

Creation and Use of Audio and Video Recordings by Instructional Staff

The Culpeper County School Board supports and encourages effective methods of instruction for students, and high quality professional development and thorough evaluations for instructional staff. The use of audio and video recordings may be used to meet those objectives.

The recording of instructional activities involving students shall be produced in a manner that respects the privacy rights of students. Parents may choose to have their child “opt-out” of any or all audio-visual recordings of their child participating in instructional activities. Furthermore, when the recording of a student is used by an instructor to assess the student’s performance, the recording will be treated as an educational record of the student under the Family Educational Rights and Privacy Act (FERPA) as long as the recording is maintained by the division. When a student is recorded for the purpose of the assessment of student learning, staff professional development, or for instructor evaluation purposes, such recordings shall be subject to the following conditions and restrictions:

- a. Before the recording of students, the teacher shall be thoroughly aware of all students who, through their parents, have opted out of inclusion in the recording.
- b. The teacher shall take all necessary steps to insure that students whose parents have opted-out their child are excluded from inclusion in the recording.
- c. The teacher shall not exhibit or disclose the recording to any other person, except other school officials employed by the Culpeper County School Board, and only after first determining that such school officials have been identified by the principal as employees who have a legitimate educational interest in reviewing the recording. The recording shall not be disclosed or viewed by any other party without first obtaining written parental consent that specifically permits such disclosure or without first obtaining the written consent of the building principal upon a determination that such disclosure is permissible under the provisions of FERPA or other law.
- d. All recordings shall be stored in a secure location under the control of the teacher or school administrator.
- e. All recordings shall be erased or destroyed by the end of the employee contract year in which it was produced. Exceptions may be granted by the Division Superintendent or designee for good cause.
- f. Culpeper County School Board policy on Intellectual Properties (GCQB R-1) states works produced by an employee under their scope of employment or on school board property are owned by the School Board. Therefore, such recordings are the property of the School Board, and cannot be used for any commercial purpose without written consent of the School Board.