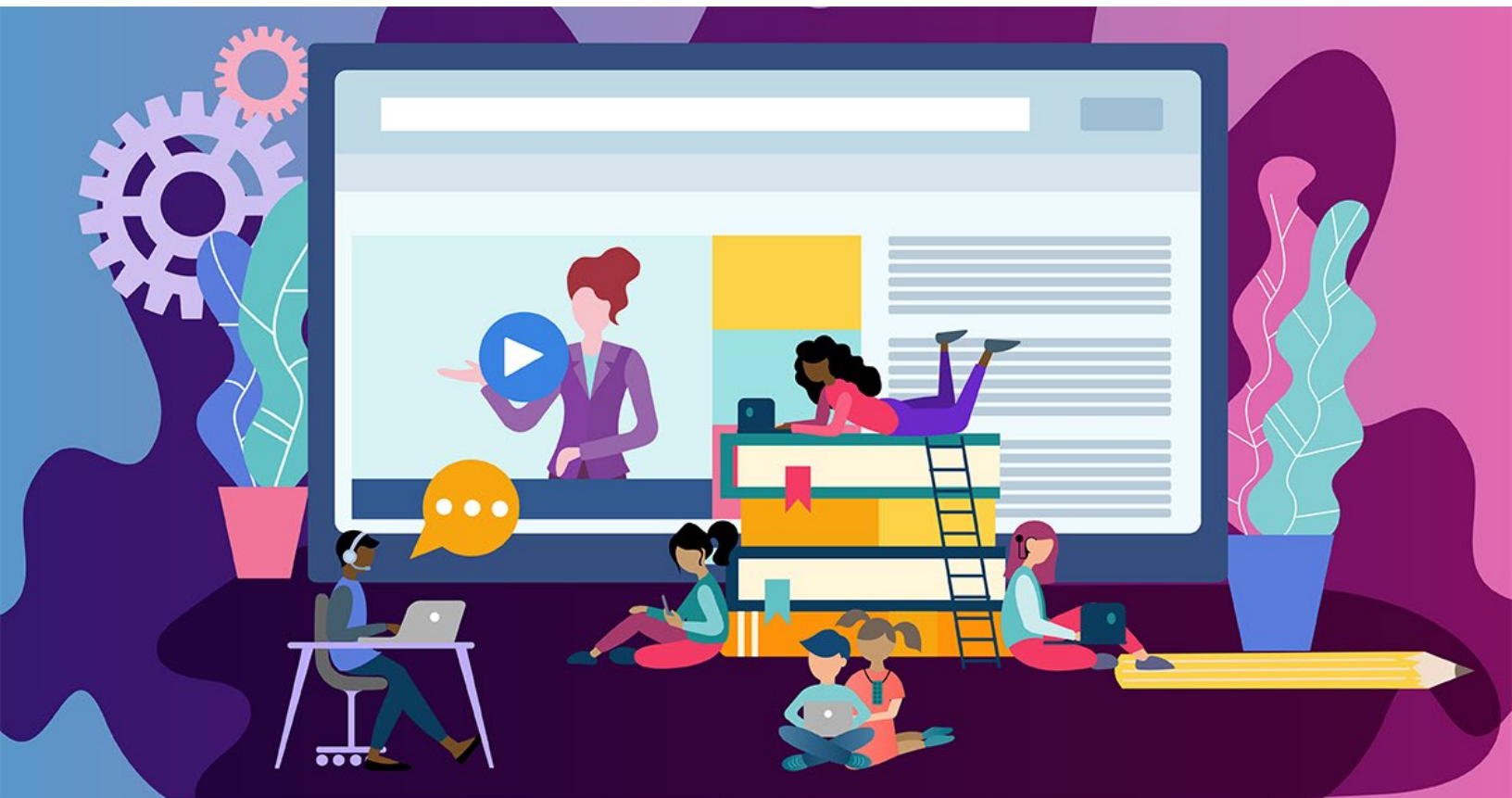


VIRTUAL LEARNING



These scenarios take place in a virtual, remote learning environment, particularly classrooms held through video conferencing platforms.

Accidental Sharing of a Tab

Ms. Emma is using a video conferencing tool to conduct a virtual lesson to her science class. Like many people during the pandemic, she has a number of different websites and tabs open on her browser. One tab contains an email she was drafting to a colleague about a student, Olivia, that contains personal information and student performance data. Inadvertently, Ms. Emma switches from tab to tab and the email is visible on the screen for the entire class to see.

Questions for discussion:

- › What precautions should Ms. Emma take to protect documents and windows on her computer while teaching class?
- › What risk did Ms. Emma take by not closing extraneous tabs?

USER'S GUIDE: Accidental Sharing of a Tab

Here's how we see it:

- › Extreme care around technology must be taken so that no information is inadvertently shown to students.
- › Ms. Emma should use fresh windows with no tabs when sharing her screen to others to minimize the risk of sharing student data or other tabs that should not be shared.
- › Ms. Emma should seek guidance from administration on how to proceed as the inadvertent disclosure of information could potentially be problematic under FERPA, especially depending on the sensitivity of the email content.

For further discussion:

- › Does it make a difference if the content of the email is positive or negative?

Unintended consequences:

- › Other students now have seen that Emma is communicating about Olivia to other educators. They could taunt Olivia and impact her self-esteem if the data and information were negative.
- › If the data were positive, the students could still unnecessarily tease Olivia because she could be considered the teacher's pet.
- › Depending on the information that was shared, this could be a potential violation of FERPA.

Asthma Attack

Bruno is a student in Ms. Roxy's class. Instruction is being conducted virtually. In the course of one class period, Ms. Roxy notices that Bruno is struggling to breathe. She is aware that Bruno has a medical condition and it is apparent he is having an asthma attack.

Questions for discussion:

- › How should Ms. Roxy respond?

USER'S GUIDE: Asthma Attack

Here's how we see it:

- › Bruno has a disclosed medical condition and he is at risk. Ms. Roxy should try to talk to Bruno alone, then try to reach out to his parents or guardian. If unable to gain timely access, Ms. Roxy should dial 911 if Bruno continues to suffer.
- › The same course of action should be taken even if Bruno's condition is undisclosed. He is at risk.

For further discussion:

- › Would Ms. Roxy's decision be any different if Bruno's attack had taken place in person?

Unintended consequences:

- › If Ms. Roxy does not act, Bruno could suffer harm in terms of his personal health.

Bullying

Mrs. Reese is a middle school teacher, teaching virtually. Her students have been working together since the beginning of the school year and have formed a bond. There is a clique among several students: Xander, Teddy, Ivan, Butler, and Molly. Another student, Aurora, seems to be somewhat of an outlier. Mrs. Reese tries various strategies to have the pod be more inclusive to Aurora. It backfires. During one class session in which the students are to collaborate on a team project, Mrs. Reese overhears the students picking on Aurora. They call her names and tell her she is stupid.

Questions for discussion:

- › How should Mrs. Reese handle this situation?
- › Is there a privacy issue here when Mrs. Reese overhears the pod taunting Aurora?

USER'S GUIDE: Bullying

Here's how we see it:

- › Schools have clear guidelines around what is considered bullying or not. Mrs. Reese should make sure what the boundaries are and what are the recommended actions.
- › Mrs. Reese overhearing the taunting is not a violation of privacy. She would have likely heard this same conversation had it happened in person. Being virtual makes no difference here.
- › Mrs. Reese needs to make clear to the students in the pod that their behavior is unacceptable and there will be consequences for taunting Aurora.
- › Mrs. Reese, having heard the taunting, has an obligation to address the situation and seek assistance as needed to stop future instances of bullying and protect Aurora.

