

Kimberly School District #414
REGULAR BOARD MEETING FY23

WEDNESDAY, JUNE 14, 2023

ITEM# 8-1 2ND READING REVISE POLICY 3613 LISTEN IN AND DIGITAL ASSISTANT TECHNOLOGY, AUDIO AND VISUAL
RECORDINGS

In 2019, the KSD Board of Trustees adopted a policy regarding “listen in” technology to protect the privacy of students as outlined in the Family Educational Rights and Privacy Act (FERPA.) At that time, the concern was the use of such technology as an apple watch, Echo, Alexa, etc. Since 2019 technology that records/transmits pictures, audio, and visual recordings has become much more readily available to students, staff, and patrons. Unfortunately, this technology is not always used in a manner conducive to the learning environment and has violated students' right to privacy. Therefore, our current policy is in need of updating that is specific to when and where this policy is applied and to whom it applies. I have worked with attorney Amy White to revise our current policy to achieve this goal.

The second reading was tabled at the April meeting was tabled due to a concern if a student violated this policy acting as a “good Samaritan” such as taking a video of wrongdoing and turning that over to the administration. Per Amy, as with many polices, commons sense will need to prevail. Additionally, there is no way to write a policy for every single variation, there has to be latitude and discretion of the administration.

Recommendation: The administration recommends that the Kimberly School Board of Trustees approve the 2nd reading revisions to Policy 3613 Listen In and Digital Assistant Technology, Audio, and Visual Recordings.