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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**1999-00**

(session year)

**Assembly**

(Assembly, Senate or Joint)

**Committee on ... Judiciary and Personal Privacy  
(AC-JPP)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

## Assembly

### Record of Committee Proceedings

#### Committee on Judiciary and Personal Privacy

##### Assembly Bill 624

Relating to: written policies on entering locker rooms being used by athletic teams representing certain schools or by professional athletic teams.

By Representatives Schneider, Kreuser, Gronemus, Musser and Sykora.

December 30, 1999 Referred to committee on Judiciary and Personal Privacy.

February 15, 2000 **PUBLIC HEARING HELD**

Present: (8) Representatives Huebsch, Gundrum, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Excused: (1) Representative Walker.

##### Appearances for

- Representative Marlin Schneider, 72nd Assembly District

##### Appearances against

- None.

##### Appearances for Information Only

- None.

##### Registrations for

- None.

##### Registrations against

- None.

March 1, 2000 **EXECUTIVE SESSION**

Present: (9) Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Excused: (0) None.

Moved by Representative Colon, seconded by Representative Hebl, that **Assembly Bill 624** be recommended for passage.


Ayes: (2) Representatives Huebsch and Colon.

Noes: (7) Representatives Gundrum, Walker, Suder,  
Grothman, Sherman, Hebl and Staskunas.  
Excused: (0) None.

PASSAGE RECOMMENDED, Ayes 2, Noes 7, Excused 0

March 30, 2000

**Failed to pass pursuant to Senate Joint Resolution 1.**



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Robert Delaporte  
Committee Clerk

# Vote Record

## Assembly Committee on Judiciary and Personal Privacy

Date: 3-1-00  
 Moved by: Colon      Seconded by: Hebl  
 AB: 624      Clearinghouse Rule: \_\_\_\_\_  
 AB: \_\_\_\_\_      Appointment: \_\_\_\_\_  
 AJR: \_\_\_\_\_      SR: \_\_\_\_\_      Other: \_\_\_\_\_  
 A: \_\_\_\_\_      SR: \_\_\_\_\_

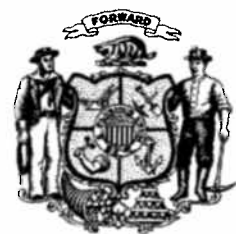
A/S Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_  
 A/S Sub Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_

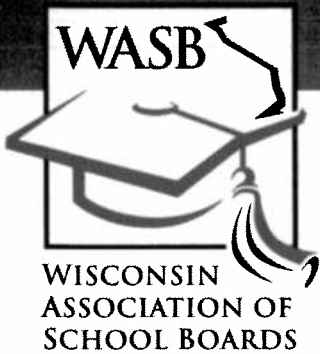
- Be recommended for:
- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction       | <input type="checkbox"/> Tabling                 |
| <input type="checkbox"/> Adoption           | <input type="checkbox"/> Concurrence             |
| <input type="checkbox"/> Rejection          | <input type="checkbox"/> Nonconcurrence          |
|   | <input type="checkbox"/> Confirmation            |

Committee Member	Aye	No	Absent	Not Voting
Rep. Michael Huebsch, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Gundrum	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Walker	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Glenn Grothman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Sherman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Hebl	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tony Staskunas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>2</u>	<u>7</u>	_____	_____



# WISCONSIN STATE LEGISLATURE





122 W. WASHINGTON AVENUE, MADISON, WI 53703  
PHONE: 608-257-2622 • FAX: 608-257-8386

KEN COLE, EXECUTIVE DIRECTOR

To: Chairman Huebsch and  
Members of the Assembly Committee on Judiciary and Personal Privacy

From: Annette Talis, Legislative Services Coordinator  
Bill Cosh, Legislative Services Coordinator

Re: AB 624, relating to written policies for athletic team locker rooms

Date: February 14, 2000

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The WASB is unable to attend your public hearing on Tuesday, Feb. 15 when you are soliciting public testimony on AB 624. We appreciate your providing us an opportunity to share our position on this legislation and ask that you share this memorandum with your colleagues on the committee.

The WASB shares the public policy interest of state lawmakers who endeavor to protect the privacy of students; however, the association opposes the references to K-12 school districts in AB 624. This is an issue that should be dealt with at the local level by community policymakers.