For further discussion:

- › Would there be any differences in Mrs. Reese's obligation to act if the students were in person as opposed to virtual?

Unintended consequences:

- › Aurora here is in a potential bullying situation where the pod's taunt can negatively impact her, her self-esteem, and her social-emotional well-being.

Emoji Student Check-ins

Mr. Kelly wants a quick way to check in with students and see how they are feeling at the beginning of virtual class. Therefore, at the beginning of virtual class, Mr. Kelly asks students to submit an emoji that reflects how they're feeling - happy face, neutral face, or sad face - in the chat. Students are also encouraged to write a sentence or two on how they feel.

Questions for discussion:

- › Should student check-in responses be sent privately to only Mr. Kelly or shared in the general chat to everyone in the class?
- › Is there a difference between asking students to submit an emoji versus asking students to type out how they feel?

USER'S GUIDE: Emoji Student Check-ins

Here's how we see it:

- › Asking students to share their emojis in the general chat to everyone can foster a deeper sense of community among students. But the main purpose of these check-ins appears to be for Mr. Kelly to get a quick pulse on his students. Mr. Kelly should consider giving students the option to submit their emoji check-in either in the general chat or just to him privately. This option may result in more honest answers from students who may not want to send a sad face in the group chat for other students to see.
- › There is a significant difference between asking students to submit an emoji versus typing out how they feel. When asking students to submit an emoji, there are a limited number of options available—happy face, neutral face, or sad face. When asking students to type out a sentence or two, it is unknown what type of responses students may send. If students reveal certain sensitive information about themselves, such as considering self-harm, the teacher will be required to report this to the relevant department of family and child services and will most likely need to bring in their administrator and counselor. Additionally, when surveys are administered in a school, there are certain requirements under PPRA that must be followed: school staff must receive parental consent if student responses include sensitive information, including mental problems or self-incriminating behaviors. If this type of check-in garners responses that include sensitive information, this poses legal issues regarding parental consent.

For further discussion:

- › What are other ways to have quick check-ins with students that would not lead to students revealing sensitive information?

Unintended consequences:

- › If students reveal sensitive information about themselves and depending on the type of information, the teacher may have to report to the department of family and child services and/or could pose legal issues in terms of parental consent.

Informal Observations of Students' Homes During Virtual Class

Ms. Cora is conducting virtual lessons with her students. Students interact using district-provided Chromebooks. Over the course of weeks, Ms. Cora has opportunities to observe not only her students but also the students' home environments. Sometimes, there are things that she sees that concern her. For example, Rolo's home appears to be dirty, with piled up dishes and food sitting out in the heat. With another student, Daisy, Ms. Cora has heard commotions outside like police cars, yelling, and even possibly gun shots. To Ms. Cora, both situations seem unsafe. She is worried about Rolo and Daisy and potentially others with similar issues.

Questions for discussion:

- Because education has become virtual, is Ms. Cora within her right to observe the home environment of her students?
- What should Ms. Cora do with the information she has gained from her inadvertent home observations?

USER'S GUIDE: Informal Observations of Students' Homes During Virtual Class

Here's how we see it:

- Ms. Cora should check with administrators to understand the policies that pertain to virtual settings and observations of home environments. In a virtual setting, it is inevitable for Ms. Cora to inadvertently learn aspects of student home environments through both audio and video in ways that were not possible in an in-person environment. Ms. Cora should keep any information she learns about students' living situations confidential and not share or gossip with other teachers. Ms. Cora should also raise student awareness on how to protect their own privacy, so they are not sharing more information about their home environments than they are comfortable with.
- It is important to note that all teachers are mandated reporters. This means that if Ms. Cora knows or has suspicions that a student is exposed to child physical or sexual abuse or neglect, she must report to the school's relevant department of family and child services. Ms. Cora must take this legal obligation seriously but must also consider the unintended consequences of making this report as it may result in a police officer or social worker visiting the house. If Ms. Cora has concerns regarding the living situation of a student that do not implicate her role as a mandated reporter, meaning she does not know or have suspicions that a student is exposed to child physical or sexual abuse or neglect, but has a wellness concern, she should discuss this with administrators and counselors who can then take appropriate actions.

For further discussion:

- Is Ms. Cora being a diligent and caring educator by worrying about her students or are her observations overstepping her professional boundaries?
- What privacy issues pertain here to the observations?

Unintended consequences:

- Any information Ms. Cora learns from inadvertent observation of students' home environments should be held confidential and only shared with the appropriate and authorized persons. Ms. Cora should never share simply to gossip or share with unauthorized people as this can lead to violations of privacy, breaches of trust, and social harm.

Informal Observations of Students' Living Conditions During Virtual Class

Virtual instruction has continued into the winter season at Crawley Elementary School. It is getting cold. Ms. Beryl worries about some of her students whose homes may not be well heated. She begins teaching and scans the videos of her students. Parker is visibly shivering. Monte is hunkered down under a blanket. And Sasha has on a heavy parka (inside). Ms. Beryl wonders if the students' homes have any heat at all.

Questions for discussion:

- › What should Ms. Beryl do with this information?
- › Are the observations of the students in any way a violation of their privacy?

USER'S GUIDE: Informal Observations of Students' Living Conditions During Virtual Class

Here's how we see it:

- › Ms. Beryl is noticing students' responses to their home environments that may impact their well-being—that is, inadequate heat. In a virtual setting, it is inevitable for Ms. Beryl to inadvertently learn aspects of student home environments through both audio and video in ways that were not possible in an in-person environment. Ms. Beryl should keep any information she learns about students' living situations confidential and not share or gossip with other teachers.
- › Ms. Beryl should consult school authorities, including the counselor, to see if any financial or other help can be offered to families.
- › As a mandated reporter, if Ms. Beryl suspects negligence or child abuse, she is legally required to report this to the school's relevant family and child services. Ms. Beryl must take this legal obligation seriously but must also consider the unintended consequences of making this report as it may result in a police officer or social worker visiting the house.

For further discussion:

- › Given that the virtual learning environment gives teachers a new lens into students' lives, is such a lens a legitimate source of data about the students?

Unintended consequences:

- › These three students may be living in substandard housing that has no heat which places the students at potential risk for health and safety issues.
- › Reporting these conditions could lead to a disproportionate and harmful response by school officials and/or law enforcement.

Mentor Teacher Virtual Classroom Observation

Chapparral High School has a mentor teacher program, where veteran teachers of the high school provide feedback and assistance to first year teachers. In a virtual setting, the mentor teachers pop into the virtual classes to “observe” their respective mentee teachers or they review virtual recordings of classes. Ms. Hershey, a mentor teacher, sends a request to her mentee teacher Mrs. Rodriguez to debrief about her math lesson earlier that week. Mrs. Rodriguez had not noticed that Ms. Hershey had entered into her virtual classroom during that lesson. Mrs. Rodriguez was surprised and felt somewhat threatened.

Questions for discussion:

- › What are the privacy concerns for Mrs. Rodriguez to consider here?
- › What are the privacy concerns for Ms. Hershey?
- › Are there differences in terms of privacy concerns if the mentor teacher popped into in person classes as opposed to viewing virtual recordings?

