

# **LEBANON SCHOOL DISTRICT**

POLICY: 831

SECTION: OPERATIONS

TITLE: USE OF LIVESTREAM VIDEO ON SCHOOL DISTRICT PROPERTY

ADOPTED: September 21, 2020

## **831. USE OF LIVESTREAM VIDEO ON SCHOOL DISTRICT PROPERTY**

### **Purpose**

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.

### **Delegation of Responsibility**

The Superintendent or his/her designee shall develop procedures to implement this policy, and the Superintendent or his/her designee(s) shall have the right to enforce this policy.

### **Definition**

**Livestream video**, as used in this policy, shall mean utilizing any camera to broadcast live video content through the internet, including through a social media platform.

### **Guidelines**

#### **Student Initiated Use of Livestream Video**

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 has authorized the use of livestream video by giving written consent.

#### **Employee Initiated Use of Livestream Video**

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

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

Prior to approving the use of livestream video for educational purposes, the building administrator shall ensure that adequate precautions are in place to ensure that students limit the sharing of personal information with individuals not directly affiliated with the District.

### 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 building administrator and in compliance with federal and state laws.

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

Livestream videos shall be set up to visually capture the teacher/instructor/therapist and his/her materials, but may unintentionally capture other students who are attending in-person instruction simultaneously.

Prior to approving instruction via livestream video, 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 video being recorded.

Videos of distance-learning livestreams are the property of the District. Students are prohibited from altering/modifying, deleting, reposting such videos on the internet, removing them from the classroom management system, and from sharing them with others, including but not limited to, individuals, entities, and social media platforms.

The District's media release forms do not prohibit a student's voice or likeness from appearing in a video of classroom instruction. Such videos are not posted publicly, and are maintained temporarily for student access.

Students who access academic instruction via livestreaming video (or the recorded version thereof, if applicable, and within the Guidelines and Administrative Procedures set forth by the District) shall be considered

present for attendance purposes during those hours within which they received instruction.

### Livestream Video of School District Events Open To The Public

This policy does not prevent employees, students, parents, and/or members of the public from livestreaming District events open to the public. Students, parents, employees, and members of the public should not have any expectation of privacy while attending public events; they may be captured and broadcasted on a livestream video, as with all other public or community events, or facilities 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 the federal and state laws or contract terms, or to prevent a substantial disruption at the public event.

The Board prohibits livestreaming of copyrighted musical performances, theatrical performances, or any material or performance in violation of federal copyright law.<sup>1</sup>

### Livestream Video In Lieu of Homebound Instruction

Upon acceptance of a licensed 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 video access to his/her essential academic classes in lieu of homebound tutoring. Consideration must be given to:<sup>2</sup>

- The severity of the student's medical condition, and whether or not the student can benefit from livestream video academic instruction.
- The recommendation of the student's licensed physician.
- Input from the student's parents.
- The age and specific needs of the student, including whether the student, including with the assistance of a third-party, has the technical proficiency to access the livestream video at home.
- Whether providing livestream video instruction may be counter-productive, in that it may prolong the student's absence from school.

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<sup>1</sup> 17 U.S.C. § 101 et. seq.

<sup>2</sup> 24 P.S. § 1329.

Students who access their essential academic instruction via livestream video (or the recorded version thereof, if applicable, and within the Guidelines and Administrative Procedures set forth by the District) shall be considered present for attendance purposes during those hours during which they received instruction. Livestream video access to academic instruction is in lieu of and not in addition to homebound tutoring.<sup>3</sup>

The decision whether to provide livestream video access to academic instruction in lieu of homebound tutoring is at the sole discretion of the District. Nothing in this policy shall be construed to require the District to provide livestream video access to any particular student.

### Telepresence Robots

The Board authorizes the use of telepresence robots in the District's buildings when set forth within a student's IEP or Section 504 Plan and recommended by the student's 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 video, subject to the conditions outlined above. The Superintendent or his/her designee shall develop procedures outlining employee responsibilities regarding the use of telepresence robots in the District's schools.

### Livestream Video For Routine Illnesses & Absences

No teacher or administrator shall be required to provide a livestream video of academic instruction for a student's routine illness or absence. If a student or parent requests access to such a livestream video due to extenuating circumstances, the decision to provide such a livestream video shall be at the discretion of the building administrator and teacher.

### Proper Attire / Code of Conduct

Any student and employee participating in a livestream video for academic instruction must comply with any applicable state and federal law, Board policies, Code of Conduct, Contract, and/or Collective Bargaining Agreement. Students participating in a livestream video of academic instruction must be dressed in proper attire consistent with the District's dress code. Employees are expected to dress professionally when participating in a livestream video of academic instruction. Students and employees may be disciplined for violations while participating in the livestream video.

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<sup>3</sup> 24 P.S. § 1327.

### Acceptable Use of District's Network

If a livestream video utilizes the District's internet connection, the District's Social Media Acceptable Use Policy, Internet, E-mail, and Network, Access Agreement Policies, Use of Mobile Technology Policy, and Teacher Student Communications Policy applies and is incorporated herein by reference.

District livestream videos are property of the District. Any reposting, reproduction, altering/modifying, and deleting of such videos, or screenshots from such a video, is strictly prohibited. Violations will result in disciplinary action.

### Use of Personal Devices

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

### Accommodations For Disabilities

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

Nothing in this policy shall affect the provision or use of livestreaming as stated in an Individualized Education Program or Section 504 Service Agreement.<sup>4</sup>

### Penalties for Violations

Violation of this policy, administrative regulations, and/or state or federal laws will result in disciplinary action, up to and including termination of employment. Students may be subject to discipline up to and including expulsion.

### Development of Administrative Guidelines

The Superintendent or his/her designee may develop administrative guidelines to implement 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 District website, or other reasonable means.

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<sup>4</sup> 29 U.S.C. § 794; 42 U.S.C. §12182; 28 C.F.R. 35.160.