School boards currently have the authority to set policies that protect the privacy interests of students as well as to limit their exposure media interviews. Attached to this memo, please find several policies that are in place relating to this issue. Districts in large media markets are keenly aware of the need to set ground rules relating to the media and have in place policies that protect the interests of students. These policies typically cover all aspects of the school day and all extracurricular activities rather than offering limited protection only to student athletes.

On the other hand, many school districts throughout the state are located in areas where they have never and are unlikely to ever be faced with the type of situation this bill addresses. It would be unnecessary for these local policymakers to spend limited public meeting time drafting mandated policies that cover situations they are unlikely to face. Furthermore, the athletic events that attract the most media coverage and related interest in locker room access are generally controlled by WIAA policies because they do not take place in a student's home district. For example, the Washington Island School Board does not have the authority to control locker room access at the state basketball tournaments held in Madison.

In all, members of the WASB take very seriously their role in protecting the interests of students and public education at all times.

VIDEOTAPING AND/OR PHOTOGRAPHING OF STUDENTS

Videotaping and/or photographing may be used in the District as a facet of instruction for enhancing learning, to assist in providing a safe and secure learning environment and to monitor/record student achievement/behavior.

The District shall observe measures intended to protect the rights of individuals regarding participation in, and use of videotaping, photographing and filming to which they or their parents/guardians might reasonably object under the law. The following provisions outline the extent to which that protection can, and will be provided:

- (1) When video cameras are in use to monitor public areas of a school facility (i.e., hallways, entrance areas, parking areas, cafeterias, etc.) for security purposes, signs shall be posted at the facility entrances to notify persons utilizing the facility of this security measure.
- (2) Students shall only be videotaped and/or photographed in accordance with established District procedures. Such procedures shall identify conditions under which parental consent shall be required.
- (3) Videotapes and/or photographs of students shall be kept confidential to the extent required by state and federal laws and the District's student records policy and procedures.
- (4) Videotaping will not be conducted in private areas such as bathrooms, locker rooms, athletic locker rooms and changing rooms, unless recommended by the Superintendent and approved by the Board at a regularly scheduled Board of Education meeting.

LEGAL REF.: Section 118.125 Wisconsin Statutes

APPROVED: February 12, 1996

VIDEOTAPING AND/OR PHOTOGRAPHING OF STUDENTS

Special Use of Videotapes and/or Photographs of Students by District Personnel

1. Videotapes and photographs of students may be utilized by teachers, administrators or their designees within the District for educational purposes without advance consent of a student's parent/guardian. Such school district personnel shall maintain the confidentiality of these student records in accordance with state and federal laws and established District student records procedures.
2. An individual teacher or other certified staff member may utilize and maintain videotapes and photographs of students for his/her own professional use without advance consent of a student's parent/guardian. Examples of educational photographs/videotapes include documenting science experiments and drama performances, etc.

Other Videotaping and/or Photographing of Students

3. Waiver forms of release shall be required from parent/guardian when:
  - a. Students participating in class activities are videotaped or photographed and the videotapes or photographs are going to be viewed by individuals other than those authorized in paragraphs one and two above.
  - b. Students are to be involved in formal interviews using videotapes or photographs by outside news media sources.
  - c. Students identified as having <sup>a disability</sup> exceptional educational needs (EEN) are videotaped or photographed.
4. Parent/guardian permission shall not be required when:
  - a. A student has voluntarily chosen or been allowed by his/her parent(s)/guardian to participate in, or be a spectator at, a school-related activity that is open to the public such as an athletic event, concert, theatrical presentation, dance etc.
  - b. The student has chosen to be an officially designated school leader or role model, such as athlete, member of homecoming court, student council, etc. for which there is the potential for informal contact with news media.
  - c. The student has voluntarily chosen to participate in a class project for which the videotape or photograph will not be viewed by persons other than members of the class.
  - d. Stock videotape footage or generic pictures (i.e., yearbook individual and group pictures) are being obtained in public places (i.e., hallways, auditoriums, gymnasiums, parking areas, general classroom areas, playgrounds, athletic fields, etc.) by the school district.
  - e. Outside news media videotape or photograph students in areas that cannot be effectively shielded from the public, such as playgrounds, parking lots, athletic fields, etc.