USER'S GUIDE: Mentor Teacher Virtual Classroom Observation

Here's how we see it:

- › Teacher mentor programs are an important training practice for schools and teacher development and can still be incredibly useful during virtual learning. Because Mrs. Rodriguez was not aware of the informal observation taking place, this can feel like an intrusion and a violation of the sanctity of her classroom. It also has the possibility of hurting their mentor-mentee relationship. In a real classroom, teachers can see when others come in and observe. For future informal observations, Ms. Hershey should consider scheduling them with Mrs. Rodriguez, give communication prior to joining the lesson, or at the very least introduce herself when joining.

For further discussion:

- › Would the situation be different if Ms. Hershey had informed Mrs. Rodriguez of her impending arrival prior to their entrance into the virtual class?
- › Are there any violations to FERPA?
- › Are there threats to student privacy here?
- › Does this feel like legitimate observations or micromanaging of teachers?

Unintentional Consequences:

- › The teachers may feel violated by not being aware they are being observed.

Observing Students During Virtual Class

As a result of the pandemic, Mr. Bucky's school is conducting classes via videoconferencing platforms. Mr. Bucky is leading his virtual class through some activities. The students seem pretty engaged. Mr. Bucky scans the views of his students and notices that one student, Edith, is literally asleep at the computer. Mr. Bucky also notices that another student seems disheveled. Sandy's clothes are dirty and her hair apparently has not been washed in a while.

Questions for discussion:

- › What should Mr. Bucky do about both Edith's and Sandy's situations?
- › Is making these observations any different virtually as opposed to if Mr. Bucky observed the same things in his classroom?

USER'S GUIDE: Observing Students During Virtual Class

Here's how we see it:

- › The virtual platform gives teachers some views that they likely would not have in the classroom, while other observations would be the same. For example, Mr. Bucky would have noticed if a student came to school with dirty clothes or fell asleep in class.
- › Mr. Bucky should consider addressing these situations (falling asleep and appearing disheveled) privately with the students themselves to check in on how they are doing. If concerns continue, Mr. Bucky should discuss with appropriate administrators and counselors and share his concerns. It is appropriate for him to share this information with administrators out of concern for the well-being of his students.
- › There is a gray area between negligence and financial and economic circumstances. It is better to do more investigation before taking next and formal steps, such as speaking with the school counselors or the student's parents/caretaker.

For further discussion:

- › What differences are there between classroom observations and those made in virtual classrooms? Are there any boundary differences?
- › Are there any privacy concerns about having a view into a student's home situation?
- › What if Mr. Bucky is overreacting to what he has seen, by interpreting some sort of negligence on the part of the parent or guardian?

Unintended consequences:

- › A student who is dirty, unkempt, or falling asleep may be an indication of some sort of neglect in the home environment. To miss or ignore potential neglect could do harm to Edith and Sandy. On the other hand, these signs could also be an indication of tough financial times for these students and their families. Reporting for such circumstances could lead to negative consequences, especially because it often involves social workers or even police officers getting involved.
- › Other students could have observed Edith and Sandy which could lead to teasing or taunting.

Parent Opting Out of Camera Use During Virtual Class

Mr. Smith receives an email from one of his student's parents asking that their child be able to opt out of having their camera on during video classrooms. Mr. Smith has set the expectation in his class that everyone is required to have their video on so that he can take attendance and monitor engagement.

Questions for discussion:

- › Does the parent have the right to opt out of video for their child?
- › How should Mr. Smith respond to a parent's request to opt out?

USER'S GUIDE: Parent Opting Out of Camera Use During Virtual Class

Here's how we see it:

- FERPA does not address this situation. Therefore, Mr. Smith must refer to his school or district policy for guidance on if parents/caretakers are able to opt out of their child having their video on.
- There are a number of justifiable reasons for this parent's request. If district/school policy does not allow the parent to opt out, Mr. Smith should continue to work with the parent and the student to accommodate as much as possible.

For further discussion:

- What are potential reasons for this parent to request that their child be allowed to have their video off during virtual class?

Unintended consequences:

- Video mandates can force students to reveal intimate details of their personal lives, including their housing situation (experiencing homelessness, getting evicted), family makeup (sick family members, nontraditional families), and more. This could lead to stigmatization and bullying, as well as cause extreme stress to the student.

Posting Screenshot of Virtual Class

Ms. Pujols is a middle school science teacher who has just started her virtual classes. Once a week, Ms. Pujols has virtual class on her district's approved video conferencing tool with groups of 15 students. During the first week, she shares screenshots of the grid of students to Facebook, Twitter, and Instagram. The screenshots show the students and their names. She shares these because she is excited about the meetings and because she believes it can create buy-in from parents/caretakers and students.

Questions for discussion:

- › Is it okay for Ms. Pujols to share screenshots of the students in this way? Why or why not?
- › Would it matter if it were just student pictures but not names?
- › Does it matter if she shares only to Facebook, Twitter, or Instagram — but not all?

USER'S GUIDE: Posting Screenshot of Virtual Class

Here's how we see it:

- › Sharing student images and names may be a violation of student privacy laws. Whether it is a violation depends on school policies regarding directory information and whether parents have opted in or out of such sharing.
- › In any case, this is not recommended best practice. Especially while students are learning remotely and video is a window into their home, students may see this as a violation of trust and their privacy. For everyone's protection and to respect their students' privacy, teachers should avoid sharing student images and names whenever possible without express consent from students, and parents/caretakers as applicable.
- › Virtual learning, especially under challenging circumstances, is setting new standards as it adapts to crisis situations. The protection of privacy becomes even more important.

For further discussion:

- › What if some students in the class agree to be posted and others do not?
- › If student names and faces were blurred out, how would that impact the ethics of sharing the screenshot?

Unintended consequences:

- › Potential harm could ensue if a blocked parent somehow determines where the child might be, leading to possible physical harm or abuse to the child or parent with custody.
- › Another potential harm is break of trust with parents/caretakers who may not have social media or do not approve of their child's name and face being posted on social media.
- › Depending on Ms. Pujol's school and district policy, she may be in violation and have to face punitive measures.

Proctoring Software

Ms. Hughes is giving a test to her students. This test has to be done under standardized and secure conditions. But the test is virtual this year so extra procedures and precautions have been introduced by the district including a proctoring software. Students take the test at home and Ms. Hughes hopes for the best. Ms. Hughes is concerned that her students might try and game the test. The proctoring software indicates potential cheating by some of the students.

Questions for discussion:

- What actions should Ms. Hughes take?
- Is observing the students while taking the test in any way a violation of their privacy?

USER'S GUIDE: Proctoring Software

Here's how we see it:

- Ms. Hughes should assess why the software is indicating possible cheating and discuss with the students to see if there is a rational explanation. Ms. Hughes may also want to discuss these incidents with the appropriate administrators.
- A key difference between how test proctoring would occur in person versus online, is that the software could be reporting false positives. In an in-person situation, the teacher would be accountable to noticing instances of cheating. Additionally, with students learning from home, there could be a number of factors triggering the proctoring software, especially if students do not have a private, quiet place to take their test.

For further discussion:

- What should happen if the software and Ms. Hughes' observations did not agree?

Unintended consequences:

- The proctoring software can lead to false positives. Furthermore, just having the software in place can add increased stress and anxiety to students while taking the test.

Recording Virtual Class on Personal Device

Mrs. Rayne is teaching a virtual class that requires students to produce some visual displays of their work. Mrs. Rayne is really concerned that she will forget which student has produced which product, so she decides to record the class session using another device, not the recording feature of the district-approved video conferencing tool. Mrs. Rayne pulls out her mobile device and records each student as they present their work. Mrs. Rayne does not tell the students she is recording their presentations.

