Important Information for Parents and Guardians
Regarding Student Privacy and the Continuity of Learning

Dear Parents,

Whether in-person or online, MCPS is committed to providing a safe and welcoming learning environment for students and staff. This week, Montgomery County Public Schools (MCPS) launched phase one of its Continuity of Learning plan, which ensures students can continue to learn while school buildings are closed. As you know, the plan includes the use of web-based tools that allow students to learn and collaborate with their peers and teachers. While these new tools provide new opportunities to learn, we are mindful of the risks to student privacy. Below is a discussion of the multiple policies, protocols and digital security measures MCPS has established to protect our students' privacy online.

Student Privacy Policies and Regulations
MCPS has strict policies and regulations governing the use of its computer systems. Under Regulation IGT-RA, *User Responsibilities for Computer Systems, Electronic Information, and Network Security*, all users are prohibited from knowingly participating in the unauthorized disclosure, use, and dissemination of personal information about minors, and any material or information purposefully posted or linked from an MCPS system or Internet site must be consistent with the educational purpose. During this time of distant learning, the MCPS *Student Code of Conduct*, Regulation JFA-RA, *Student Rights and Responsibilities*, *A Student's Guide to Rights and Responsibilities in MCPS,* and all existing Board of Education policies and MCPS regulations continue to apply. We take student privacy seriously, and we maintain the right to discipline students or staff that violate this regulation consistent with our disciplinary processes.

MCPS Efforts to Keep Live Video Conferencing Safe
MCPS is using the Zoom platform for video conferencing and live instruction. If your child participates in live instruction, there is a risk that unintended third-party viewing or recording may occur. To identify inappropriate online behavior, while students engage in live video conferencing, MCPS collects user information, including the student's username, school, and school location. There is no anonymous usage of these platforms and inappropriate behavior will be quickly addressed. Access to this information allows MCPS to maintain a safe virtual environment. Disciplinary actions for students may include, but not be limited to, a telephone call to parents or guardians; loss of privileges, restitution, suspension, and/or expulsion; and/or criminal prosecution. (See MCPS Regulation JFA-RA, *Student Rights and Responsibilities*, and school discipline policies and IGT-RA,).

Important Privacy Information Regarding Zoom Conferencing
Note, Zoom collects the following information on students:
- Information commonly used for identification, such as a user's name and other similar identifiers (e.g., student's email address, student ID number, first and last name) (Provided to Zoom by MCPS for the purposes of account creation)
- Information about the student's device, network, and internet connection (Collected by Zoom for the purposes of providing web conference capabilities)
- Information about the student's use of the Zoom platform, including actions taken, date and time, frequency, duration, quantity, quality, network connectivity, and performance information related to logins, clicks, messages, contacts, content viewed and shared, calls, use of video and screen sharing, meetings, cloud recording, and other feature usage information (Collected by Zoom for the purposes of providing web conference capabilities)

- other information that users – including teachers, school administrators, and students - upload, provide, or create while using Zoom (Collected by Zoom)

Your Rights Under the Family Education Rights and Privacy Act (FERPA) and Other Laws
Electronic student records, like other student records, maintained by MCPS are governed by the *Family Education Rights and Privacy Act* (FERPA), applicable federal regulations, and the *Code of Maryland Regulations* (COMAR) 13A.08.02. These rights are summarized in the annual notice provided to parents and guardians, as well during enrollment. Parents who wish to opt-out of using the Zoom platform should contact their child's teacher or principal.

You can also view Zoom's efforts to secure your student's privacy here. MCPS has incorporated every and all technical policy and settings recommended by Zoom, as well as industry-leading cybersecurity specialists.

Student and Parent/Guardian Responsibilities
Students, parents and guardians also play a role in ensuring student privacy. MCPS provides computer equipment, services, and network access to students and staff only for purposes consistent with the mission of MCPS. However, the responsibility for appropriate behavior rests with those using our information technology resources. Below we have highlighted some important rules that ensure student privacy and virtual classroom decorum.

- Parents, guardians, and students accessing MCPS distance learning, must not record, duplicate, or share/post any portion of their online learning classes or lessons in any way and must avoid disclosure of otherwise protected student information.
- Prior to joining a virtual classroom lesson, students must be dressed appropriately as defined by MCPS Regulation JFA-RA, *Student Rights and Responsibilities.*
- Students must be using a location where the background is appropriate (i.e. without other family members in view, and without posters or other items that could be offensive).
- Students should be in a quiet location, or have muted their microphone to avoid disturbing the lesson in progress (note, the usage of the video function in any MCPS web-based platform is not mandatory, and all students or guardians can opt out of using video by turning off that function).
- Students must always act in a manner consistent with classroom expectations.

If you have any additional questions or concerns about your child's privacy online, please visit MCPS' Data Privacy and Security Site here or review the resources at the links below.

- https://zoom.us/privacy
- https://studentprivacy.ed.gov/sites/default/files/resource_document/file/FERPA%20%20Virtual%20Learning%20032020_FINAL.pdf

We are excited about the new opportunities our students and teachers have to reconnect in a virtual way, and appreciate your partnership in keeping students safe.