

AUDIO AND VISUAL RECORDING

Definitions

Audio Recording – Registering sounds on tape, digitally or by other mechanical or electronic means.

Recording – For the purposes of this policy, "recording" means audio and visual recording.

Visual Recording – Registering visual images on film, tape, digitally or by other mechanical or electronic means.

General Rule

The district may create audio and visual recordings on district property, on district transportation or at district activities for:

1. Providing security;
2. Maintaining order;
3. Professional staff development;
4. Educational purposes; and
5. Other purposes related to furthering the educational mission of the district.

However, because the district predominantly serves minors, is subject to a number of confidentiality laws, respects parent/guardian and community privacy concerns and seeks to minimize disruption to the education environment, the district prohibits other persons or entities from making audio or visual recordings unless authorized in this policy.

Administrator Authority

The superintendent or designee has the authority to authorize audio and visual recording on district property or at a district activity. Likewise, even if recording is authorized under this policy, the superintendent or designee may prohibit any person or entity from recording:

1. To protect privacy interests;
2. To comply with copyright or other licensing or intellectual property limitations;
3. If the recording creates a disruption to the education or working environment;
4. If the recording is done in a location where a person may be in a state of undress; or
5. For other legitimate reasons as determined by the superintendent or designee.

Board Meetings, Performances and Activities Open to the General Public

The district allows audio and visual recording at performances, events and activities that the general public is invited to attend (such as athletic competitions, concerts and plays, open board meetings and board committee meetings) as long as district guidelines applicable to those events are followed and unless recording is prohibited by licensing or other intellectual property laws.

Events Sponsored by Individuals or Entities Authorized to Rent or Use District Facilities

The district may allow audio and visual recording of events or activities sponsored by an outside entity authorized to use or rent district facilities if permitted by the event sponsor.

Research and Educator Preparation

With permission from the superintendent or designee, staff and students may be recorded for research purposes or by preservice education professionals for evaluation purposes. Consent from all relevant parties must be secured when required by law.

Recording by the Media

The media may make audio or visual recordings on district property or at district events as authorized by the superintendent or designee.

Recording by Students

In addition to other recording authorized in this policy, students may make audio and visual recordings on district property or at district activities if allowed by a teacher or activity sponsor as part of the class or activity or as permitted by the principal, superintendent or designee. Students may be disciplined, excluded from district activities and prohibited from attending with a phone or other recording device if the student makes recordings in violation of this policy and other district rules regarding recording.

Recordings by Parents/Guardians or Family Members of Students

In addition to other recording authorized in this policy, parents/guardians or family members of students may be allowed to record performances or events to which only parents/guardians or family members are invited, such as family nights and graduation celebrations, at the discretion of the principal, superintendent or designee. However, the recording must respect the privacy of other students and families present.

Recording by District Employees and Agents

District employees and agents may make and use audio or visual recordings for professional staff development use, for educational purposes or for other purposes related to furthering the educational mission of the district when authorized by the principal, superintendent or designee. Otherwise, recording is prohibited. Recordings obtained while acting as a district employee or agent may not be used for personal purposes or posted on social media unless authorized by a supervisor.

Recording Meetings

In general, the district prohibits the recording of employee meetings and meetings between employees and parents/guardians unless authorized by the superintendent or designee.

Recording Meetings under the IDEA or Section 504

A student's parent or legal guardian may audio record any meeting about the student held under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, including individualized education program (IEP) and Section 504 meetings. The parent or legal guardian seeking to record must notify the district at least 24 hours prior to the time the meeting is scheduled to occur. Recordings made by the parent/guardian will remain the property of the parent/guardian, but the district may make its own recording. Everyone present during a recorded meeting must be notified that the meeting is being recorded unless the recording is done in such a manner that it is obvious to those present that the meeting is being recorded.

Undisclosed Recording or Transmitting

The district prohibits undisclosed recordings where persons involved do not consent to the recording and it is not otherwise obvious that recording equipment is present or being used, unless the superintendent or designee determines in rare circumstances that such recordings are necessary for security reasons. The district prohibits the simultaneous electronic transmission of any conversation by any person to a third party without the consent of all involved in the conversation even if the conversation is not recorded.

Use of Unmanned Aircraft Systems

Anyone seeking to operate unmanned aircraft systems (UAS) on or over district property or at a district event must receive authorization from the superintendent or designee. Authorization will be granted only when such operation is on behalf of the district, supports the mission of the district or otherwise serves a public purpose.

All UAS with the potential to capture or produce visual images of district property or district events must be operated in accordance with applicable Federal Aviation Administration regulations or safety guidelines.

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 11-18-21

Revised:

Cross Refs: BDA, Board Meetings
BDC, Closed Meetings, Records and Votes

FILE: KKB
Critical

BDDL, Release of Information
ECA, Buildings and Grounds Security
GBH, Staff/Student Relations
IGBA, Special Education
IGDA, Student-Initiated Group Use of District Facilities
JG-R1, Student Discipline
JO, Student Records

Legal Refs: §§ 162.686, 610.010 - .035, 577.800, RSMo.
14 C.F.R. Part 107
The Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417
34 C.F.R. Part 300
The Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g
34 C.F.R. Part 99

Dent-Phelps R-III School District, Salem, Missouri