Dear TUSD Employee:

As a result of school closures, TUSD, along with many other school districts, find ourselves navigating the world of online instruction. One valuable tool to remain connected with our students - and keep them connected with each other – is the use of live video platforms, such as Zoom. With those tools come questions regarding the protection of our students’ privacy under FERPA. The following represents the most common questions that have arisen over the past several weeks.

I want to record my Zoom classroom session and provide it to students who were not able to participate live, or want it for later reference. Is this permissible?
Yes, as long as the purpose of the recording is not to focus on a particular student, and does not disclose personally identifiable information from a student’s education record. In order for the recording to be an education record, it must directly relate to a specific student. A group lesson will not likely focus on an individual student or disclose personally identifiable education records of a particular student.

A parent wants to be included as an invited participant to my Zoom lesson. What should I do?
District policy generally encourages parent visits to classrooms as long as such visits do not interfere with the instruction and at the discretion of the school principal and teacher. This includes virtual classrooms. It is well-established Federal guidance that classroom observation do not violate FERPA because teachers do not generally disclose personally-identifiable information from a student’s education record during classroom instruction. If the parent is invited with a Zoom link, it is appropriate to establish norms that include remaining mute, and not making contact with the other students in the class. These are the same behaviors you would expect if the parent was visiting a traditional classroom. Teachers should continue to safeguard confidential education record information (student academic performance, exceptional education status, student family demographics, etc.) with others on a Zoom as they would in a classroom.

I am concerned about others in the students’ homes passing by and seeing other students on the screen during my lessons. Is this a FERPA violation?
As noted above, because classroom instruction does not generally involve the disclosure of a student’s education records, observation of an online class is not a FERPA violation. As always, care should be taken to avoid any discussion of confidential information from a student’s education record.

Is it appropriate and allowed to have paraprofessionals work with students either one-on-one or in groups through Zoom to support with interventions?
Yes. Paraprofessionals may work with students using Zoom as they would in the school setting. As always, staff members should take care to protect the confidentiality of students when discussing information that is in an education record when others are on the same Zoom call. A teacher or paraprofessional leading a small group of students would not discuss a particular student’s confidential education record information with the group, and those same cautions would apply to the online setting.
If Zoom collects information about students behind the scenes, is that a problem?
Zoom is now a provider of services for Tucson Unified. Schools are able to share information with vendors and consultants necessary to provide such services to students under FERPA. With the official relationship Tucson Unified has with Zoom, it can hold Zoom accountable should it re-disclose confidential student information without authorization.

A parent does not want his student participating in my Zoom lessons. How do I handle this?
It is advisable to explain to all parents how online instruction will be done, and the protections that are used for student privacy. However, there will still be some parents who choose not to have their students participate in online instruction activities. Your principal can help you devise alternative learning opportunities for these students.

How do I make sure that no unwanted people join my Zoom sessions?
The Technology Services team is working with Zoom to ensure the Zoom platform is a secure environment for teachers and students. Helpful information regarding Zoom usage, security and privacy can be found here: Zoom How-Tos.

The U.S. Department of Education has recently issued guidance related to online instruction. If you have any further questions regarding student privacy in the virtual classroom, please contact legal@tusd1.org.

Thank you for all you are doing for our students and families.

Stay Safe,
TUSD COVID-19 Task Force