Questions for discussion:

- Has Mrs. Rayne done anything wrong by recording the students and their work? If so, how?
- Would it make any difference if Mrs. Rayne had used the district-approved video conferencing tool to record rather than her mobile device?

USER'S GUIDE: Recording Virtual Class on Personal Device

Here's how we see it:

- › Mrs. Rayne should check with the district to ensure that she is not violating any policies by recording her students. Mrs. Rayne should also determine if her district permits or requires recording of lessons. No matter district policy, it is not good practice to record students on personal mobile devices. Many times, mobile devices do not have the same privacy protections as district devices and platforms. And these student recordings could easily be accidentally shared with unauthorized people when stored on a personal mobile device.
- › Mrs. Rayne should also take into account that this recording may be FERPA protected, and as a result parents/caretakers would have the right to access this recording.
- › Students may be able to exercise their rights to say that they are not comfortable being recorded and opt out, depending on the district policy.

For further discussion:

- › Is it necessary and appropriate for Mrs. Rayne to inform her students that she is recording the class?
- › Most video-conferencing tools show when a session is being recorded. Is that sufficient notification for the students in lieu of telling them?

Unintended consequences:

- › Storage of these recordings on personal, mobile devices heightens the risk of it being shared with unauthorized persons because its main purpose is for personal use. The mobile device could be stolen, someone could look through the gallery and find the recordings, or the recordings could be accidentally shared in a text message.
- › Students may have had difficulty with the project, so having their presentation recorded could add increased pressure and look bad to peers who could make fun of them for a bad work product. Thus, the recording of the activity could lead to low self-esteem for students whose work gets criticized.

Recording Virtual Class While Parent Abuses Student

Samson is a student in Ms. Hermione's class. Ms. Hermione has been conducting class virtually using a video conferencing platform and regularly records her classes. During one class session, she observes Samson being verbally assaulted by an adult. She can hear the adult screaming obscenities at Samson. In a later class session, Samson seems withdrawn. The same adult suddenly comes into view of the computer camera and physically strikes Samson who proceeds to cry and run away from the computer camera.

Questions for discussion:

- › What should Ms. Hermione have done following the verbal assault?
- › What should Ms. Hermione do now that she has seen Samson being struck by an adult?

USER'S GUIDE: Recording Virtual Class While Parent Abuses Student

Here's how we see it:

- › Samson is in danger. As a mandated report, when a teacher witnesses either sexual or physical abuse, she is legally required to report the incident immediately to the relevant family and child services department. Delays could imperil the child's well-being.
- › It does not matter here whether the assaults occurred in-person or witnessed virtually. The teacher has witnessed the incident and therefore must report it.
- › Each school has procedures from reporting abuse. In this case, Ms. Hermione observed the abuse in real time and Samson could be in real danger. Calling the police may be warranted rather than delaying by going through procedural channels as might be the case in a brick and mortar situation when the abuse has already occurred.
- › There is typically an automated process that records and uploads virtual classes, if classes are indeed recorded. Ms. Hermione should edit the recording by editing out this particular incident into its own recording and work with school administration on how to safely store it.

For further discussion:

- › Was the verbal assault sufficient evidence to report the adult's behavior?
- › Should Ms. Hermione go straight to the police since the incident is in real-time?

Unintended consequences:

- › If Ms. Hermione does nothing, Samson is in danger of both physical and emotional harm.
- › If Ms. Hermione delays in reporting what she has witnessed, Samson will still be in danger.
- › Other students may likely have seen what Ms. Hermione saw and could fear similar abusive behavior in their own home.

Recording Virtual Class with Student Misbehavior

At Bellamy Elementary School, teachers have been recording their classes so that they can review the videos to better understand how to improve their virtual instruction and virtual classroom management techniques. Ms. Sunny is recording her class and notices that one of her students, Simon, is behaving erratically. He is throwing things and cursing. She also notices another student, Bijou, who has moved away from the computer. She is refusing to pay attention to the lesson.

Questions for discussion:

- Are there any privacy issues involved here because Ms. Sunny has observed the students' misbehavior not only virtually, but on a recording?
- What actions should Ms. Sunny take to address the kinds of misbehavior Simon and Bijou are exhibiting?

USER'S GUIDE: Recording Virtual Class with Student Misbehavior

Here's how we see it:

- Ms. Sunny should check with school or district policy and administrators to make sure it is okay for her to record virtual classes.
- Ms. Sunny should consult her administrator to see how best to handle misbehavior caught virtually or through recording as this may constitute a disciplinary incident and therefore be FERPA-protected.
- Differences in the disciplinary incident occurring in person versus a virtual classroom, is that the incident is recorded, and this recording is stored and retained. It is best practice to store these recordings on district-approved platforms. Ms. Sunny should also consult school policy on how long these recordings should be retained and at what point they should be deleted.

For further discussion:

- How might the move from in-person to virtual differ in terms of handling misbehavior?
- Is filming versus real-time discernment of misbehavior any different?

Unintended consequences:

- The potential harm here is that all student behavior is being recorded and therefore educators must be aware when a recording will be FERPA-protected, relevant to this specific scenario this means when there is a disciplinary incident.
- Depending on how long this recording is retained, it could also become a part of a student's permanent record and result in loss of opportunity, for example negatively impact which classes students are placed in the future.

Recording Virtual Classes

Mrs. Garcia will use a district-approved video conferencing tool to conduct her social studies class during distance learning. From student and family communication, Mrs. Garcia knows that it will be difficult for all of her students to join the class every day and so decides to record her classes to offer asynchronous learning and more equitable access for her students.

Questions for discussion:

- › Is it okay for Mrs. Garcia to record the virtual classes?
- › Is there anything Mrs. Garcia should be cautious of?

USER'S GUIDE: Recording Virtual Classes

Here's how we see it:

- › It is laudable that Mrs. Garcia took the time to understand the needs of her students during distance learning and used their needs to inform her decision to record her classes. With regard to whether Mrs. Garcia is allowed to record her classes, she should look to school or district guidance in this legally gray area.
- › If her school and district say it is permissible to record classes, Mrs. Garcia should only use district-approved video conferencing platforms when conducting and recording classes. Mrs. Garcia should also seek school or district guidance on where to store these recordings, to ensure these recordings are privacy protected from breaches or otherwise unwanted access.
- › Mrs. Garcia should also carefully consider how long she will retain these recordings. They should not be retained indefinitely and not retained longer than needed.
- › Mrs. Garcia should also communicate her recording practices to students and families so they are aware and so they have the opportunity to raise any questions or concerns.
- › Mrs. Garcia should consider which parts of classes should be recorded. For example, students may feel much differently about lectures being recorded versus student-led classroom discussions.

For further discussion:

- › What communication should Mrs. Garcia provide to her students regarding recording of the classes?
- › What are some concerns students and families may have in learning the classes will be recorded?

Unintended consequences:

- › If not properly stored, these recordings can be hacked into and leaked.
- › Students may feel a breach of trust with Mrs. Garcia and a breach of privacy, especially if they are not made aware in advance of being recorded during live instruction.
- › Recording student discussion can have chilling effects—meaning students are less willing to participate and voice their opinions because they know they are being recorded.

Requiring Student Cameras On

Mr. Lopez has just started his online learning math class that begins at 9 am. After the first week, Mr. Lopez decides he will require students to have their cameras turned on during the entire class. This way, he can better track attendance and monitor student participation and engagement. After Mr. Lopez announces that everyone's cameras must be turned on, a few of his students continue to attend class with their cameras turned off. Mr. Lopez considers whether he should make this requirement a part of student grades to increase compliance.

