



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 864

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H.P. 632

House of Representatives, March 8, 2021

### **An Act To Protect Teachers' Privacy While Delivering Remote Instruction**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative DODGE of Belfast.  
Cosponsored by Senator RAFFERTY of York and  
Representatives: CROCKETT of Portland, HEPLER of Woolwich, McCREIGHT of  
Harpwell, MILLETT of Cape Elizabeth, ROBERTS of South Berwick, SALISBURY of  
Westbrook, Senator: CURRY of Waldo.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §6804-A** is enacted to read:

3 **§6804-A. Remote instruction**

4 **1. Definitions.** For the purposes of this section, unless the context otherwise indicates,  
5 the following terms have the following meanings.

6 A. "Remote instruction" means instruction provided using audio or video transmission  
7 of a teacher or of a classroom with a teacher and participating students. "Remote  
8 instruction" includes real-time transmissions and recorded sessions.

9 B. "Unauthorized person" means any person who has not been authorized by a public  
10 or private school to participate in remote instruction.

11 **2. Access; unauthorized persons prohibited.** An unauthorized person may not  
12 access, view, listen to, disrupt or participate in remote instruction. This subsection does  
13 not prohibit incidental viewing of or listening to a session of remote instruction by a person  
14 in the same location as a student located outside the classroom who is participating in the  
15 remote instruction or by a parent or guardian of a student as necessary to assist a student in  
16 accessing remote instruction. A student may access the remote instruction only for the  
17 educational purpose intended by the teacher.

18 **3. Recording; prohibition.** Notwithstanding any provision of law to the contrary and  
19 except as authorized by a public or private school for the purposes of remote instruction, a  
20 person may not make an audio, video or digital recording, including taking a photograph,  
21 of a real-time transmission of remote instruction and may not photograph, record, copy,  
22 distribute or retransmit a recorded session of remote instruction or any part thereof without  
23 the express written consent of the public or private school.

24 **4. Violation.** A person who violates this section commits a civil violation for which a  
25 fine of not less than \$200 nor more than \$500 may be adjudged.

26 **SUMMARY**

27 This bill prohibits an unauthorized person from accessing, viewing, listening to,  
28 disrupting or otherwise participating in remote instruction for elementary or secondary  
29 school students and provides that a student may access the remote instruction only for the  
30 purpose intended by the instructor.

31 This bill also prohibits a person from making any audio, video or digital recording of  
32 a real-time transmission of remote instruction and prohibits a person from photographing,  
33 recording, copying, distributing or retransmitting a recorded session of remote instruction  
34 or any part thereof without the express written consent of the public or private school.

35 This bill provides that a violation of these provisions is a civil violation for which a  
36 fine of not less than \$200 nor more than \$500 may be adjudged.