

Montgomery County Public Schools Parent Guide to Virtual Classroom Recordings, Student Privacy and Security

Providing live virtual instruction is an important component of the Montgomery County Public Schools (MCPS) recovery of learning plan. To allow families and students that cannot otherwise view the lessons live, live virtual instruction will be video and audio recorded. The recorded lessons will also serve as a resource for those who would like to review content that was presented during the live lesson. Compassion, flexibility, coordinated efforts and a sensible application of existing guidance on student privacy and security have allowed us to provision for these recordings—with certain precautionary measures in place. Students will only be able to access the class recordings for up to 72 hours after the class within their myMCPS class.

Brief Overview of Zoom Video Recordings During Recovery of Learning

Classes will be recorded using Zoom video-conferencing. We have adapted Zoom video-conferencing since the spring to maximize privacy and security. To this end, when students appear on camera, their names and images will be visible to the teacher and other participating students. However, the recording of the live instruction will not display student names and will minimize the display of students on camera to the greatest extent possible. Questions and comments asked and spoken by your child will be part of the recording. We are mindful and sensitive to student privacy, as well as the need for flexibility during this unprecedented pandemic.

MCPS has compiled information and responses to frequently asked questions about the recording of virtual lessons in this document to help you navigate this new learning space and decide what is best for your child. As we continue to learn, refine and improve our virtual learning environment, the guidance in this document may change. Please be advised that while MCPS has and will continue to undertake all reasonable measures to protect your child's privacy, MCPS cannot control the unauthorized actions of others. However, you have our commitment to take swift appropriate action should this guidance not be followed. Please notify your child's teacher or administrator should you learn of a breach of these rules. We are all in this together.

Process and Approach

The primary goal is to capture direct teacher instruction (as opposed to students) as a support to families. In this way, we have implemented the following approach to recording:

- Zoom chats will allow students to engage with their teacher off recording.
- The recording settings in Zoom will not record the chat and will not record student names displayed in the participant boxes.
- We have identified preferred methods for teachers to use in recording in order to reduce what and who is recorded. The goal is to focus on the teacher and the direct instruction and lesson modeling. Each teacher will select the approach that works best for their students and families among the options below.
 - First preferred method: **Record only the teacher's** live classroom presentation or lesson, and once completed cease recording before there is any interaction with students.
 - Second preferred method: **Pre-Record the lesson** (core content and modeling) outside of the live classroom environment. The teacher would teach the lessons live, not recorded, and post a video made outside the live environment to capture the teacher-led instruction necessary to access the lesson. In secondary, the teacher may also **post a recording of live instruction from another section of the same class** where students have

not opted out in numbers that impact the quality of the recording. This method should be considered if a teacher determines that, due to multiple students having opted out, the quality of the recorded lesson and instruction will suffer from the lack of student interaction and participation.

○ Third preferred method: **Record the lesson and students during live instruction**

- We have suggested that teachers use the Spotlight feature in Zoom where the recorded view stays on the spotlit person, or the teacher in this case. Teachers can do this by going to Participants>More>Spotlight. This will configure the recording to only capture the shared screen, the teacher's video and any audio in the class. Note: student voices will be captured in the recording, but not their video or the chat.

How will we know when a lesson is being recorded?

- Live virtual lessons will begin with all student microphones and video cameras muted or turned off.
- Classroom expectations for student conduct will be summarized either through an opening slide or statement at the beginning of each lesson.
- Teachers will inform students when they will begin recording and when the recording ends.
- All students will be prompted to consent to the recording when in Zoom by selecting "Continue," otherwise they will be kicked out of the class session.
- Teachers should remind students to select "Continue" and ensure all opt-out precautions and routines are in place.

Where will the recording be stored and who can access it?

- Teachers will post lessons to their myMCPS classroom. Access to the video will be limited to students in the class with MCPS email accounts. Only students within that class will have access to that classroom.
- Students and families will not be able to download the video. We have blocked the ability for students and families to download the videos to their computers, clouds, etc.

What additional safeguards have been put in place to protect student privacy?

- Just as MCPS staff is required not to disclose a student's personally identifiable information (PII)¹ in the regular classroom, this requirement continues in live sessions online.
- Lessons will be recorded solely for educational purposes. Due to student privacy concerns (such as a student's presentation on a controversial topic that might be viewed by other students' parents, or disclosure of a student's health-related issues), there are several important considerations and requirements for recording.
 - A preferred method is to record only the teacher's live classroom presentation or lesson, and then cease recording before there is any student participation.