Questions for discussion:

- › What are some reasons why students might not have or want their cameras on during class?
- › What should Mr. Lopez do about the students who are not turning on their cameras?
- › Should Mr. Lopez require students to have their cameras on during class?

USER'S GUIDE: Requiring Student Cameras On

Here's how we see it:

- › Mr. Lopez should seek guidance from administration and district policy on implementing this video mandate policy in his classroom.
- › There are many reasons why students may not want their cameras on, not necessarily for mischievous reasons. Students' devices and internet connectivity may work much better with their cameras turned off. Students may not feel comfortable allowing their teacher and peers to see into their living space through the background. Requiring cameras on may also place increased pressure on students to worry about their appearance when showing up to class.
- › There are privacy risks to requiring students to keep their cameras on. This requirement can force students to show details about their lives which they are not comfortable sharing, such as their living situation (living in a motel, experiencing homelessness, being evicted), which can lead to social harm and bullying. It can also be unclear what the expectations are for what students can show in their background. For example, can a student get in trouble for a school-inappropriate poster that is hung up on their wall or for a toy gun placed on a shelf?

For further discussion:

- › What are other ways Mr. Lopez can track attendance and monitor engagement and participation, aside from requiring student cameras to be turned on?

Unintended consequences:

- › Students may feel uncomfortable having their video on and showing their living situation. A video requirement could lead to stigmatization, bullying, increased stress for students, and force students to reveal intimate details about their lives.
- › Video mandates can also imply lack of trust and cause students to feel surveilled.
- › Video requirements may lead to worsened internet connectivity for some students.

Screen Sharing

Students in Ms. Gordon's middle school Multimedia Arts class are sharing their self-portrait projects during an online critique on a video conferencing platform. The project involves manipulating their self-portrait in photoshop. Each student takes turns sharing their screen, while the other students follow a structured critique process. Jonah shares his screen to show his manipulated self-portrait. In the image his face is overlaid with multiple images of penises.

Questions for discussion:

- › How should Ms. Gordon respond?
- › What options does she have to mitigate the harm to the other students?
- › What if Jonah did not mean to share this manipulated self-portrait?

USER'S GUIDE: Screen Sharing

Here's how we see it:

- › Teachers should be intentional with the videoconferencing platform settings and the ability for students to share their screen. Allowing students to screenshare can foster collaboration and increase engagement, but there is also the risk of students sharing something inappropriate, be it accidental or not. Expectations should be set on what is allowable to be shared and caution advised to students on how to use the sharing screen feature.
- › Instead of allowing students to share their own screens, Ms. Gordon could share student work from her own screen after pre-screening the work.
- › The most immediate step Ms. Gordon should take is to stop Jonah's screen sharing.

For further discussion:

- › What are the privacy risks for the students?
- › What are the privacy concerns for Jonah?
- › How would the scenario be different in a physical classroom?

Unintended consequences:

- › Social harm and age-appropriate content are the biggest concerns. The other students were exposed to images that were not age-appropriate without their parent's consent.

Seeing Student Unclothed During Virtual Class

Ms. Talbot is working with her elementary school students on a science lesson. The lesson is being conducted virtually. Student cameras are on so Ms. Talbot sees her students and sometimes glimpses background images of the students' homes. On one particular day, Ms. Talbot notices that one of her students is not clothed. Lusitano is in front of the camera naked.

Questions for discussion:

- › What should Ms. Talbot do?
- › Is noticing that Lusitano is naked a violation of his privacy?

USER'S GUIDE: Seeing Student Unclothed During Virtual Class

Here's how we see it:

- Ms. Talbot should attempt to turn off Lusitano's video as soon as possible to minimize other students from seeing.
- Ms. Talbot must determine if Lusitano's nudity is a more innocent or troubling scenario. Depending on age or level of awareness, Lusitano may not have realized her camera was on and was about to get dressed. In a more troubling scenario, improper clothing could be an indication of child neglect. As a mandated reporter, if Ms. Talbot, suspects child physical or sexual abuse or neglect, she must report this to the school's relevant department of family and child services.
- The virtual observation is different than if a student had appeared to school unclothed. In a virtual setting, students are learning from home and often their own bedrooms. The lines between private, home life and public, school life have been significantly blurred under a virtual setting.

For further discussion:

- What if Lusitano had clothes on but someone in his family walked behind the camera without clothes on?

Unintended consequences:

- It is possible that Lusitano is in a home situation where there is neglect, thereby rendering him in potential harm.
- It is also possible Lusitano was not aware that her camera was on.

Sending Kids into Breakout Rooms

While teaching science online, Mr. Riley has students working in small groups to develop an experiment. In class he sends each small group into breakout rooms. The breakout rooms are difficult to monitor as the platform does not allow recording of the rooms and students have unlimited access to screen sharing and chat functions. When students come back from working in the breakout room Mr. Riley receives a direct message from Jacob saying that Kimberly shared her screen during the breakout room and showed a pornographic website. Jacob felt very uncomfortable and said he was going to talk to his parents.

Questions for discussion:

- › What are the next steps for Mr. Riley?
- › Who should Mr. Riley talk to?
- › What are the safety and privacy implications for Jacob and Kimberly?

USER'S GUIDE: Sending Kids into Breakout Rooms

Here's how we see it:

- Online breakout rooms for students without monitoring present a challenge for teachers for classroom management, student safety, and student privacy. Mr. Riley must develop a plan for monitoring breakout rooms in a systematic manner, reteach classroom expectations for breakout rooms, and contact the parents/caretakers of both students to explain what happened and discuss the next steps. Mr. Riley should also seek out guidance from administration to determine if and what disciplinary action may take place.
- The data privacy concerns are minimal in this case study. On the other hand, the personal privacy concerns regarding the possibility of students being exposed to unwanted content in an unmonitored chat room are more complex.

For further discussion:

- How can Mr. Riley incorporate breakout rooms into his lessons while protecting student safety and privacy?
- Are online breakout rooms the same as small group discussions in classrooms?
- What if this had happened in a classroom with a student showing pornographic images on a phone in a small group? What are the differences?

Unintended consequences:

- Breakout rooms without direct adult supervision have the potential to expose students to speech, images, and language that would have more protection in a monitored situation.

Student Confiding in Teacher

Mr. Houdini is a teacher at Javier High School. He has just finished conducting an online class and one of his students, Winston, requests some extra time after class to talk to Mr. Houdini. Winston has had a close mentoring relationship with Mr. Houdini. He trusts him. Winston confesses that he is coming out and is concerned that he will be bullied and taunted by other students. Winston asks for Mr. Houdini's guidance. As Winston and Mr. Houdini are completing their very sensitive conversation, they notice that someone else has broken into the call.

Questions for discussion:

- Should Winston be discussing such a private matter with Mr. Houdini and through the virtual portal?
- What should Mr. Houdini do, now that he realizes someone else may have heard the discussion?

USER'S GUIDE: Student Confiding in Teacher

Here's how we see it:

- › Protecting Winston's privacy here is essential. He has confided in a trusted teacher about sensitive information. This information is private and should remain shared between the two of them.
- › Mr. Houdini did not know the seriousness of the conversation in advance, and so did not have the proper privacy protections in place for the call. For future serious conversations, or when it is clear that the conversation is serious and private, Mr. Houdini should create a virtual room that will not allow others to join without explicit permission, such as through a waiting room or a link that only the specific people were given.
- › If indeed someone hacked into the call or another student had remained online unbeknownst to them, then Mr. Houdini must seek out that individual, if possible, to ensure that what was heard, remains confidential, with possible ramifications if rumors were to be spread. Mr. Houdini should seek guidance from administration, without necessarily sharing the exact details of what Winston shared, only that it was personal and sensitive.
- › A virtual setting has been particularly difficult for students to seek out support and confide in trusted school community members, such as teachers. Students and teachers do not have the opportunity to check-in via hallway chats or for students to stay behind after class to chat.

