their essential academic classes in lieu of homebound instruction. Consideration must be given to:

1. The severity of the student's medical condition, and whether or not the student can benefit from livestream academic instruction.
2. The recommendation of the student's physician.

17 U.S.C. 101 et seq

SC 1327, 1329

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3. Input from the student's person(s) in parental relation.
4. The age and specific needs of the student, including whether the student has the technical proficiency to access the livestream at home.
5. Whether providing livestream instruction may be counter-productive, in that it may prolong the student's absence from school.

Students who access their essential academic instruction via livestreaming shall be considered present for attendance purposes during those hours in which they received instruction. Livestream access to academic instruction is in lieu of and not in addition to homebound instruction.

The decision whether or not to provide livestream access to academic instruction in lieu of homebound instruction rests in the sole discretion of the District. Nothing in this policy shall be construed to require the District to provide livestream access to any particular student.

Telepresence Robots

The Board authorizes the use of telepresence robots in the District's buildings when approved by a Student's IEP or Section 504 team due to a long term illness or disability preventing regular school attendance. The use of telepresence robots shall be considered an employee-initiated livestream, subject to the conditions outlined above. The Superintendent or their designee shall develop procedures outlining employee responsibilities regarding the use of such robots in the District.

Livestream Video For Routine Illnesses & Absences

No teacher or administrator shall be required to provide a livestream of academic instruction for a student's routine illness or absence. If a student or person in parental relation requests access to such a livestream due to extenuating circumstances, the decision whether or not to provide such a livestream shall be in the sole discretion of the teacher and building administrator, with approval by the Superintendent.

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Proper Attire / Code of Conduct

Any student participating in a livestream for academic instruction must abide by the District's Code of Conduct and may be held accountable for violations of the code of conduct while participating in the livestream. Students participating in a livestream of academic instruction must also be dressed in proper attire consistent with the District's dress code.

Acceptable Use of District's Network

If a livestream utilizes the District's internet connection, the School District's Acceptable Use Policy applies and is incorporated herein by reference. District livestream videos are property of the District. Any reposting or reproduction of such videos, or screenshots from such a video, is prohibited.

Pol. 262, 862

Use of Personal Devices

If any livestream authorized pursuant to this policy utilizes a personal mobile device, the District's mobile device policies apply and are incorporated herein by reference.

Pol. 237, 815

Accommodations For Disabilities

The Board directs that public livestreams of district events be as accessible as reasonably feasible for individuals with disabilities as for non-disabled members of the public.

29 U.S.C. 794
42 U.S.C. 12182
28 C.F.R. 35.160

Nothing in this policy shall affect the provision or use of livestreaming as stated in an Individualized Education Program or Section 504 Service Agreement.

Penalties for Violations

Violation of this policy, administrative procedures, and/or state or federal laws will result in discipline. Employees may be subject to discipline up to and including dismissal. Students may be subject to discipline up to and including expulsion.

Pol. 218, 233, 817

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Section 4

Delegation of Responsibility

The Superintendent shall develop procedures to implement this policy, and may delegate to their designee(s) the right to enforce this policy.

The Superintendent shall ensure that all students and employees are made aware of this policy and any administrative guidelines by means of the employee and student handbooks, the school district website, or other reasonable means.

References:

School Code – 24. P.S. Sec. 1327, 1329

U.S. Copyright Code – 17 U.S.C. Sec. 101 et seq.

Non-Discrimination Under Federal Grants and Programs – 29
U.S.C. Sec. 794

Prohibition of Discrimination by Public Accommodations – 42
U.S.C. Sec. 12182

Nondiscrimination on the Basis of Disability in State and Local
Government Services – 28 CFR Sec. 35.160

Board Policy – 218, 233, 262, 237, 815, 817, 862