¹ Personally identifiable information, or PII, is defined, in part, as the name and address of the student's parent or other family members; any personal identifier (e.g. Social Security number, or student identification number); indirect identifiers (e.g. student's date or place of birth, student's mother's maiden name); or other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. PII may also include sensitive health information about a student or the student's family, or any information obtained from a student's education record.

- Another preferred method is to record the lesson (the core content and modeling) outside of the classroom environment. For both of these methods, teachers must remember to comply with copyright law requirements.
- If the recording will include interaction with students, certain mandatory precautions will be taken.
- All teachers and MCPS staff are required to take the mandatory precautions identified below.
- Eligible students and parents/guardians may indicate the student does not want to be recorded during virtual classroom sessions by using their ParentVUE accounts to access MCPS Form 281-13, *Annual Notice for Directory Information and Student Privacy* and selecting the box that states: “Do not include my student’s image and voice in the recording of virtual lessons for future viewing by students in the same class.” MCPS Form 281-13, *Annual Notice for Directory Information and Student Privacy* is also available on the MCPS website, or from the student’s school. A report generated from Synergy will be provided to teachers that identifies students who do not want to be recorded during virtual classroom sessions.
- At the beginning of each recorded live session, teachers are required to inform students that their class is being recorded and if they have opted-out, the teacher will turn off their camera and/or mute their microphone if the student has turned those functions on.
- The recording must be for educational purposes only. Sensitive content should not be recorded, such as the opening ritual. Pop quizzes and formative assessments should not be recorded, either. If such content is mistakenly recorded, it must be deleted before the recording is posted in the platform.
- Recordings will be made available for 72 hours, after which they will automatically delete from the Zoom platform. However, if a student discipline event occurs during a recorded class, the recording may be downloaded by the teacher and shared with the school principal/designee. The same rules apply if staff become aware that the recording contains information regarding staff misconduct or an incident that is the subject of concerns raised by students, staff or parents.

Why are the recordings being made available for 72 hours?

- The 72-hour temporal limitation on video access provides added privacy protection. Allowing all videos to be saved in myMCPS classrooms for extended periods of time extends the amount and period of access to the videos.
- This limit also allows all classes to be recorded. The myMCPS classroom environment has storage limits. If we increase the amount of time classes are saved, we decrease storage space and the ability to record all classes.
- Students with an excused absence who would like to take advantage of the class recordings must contact the teacher to make arrangements.

How will MCPS handle students that opt out or don’t want to be recorded?

- Students who opt out are responsible for keeping their camera and audio on mute.
- For students who opt out, the teacher will turn off the camera and/or mute the student’s microphone at the beginning of the class.
- Because some students will choose not to be recorded and also might not want to use the chat feature (or may be unable to do so), the school will work with you to identify other methods for classroom participation. A student who opts out of being recorded shall not suffer negative consequences for that decision, provided they participate in other ways.
- Teachers will work with their administrators on a case-by-case basis to determine whether or not classes with many students that opt out will be recording full student interaction. For instance, if

multiple students have opted out of being recorded, and the teacher determines that the quality of the recorded lesson and instruction will suffer from the lack of student interaction and participation, then the teacher can select the second preferred method depicted above, which is to record the lesson without students

What if a student does not want to be recorded, will they be penalized?

- MCPS staff is cognizant that some students may not feel comfortable having their cameras on and recording. Using the video function is not mandatory for students. Parents/guardians can opt out of using the video function at any time or during specific times.

What if a student engages in inappropriate behavior?

- All allegations of inappropriate behavior will be investigated in accordance with our [Student Code of Conduct](#).
- Behaviors that are academically dishonest, bullying/harassment, or an inappropriate use of technology will be addressed. Disciplinary responses may range from a warning and parent conference to suspension or removal of camera and voice functions in the online classroom.

If I choose to have my child opt out of video recording, how will educators know not to record my child?

- In addition to this information being captured in Synergy, we ask families to alert the teacher to ensure there is clarity about the interest in opting out.
- Families can change their preference by contacting the school. The school is responsible for notifying teachers of any opt-outs.

Will there be consequences if a video containing PII is shared?

- If a video is stored, recorded or shared in violation of these established rules, students can face disciplinary and/or corrective action, including but not limited to: loss of privilege to access recorded videos; written warning; and disciplinary measures.
- If you learn that a video has been shared inappropriately, notify your principal. Your principal will work with central office staff to take appropriate action.
- MCPS is committed to enforcing these important rules and precautions.