For further discussion:

- › Would it make any difference had this conversation taken place in person?

Unintended consequences:

- › Both Winston and Mr. Houdini should be concerned that someone could use the overheard information in a way to harm Winston. He could be bullied, taunted, and outcast.
- › Winston most likely feels violated and this incident may have harmed his relationship with Mr. Houdini and his willingness to reach out for support.

Student Possibly Cheating During Virtual Quiz

Mr. Eli has asked his high school social studies class to take a pop quiz in the midst of a virtual class session. The students start working on the quiz that he sent them. Mr. Eli notices one student, Millie, starting to move away from the camera. She turns on the mute function. From Mr. Eli's view, he cannot tell what Millie is actually doing. Her diverted gaze indicates that she is not looking at the computer screen and the quiz but may be doing something else, such as rifling through papers, asking someone at home a question, or potentially looking up answers. Mr. Eli suspects that Millie may be cheating on the quiz.

Questions for discussion:

- › What should Mr. Eli do?
- › How should Mr. Eli speak to Millie about this situation?

USER'S GUIDE: Student Possibly Cheating During Virtual Quiz

Here's how we see it:

- Suspected cheating must be addressed. It is possible that Millie was doing something totally innocent. Mr. Eli should give her a chance to explain.
- Observing students taking a test has its differences between an in-person setting and a virtual one. Gestures, eye gaze, and other movements are only a proxy to understanding student behavior, engagement, and participation, which can be harder to understand virtually. This is again why it is important for Mr. Eli to discuss the situation with Ellie.
- Mr. Eli must make it clear to Millie and to the other students the boundary conditions and expectations for appropriate behavior for virtual quizzes and tests.

For further discussion:

- If indeed Millie was cheating, what actions should Mr. Eli take?
- If Millie's actions were innocent, what should Mr. Eli do then?

Unintended consequences:

- Using a student's eye gaze and physical movements are not always an accurate indication of behavior, participation, or engagement, especially in a virtual environment.

Student Seen Doing Drugs

Ms. Wilson teaches high school math. She has been conducting her classes online. Students often work in virtual pods to complete some of the assignments. Ms. Wilson is observing the work of one pod that contains three students, Coby, Orlando, and Niko. As the three students are working, she notices that Niko moves away from the camera and takes some drugs from a prescription drug bottle. She suspects, however, that they are not prescription drugs but illegal drugs.

Questions for discussion:

- › What actions should Ms. Wilson take?
- › Does it make any difference that she has observed the drug use virtually instead of in person?
- › What if there were illegal drugs, not prescription drugs?

USER'S GUIDE: Student Seen Doing Drugs

Here's how we see it:

- › Suspected drug use, whether observed in person or virtually, requires action on the part of Ms. Wilson.
- › Ms. Wilson should seek out more information to determine if Niko was indeed taking prescribed medication or illegal drugs. Ms. Wilson can speak with the student themselves and also the parents/caretakers.
- › Ms. Wilson should reach out to school administration to seek guidance on how to proceed as this may become a law enforcement issue.
- › The virtual observation is different. In a virtual setting, students are learning from home and often their own bedrooms. The lines between private, home life and public, school life have been significantly blurred under a virtual setting.

For further discussion:

- › What would Ms. Wilson do if she had spotted Niko doing the same thing, but he was in school? Would that have changed her approach to the situation?
- › What if the drugs were prescribed medicine?
- › Would there be any difference in Ms. Wilson's actions if Nike were smoking pot, which is clearly drug use?
- › What if Ms. Wilson suspects the drugs are a part of self-harm?

Unintended consequences:

- › If the drugs Niko has taken are indeed illegal, this can result in serious health harm and risk to himself. There is also harm to other students who have viewed Niko take these drugs, as they may feel incentivized to do so themselves.
- › There is also the possibility that these are prescription drugs. If so, there is still the potential for harm as Niko may not realize others in the class have viewed him taking his prescription. Niko may feel as though his privacy was breached, and it can also lead to stigmatization or bullying by other students.
- › Additionally, if the drugs were not illegal, falsely reporting innocent drug use could also lead to harm especially when law enforcement becomes involved. It could affect Niko's disciplinary records, lead to false stories or rumors, and stigmatize him. Additionally, because it is suspected drug use, it is possible that the teacher's suspicion may be based on assumptions about the students and it is crucial to check for potential bias in this suspicion.

Students Sharing Videos with Teacher

Mr. Randall is teaching virtual Physical Education and is looking for ways to increase student accountability for completing the fitness challenges he sets for his students. He is concerned the results being reported by his students are not accurate. For the student push up challenge he assigns students to use FlipGrid to document the challenge. FlipGrid is an approved app in the Madison School District. It is a video discussion and message platform that allows teachers to pose questions and prompts using video that students comment on or respond to using video. He is careful with his FlipGrid settings in that he sets it so the videos only come to him to protect his students' privacy and he is the only one who can comment on student performance through the videos. Most of his students post their push up challenge videos to document doing as many pushups as possible in 1 minute. Mr. Randall sends back video coaching of their technique. Later in the week, Mr. Randall receives an angry email from Mrs. Stanley, the parent of his student Emily, saying that she is very concerned that a male teacher is watching videos of her daughter doing pushups in skimpy workout outfits. Mrs. Stanley is extremely angry in the email and feels the use of the videos is not educationally appropriate.

Questions for discussion:

- › What are ways for Mr. Randall to respond to Mrs. Stanley?
- › Does the gender of the teacher impact the situation?
- › What are the privacy implications of using video sharing applications?
- › If the FlipGrid is not approved for use by the school district does that change the discussion?

USER'S GUIDE: Students Sharing Videos with Teacher

Here's how we see it:

- › The app is approved for use by the Madison School District which allows for Mr. Randall to use the app with his students. Mr. Randall was not sharing an education record, the video, with anyone. Mr. Randall should work with the parent to address the concern, and possibly include an administrator.
- › Mr. Randall should also consider the importance of proactive communication and transparency with parents/caregivers. A notice from Mr. Randall to all families about this new practice he was adopting—students sharing videos of their workouts—would most likely have prevented this response. Parents can feel a breach of trust without proactive communication. Proactive communication also grants a space for families to give feedback and input and for Mr. Randall to improve the practice and make it more comfortable for everyone.

For further discussion:

- › What are ways Mr. Randall could have protected students' concerns about video sharing?

Unintended consequences:

- › Sharing videos is a powerful educational tool both for in person and virtual learning but it raises concerns about student personal privacy and comfort with video sharing. Teachers should be thoughtful about its use and implementation. Teachers, such as Mr. Randall, must explicitly explain the value and need for it to students and parents through proactive communication.

Taking a Screenshot of a Virtual Class

Ms. Hazel is conducting instruction online due to the pandemic. All of her students have their cameras on so she can interact with them, make eye contact, and visually observe their engagement and behavior. At some point during a lesson, Ms. Hazel takes a screenshot of the entire class to capture their reaction to a question. She does not share the photo with anyone else and retains it on her computer.

Questions for Discussion:

- › Is it appropriate to take such a screenshot without students being aware?
- › Does Ms. Hazel need permission to take the screenshot?

