

AFSA High School

Adopted: October 25, 2022

District 4074

Revised:

527 STUDENT CLASSROOM RECORDING POLICY

I. PURPOSE

The purpose of this policy is to set forth rules and restrictions on when students may take photographs or make video or audio recordings of teachers, school employees, and other students in classrooms or other locations during class periods.

II. GENERAL STATEMENT OF POLICY

In regulating when a student may take photographs or make video or audio recordings of teachers, school employees, or other students in class, the school district considers the free speech rights of its students, including the extent to which it may lawfully restrict student speech. During class periods, a classroom or another location where a class is being held is not a public forum. This policy is designed to place reasonable prohibitions on the creation of photographs or recordings in classrooms for the purpose of ensuring teachers and other school employees are able to maintain order and decorum during classroom instructional time and to protect the privacy rights of individual students while they are in the classroom.

III. PROHIBITED RECORDINGS AND PHOTOGRAPHS

- A. Students are prohibited from using any personal or school electronic device, such as a tablet, smartphone, computer, or camera, to take pictures or photographs or make video or audio recordings of any teacher(s), school employee(s), or other student(s) during class in a classroom or other location where a class is held, including classes on and off school property, except as provided otherwise by law or this policy.
- B. Students may make video or audio recordings of classroom lectures, discussions, or activities: (1) for the benefit of the student or of an absent student with the prior written permission of the classroom teacher, or (2) when necessary to accommodate a student's disability as required by the student's Individualized Education Plan (IEP) or Section 504 Plan, or (2) for a class project, with the express permission of the classroom teacher. The video or audio recording must be created in a way that does not include or show private educational data on other student(s).
- C. Students are prohibited from, at any time, posting, sharing, or distributing an image or video or audio recording of any teacher(s), school employee(s), or other

student(s) if the posting, sharing, or distributing of that image or recording results in disruption of school operations, could be reasonably anticipated to disrupt school operations, violates the privacy rights of others, or violates any other law or school policy.

- D. The school district will discipline or take appropriate action against any student who violates this policy.

Legal References: *Tinker v. Des Moines Indep. Comm. Sch. Dist.*, 393 U.S. 503 (1969)
Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
20 U.S.C. Sec. 1232g *et seq.* (Family Educational Rights and Privacy Act)

Cross References: AFSA Policy 506 (Student Discipline)
AFSA Policy 515 (Protection and Privacy of Pupil Records)
AFSA Policy 524 (Internet Acceptable Use and Safety Policy)
AFSA Policy 521 (Student Disability Nondiscrimination)
AFSA Policy 540 (Section 504 Policy)