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

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

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

**§****6804-A.** **Remote instruction**

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

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

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

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

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

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

**SUMMARY**

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

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

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