USER'S GUIDE: Taking a Screenshot of a Virtual Class

Here's how we see it:

- › There are many legal and privacy considerations Ms. Hazel must consider. First, is whether this screenshot might be considered directly related to students and where the screenshot will be stored. This is important because if it is deemed to be directly related to students and maintained by the school, it is an education record and is protected under FERPA. If the purpose of the screenshot is to inform Ms. Hazel's teaching practice, then it may fall under the sole possession exception, which means it would not fall under FERPA. Because this is a gray area, it would be best to treat it as FERPA protected.
- › Ms. Hazel should also consider that just because you can do something with technology doesn't mean you should and should weigh the benefits against the risks. It is hard to imagine Ms. Hazel would take a picture during an in person class to capture students' reactions.
- › Ms. Hazel should also consider the perspective of parents/caretakers and if they would be comfortable with in time reaction screenshots being taken of their child during class and that they may question the necessity of this action.
- › It is best practice for Ms. Hazel to communicate to students when a screenshot is being taken of them, especially since video conferencing platforms do not tend to indicate when this happens. It is also best practice to inform students what the screenshots will be used for, to store this screenshot on district-approved devices and platforms, and to delete the screenshot as soon as it is no longer needed.

For further discussion:

- › Would it make a difference if Hazel took the screenshot of only one student?
- › Would it make a difference if a student took the screenshot instead of the teacher?
- › Does intention make a difference here? What if the screenshot was not going to be used for educational purposes?

Unintended consequences:

- › A screenshot might capture a student doing something wrong. Depending on how long this photo is kept and who it is shown to, this student could be punished for their behavior and this photo could even become part of their permanent record.
- › There is the potential for this photo to be leaked or breached, especially if it is not properly stored, and therefore someone might see the screenshot who should not have access to it leading to privacy or safety concerns.
- › If the screenshot becomes public, students could access it which could lead to bullying and stigmatization, especially if the screenshot caught students doing something embarrassing or showed intimate parts of student living situations through the use of cameras.

Teacher Evaluation

At Hennessey Middle School, the principal, Ms. Violet, makes an appointment with one of her teachers, Mrs. Rose, to conduct her quarterly evaluation. Mrs. Rose, like many teachers, has been challenged by conducting instruction virtually. It is even more challenging for Mrs. Rose because she teaches science which typically has hands-on activities. Mrs. Rose has struggled to modify her lesson plans and instruction to adapt to the virtual environment. She is very concerned that she will not look good in front of Ms. Violet and that her typically stellar evaluation ratings will suffer.

Questions for discussion:

- Are there any issues with this situation?
- Are there any reasons to be concerned about the protection of privacy for the students and for Mrs. Rose?

USER'S GUIDE: Teacher Evaluation

Here's how we see it:

- › Classroom observations are standard practice and schools are continuing this practice in a virtual setting. However, with virtual learning, Ms. Violet may observe things about students previously not possible in an in-person setting. The school will decide how administration will interact with students during a classroom observation.
- › Ms. Violet has also provided advance notice to Mrs. Rose about the forthcoming observation to aid Mrs. Rose in her preparations for the observation.

For further discussion:

- › What if Ms. Violet did not alert Mrs. Rose to the forthcoming observation? Would that make any difference?
- › What if Ms. Violet observes some things that students were doing at home that were problematic or were beyond the scope of the evaluation?

Teacher Keeping Class Recordings

Mr. Robert regularly records his classes so he can refer back to them to better understand his students' responses to questions. It helps him to remember and to be more diagnostic to modify future instructional activities. Mr. Robert has not explicitly informed his classes of this practice. He simply has invoked it as part of virtual practice.

Questions for discussion:

- › Does such recording without student awareness violate student privacy?
- › Is this an ethical issue or a privacy issue or both?

USER'S GUIDE: Teacher Keeping Class Recordings

Here's how we see it:

- Mr. Robert must check his school and district policies to ensure he is able to record his classes. Mr. Robert must also carefully consider where he is storing these recordings. It is best practice to store recordings on a district-approved platform to minimize risk of breaches or hacks. Mr. Robert should also carefully consider how long he will retain these recordings. They should not be retained indefinitely.
- Informing students about the practice and the purpose is a best practice and helps improve transparency.
- Since Mr. Robert's is using the classroom recordings to improve his own instruction and teaching practice, this most likely falls under the sole possession record and there is likely no FERPA violation here.

For further discussion:

- What should Mr. Robert do if a student is uncomfortable with the classes being recorded?
- Do you think that such recordings can negatively impact students?

Unintended consequences:

- If used as Mr. Robert intends, his review of the videos may actually benefit the students rather than harm them because he can be retrospective and introspective about things he may have missed in real-time. This would help Mr. Robert be more responsive to student needs.
- However, if students are unaware, they may feel violated and result in a breach of trust.

Toy Gun at Home

Spratt Middle School is conducting virtual classes via Zoom during the pandemic. Virtual instruction is new and somewhat challenging for the faculty, especially when it comes to monitoring and addressing behavior. One day, Mrs. Matthew sees one of her students playing with a toy gun during one of their virtual classes. When school was in person, toy guns were not allowed in school and any incidents required reporting to administration and could result in suspension.

Questions for discussion:

- Should Mrs. Matthew report this incident to her administration? Why or why not?
- Is seeing a student play with a toy gun in their home during a virtual class different than a student bringing a toy gun to school?

USER'S GUIDE: Toy Gun at Home

Here's how we see it:

- › Mrs. Matthew should see if the school's disciplinary code has been updated for the new virtual setting. If it has not been updated, Mrs. Matthew could reach out to administrators to request the disciplinary code be updated to be made relevant and reasonable to the new virtual setting.
- › Before pursuing a path that may lead to extreme disciplinary outcomes, such as suspension, Mrs. Matthew should consider alternatives, such as privately messaging the student and or speaking with the parent/caregiver.
- › A student bringing a toy gun to school versus playing with a toy gun in their home is incredibly different. In a virtual environment, the student is learning from home, a space traditionally completely separate from academic life. Prior to distance learning, it was not possible for students to get in trouble for playing with toy guns at home. Lines are blurred and teachers should keep this in mind.
- › If Ms. Matthew was to believe the gun the student was playing with was a real gun, she may have a legal obligation to report as a mandated reporter. Even in this situation, Ms. Matthew should still consider the unprecedented circumstances of a virtual environment and being able to see into the homes and private details of her students' lives. And in any reporting that is conducted, to give as accurate a portrayal as possible to what she saw and the context.

For further discussion:

- › What if Mrs. Matthew was unsure whether it was a toy gun or a real gun?

Unintended consequences:

- › Students and families can experience breaches of privacy and harm, especially when actions done in the privacy of one's home, are reported and result in disciplinary action.
- › Disciplinary codes that have not been updated can result in severe and unreasonable disciplinary actions on students, and research shows school disciplinary actions have disproportionately impacted students of color.

Tracking Attendance During Remote Learning

The Shea School District instituted new policies in the wake of the pandemic to collect attendance data. All educators have been struggling to obtain accurate data about student attendance while conducting virtual instruction. Mr. Bartlett and Ms. Tatum have been worried about getting accurate counts of their students. Some students have their cameras on and others do not. Some students may be “in attendance” for the entire class time, whereas others may go missing at various points in time. The school has advised teachers to use student login data from the learning management system (LMS) to track attendance. Yet there is no real way for teachers like Mr. Bartlett and Ms. Tatum to know if it is actually the specific students who are logged into the LMS and not someone else.

