

Notice of Livestreaming Practices

Commencing with the 2020-2021 school year, the Franklin County Career and Technology Center (FCCTC) will be providing remote learners with the opportunity to participate in live-streaming activities conducted by their teachers. The following is important information regarding this practice.

The Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA) are federal laws that protect confidentiality of a student's education and health records. The FCCTC complies with federal regulations outlined in both FERPA and HIPAA to ensure student confidentiality. In response to the COVID-19 nationwide public health emergency, the United States Department of Health and Human Services has provided guidance that the Office of Civil Rights recognizes the challenges of FCCTCs to meet the needs of our students remotely; therefore, they have made accommodations to regulatory requirements related to HIPAA rules. The Department of Health supports the use of any audio and video conferencing product that allows only the intended parties to participate in communications, to provide services to students virtually during the public health emergency. Likewise, the United States Department of Education has issued guidance through the Student Privacy Policy Office to explain the extent to which FERPA is applied to live-streaming and recording of classroom instruction, and has confirmed that disclosure of identifiable information resulting from students' presence and participation in class is not prohibited by FERPA's protections of identifiable information when occurring for legitimate educational purposes, such as the provision of education to remote learners.

FCCTC will be utilizing encryption and other security measures provided through Microsoft platforms to support remote learning while ensuring appropriate and reasonable privacy protections. It is FCCTC's intention that only students who are members of a career and technical program, or a parent or other person who is assisting said student with his or her education, have access to any live-streaming or recorded classroom instruction. The content of the virtual instruction will be focused on the teacher and/or whole classroom rather than on any student(s), such that any risk of disclosure of identifiable information of students will not exceed the amount of risk that is regularly present during any live, in-person classroom instruction occurring in school.

Nevertheless, the FCCTC hereby advises that its intended practice of livestreaming activities for use by virtual learners does include the potential for other individuals present within the home of, or otherwise in close proximity to, a virtual learner to observe identifiable information including, but not limited to, students' names, faces, the content of the instruction being delivered to them, and their participation in a given lesson or activity, all of which will be maintained and made accessible solely to FCCTC students, and solely for legitimate educational purposes.

If a parent/guardian or eligible student does not wish for the student to participate in classroom instruction which will be used as described, they may decline to do so. The parent/guardian of any such student who does decline to appear in livestreamed instruction **must** provide FCCTC's Pandemic Coordinator, Jim Duffey, at Jim.Duffey@franklinctc.com, with written notification of the desire to opt-out due to privacy concerns.

We appreciate your commitment to your child's education and the education of his or her classmates.