Questions for discussion:

- › Can a LMS provide accurate attendance data?
- › Is the use of time in the LMS not only a valid indicator of attendance but also an appropriate use of the data?
- › Are there privacy concerns about using LMS data or on-camera data for attendance indicators?

USER'S GUIDE: Tracking Attendance During Remote Learning

Here's how we see it:

- Having accurate attendance data is a part of compliance and accountability data for a district. Getting it right is important.
- The district is making an assumption that the student on the LMS is the student of record. This assumption has the potential of being inaccurate as it is possible that when students first log into their LMS, they remain logged in for a long period of time. There also needs to be protections so that students are only able to log into their own account in the LMS.
- Furthermore, an LMS may not track student logins from phone or tablet devices. This would mean students using these types of devices would have absences falsely reported.

For further discussion:

- What if someone else is on the LMS and not the student?
- How can the teacher ensure or determine if it is the real student who is logged into the LMS?
- What are the ramifications if it is the wrong student?

Unintended consequences:

- Potential harm can occur if a student's attendance is not accurately recorded. In this situation, using LMS login data to track attendance will disproportionately harm students who are using a table or phone device.
- There is potential harm for the school and district as well for inaccurate attendance data.
- The validity of attendance as a data element is in question and could be impactful for district funding if recorded inaccurately.

Unknown Virtual Class Attendee

Forrest Schools has moved online and decided to use a video conferencing platform to conduct virtual classes. To mitigate the possibility of unauthorized access into these virtual classes, the Forrest School has tried to password protect entry into classrooms. Yet, one day, Mr. Ares notices someone other than his students in the Zoom meeting room. Entry was done using a phone number so that is all Mr. Ares can see. He asks who is in the room but gets no answer.

Questions for discussion:

- › What action should Mr. Ares take?
- › Is this a violation of student privacy?

USER'S GUIDE: Unknown Virtual Class Attendee

Here's how we see it:

- Mr. Ares should be aware of the setting and capabilities of the video conferencing platform he is using. Most likely, Mr. Ares should be able to boot out the unknown attendee. Mr. Ares should also set the expectation that if students must join from a phone number, which can assist during technical difficulties, to communicate in advance with the teacher when possible and introduce oneself when joining the call.
- School or district policy will determine whether or not this intrusion is considered a violation. Mr. Ares should therefore seek out this policy and guidance from administration in determining what are the appropriate next steps to take.
- There are reasons that schools lock down video conferencing meetings to protect the sanctity of the classroom to inadvertent intrusions from people who should not be there. Such intrusions can potentially put students at risk.

For further discussion:

- What kinds of assistance should the school provide Mr. Ares?
- Is there potential harm for anyone other than the students and teacher to have access to the secure room?

Unintended consequences:

- The potential harm is that an uninvited and therefore unauthorized guest or interloper would be able to learn and have access to student information, including who is in the class and, if student cameras are on, information on their living situation. Also, consider an extreme situation where an interloper has a restraining order to stay away from one of the students. Schools have a legal obligation to uphold these restraining orders.
- The interloper could potentially disrupt instruction with inappropriate language, images, or content in the virtual classroom.

Virtual Class with Student Home Misbehavior

Mr. Bertie is conducting a virtual class and has a clear view of all of his students via the video conferencing platform. Mr. Bertie decides to give the class a bio break. Students leave their cameras and microphones on in their absence. During the break, Mr. Bertie witnesses one of his students, Maude, being hit by an older sibling. Maude returns when the lesson resumes.

Questions for discussion:

- › What should Mr. Bertie do?
- › Does it make a difference that what he witnessed occurred during a bio break rather than during actual classroom work?

USER'S GUIDE: Virtual Class with Student Home Misbehavior

Here's how we see it:

- › Students learning from home have blurred the line between home, a private place, and school, a public space. Understanding boundaries can be difficult, but teachers will most likely be held accountable to what they are able to observe through virtual classes. Mr. Bertie should address the situation and not completely ignore it - either through a conversation with the student, sibling, and/or parent/caregiver.
- › Witnessing this incident during a virtual class is different from witnessing the incident in-person, for example on the playground, because it is taking place in the student's home. Mr. Bertie should take this into account and caution against responding in a manner that results in disproportionately severe disciplinary action.

For further discussion:

- › Would it make a difference if Maude was hit while in the middle of a lesson?
- › Is it possible that what Mr. Bertie witnessed was innocent play between siblings?
- › Should Mr. Bertie immediately call Maude's parents?

Unintended consequences:

- › Maude's safety and even social harm; he may feel embarrassed that his peers saw the incident.
- › Other students may have witnessed the event as well and could be impacted by seeing a classmate being hit.

Virtual IEP Meetings

Nugget Elementary School has been holding IEP meetings virtually to carry out normal school activities during the COVID-19 lockdown. Such meetings involve bringing various educational specialists together with a student's parents or guardians to make determinations about the IEP status and processes. As in an in-person meeting, the goal of an IEP meeting is to determine best practices for the particular student. In one meeting, however, the special education teacher, Mr. Sammy notices that there is an unknown individual out of camera range in the parent's home. Keeping in mind that the information being discussed is sensitive in nature, Mr. Sammy asks who the person is. As it turns out, the person is a family friend.

Questions for discussion:

- What should Mr. Sammy or the IEP team do, given that there is someone else within earshot of the conversation?
- Should the meeting continue and not worry about the additional presence or should the team request that the individual be asked to leave the room?

USER'S GUIDE: Virtual IEP Meetings

Here's how we see it:

- › Discussing sensitive content such as those in an IEP should only be done with the relevant parties there, not with extraneous persons, even if they are a family friend.
- › IEP teams have strict guidelines about the data they review and the composition of team members.
- › The IEP team should request that only the legal guardians be present for this meeting.

For further discussion:

- › What if the extra person was a family member? Would that make any difference?
- › What if the extra person had professional training and was there to support the parents or guardian as an advocate?

Unintended consequences:

- › IEP teams often cover highly sensitive material about a student that should not be discussed in public. There are strict requirements on who is allowed in the room during IEP meetings to protect the student's privacy and autonomy.

Virtual Private Conversations

In Mrs. Wood's class, one student, Jordan, has an IEP that requires modifications to his assignments. Mrs. Wood has had to reference Jordan's modified assignment to answer questions or prompt Jordan. In an in person setting, Mrs. Wood was able to do this discreetly, by walking over to his desk or having him go to her desk. In a virtual setting, being able to have private chats with Jordan has become extremely difficult.

Questions for discussion:

- › What are the risks to referring to Jordan's modified work in front of the entire class?
- › What are some strategies to having safe, virtual private conversations?

USER'S GUIDE: Virtual Private Conversations

Here's how we see it:

- › The rest of Jordan's classmates do not need to know and should not know about modifications being given to Jordan as part of his IEP requirements. Not only does this not comply with law, but it also can lead to stigmatization and bullying of Jordan.
- › Mrs. Wood should check the features of the video conferencing tool they are using to see if there is a private chat and breakout room features. Mrs. Wood could communicate with Jordan through private messaging, host office hours, or schedule phone calls with Jordan before classes to answer any questions and provide any guidance Jordan needs.

For further discussion:

- › What are other reasons teachers have private conversations with students? Can similar strategies be used?

Unintended consequences:

- › In a virtual setting, there are many obstacles to having one-on-one chats with students as everyone can hear the speaker in a video conference call. Discussing Jordan's modifications in front of the entire class breaks confidentiality and can lead to stigmatization and bullying.