CROSS REF: Policy 492, Videotaping and/or Photographing of Students

APPROVED: February 12, 1996



## FILMING OR VIDEOTAPING IN THE SCHOOLS

State and federal laws safeguard children and their families against release of student information used by schools, including information on student performances. Films and videotapes of children in the schools are subject to the provisions of these laws.

The Oshkosh Area School District shall observe measures intended to protect children from their involvement in films or videotapes to which they or their parents or guardians might reasonably object. Advance consent shall be obtained from the parents or guardians of children being filmed in either of the following conditions:

- a. The film or tape will be taken from the Oshkosh Area School District, either physically or by transmission.
- b. The film or tape will be viewed by persons who are not professionally responsible for the specific setting (i.e., those other than the classroom teacher, the student teacher, and the university supervisor).

When parental consent is required and some parents or guardians object to filming their children, the person making the film or tape may specifically avoid filming the children whose parents or guardians object, or edit the film to delete those children from it.

Parental consent shall not be required when a film or videotape will not leave the school district and is to be viewed only by staff responsible in that setting. Consent will normally not be required when "stock footage" of large groups of students (e.g., classroom groups, hallway shots, etc.) is being taped.

The administration will maintain and disseminate rules for staff use when requests for filming or videotaping in classrooms are received.

LEGAL REFERENCE: WISCONSIN STATUTES  
118.125  
Family Educational Rights and Privacy Act of 1975

CROSS REFERENCE: 821-Rule, Procedures Regarding Press and/or Electronic Media Interviews of Staff & Students

Adopted: November 6, 1978; July 10, 1991

**FILMING OR VIDEOTAPING IN THE SCHOOLS**

It is the intent of the Oshkosh Area School District to cooperate with the press and electronic media as much as possible when they initiate requests to interview staff and students. Specific procedures set forth in this rule will be observed to limit involvement as requested by parents/legal guardians or to permit the schools to continue with their primary mission.

The following procedures are to be implemented when students are being filmed or video-taped in the schools:

1. Advance parent consent must be obtained as required in Board of Education Policy 364.1. Individual students will be allowed to exclude themselves from classroom shots if they wish to do so.
2. Representatives of the press/media will be expected to obtain permission via the building principal prior to interacting with staff or students on school property. No other staff on site will be permitted to authorize on-site activities of this nature.
3. The principal will require sufficient detail on the subject in question before granting permission for interviews of staff and students.
4. The principal will minimize unnecessary interruptions of instructional time to protect time on task during the school day.
5. Staff are not required to participate in media interviews. However, they will be encouraged to do so when such interviews are not disruptive and when authorized as set forth above.
6. Only the Superintendent of Schools/designee will make statements regarding matters currently under consideration by the legal system.

LEGAL REFERENCE: WISCONSIN STATUTES  
118.125  
Family Educational Rights and Privacy Act of 1975

Approved: July 10, 1991

OSHKOSH AREA SCHOOL DISTRICT  
Oshkosh, Wisconsin

OSHKOSH AREA SCHOOL DISTRICT

71091

364.1-A

**PARENT PERMISSION FORM FOR  
FILMING, VIDEO TAPING, PHOTOGRAPHING IN THE SCHOOLS**

School \_\_\_\_\_

Grade/Class \_\_\_\_\_

\_\_\_\_\_ wishes to film or videotape

regarding \_\_\_\_\_

on \_\_\_\_\_

1. I  give  
 do not give  
my child/ward, \_\_\_\_\_  
permission to be recognized through the news media.

2. If you give permission, please complete the following:

May be filmed, videotaped, or photographed  Yes  No

May be interviewed  Yes  No

May we give: Your child's age?  Yes  No

Your address?  Yes  No

3. As parents/guardians, do you wish to have your name recognized?

Name(s) you prefer \_\_\_\_\_  
(e.g., Mr. & Mrs. John Doe, John & Jane Doe, etc.)

4. Board policy states: "Parental consent shall not be required when a film or videotape will not leave the school district and is to be viewed only by staff responsible in that setting. Consent will normally not be required when "stock footage" of large groups of students (e.g., classroom groups, hallway shots, etc.) is being taped."

Do you wish your child to be excluded from being filmed or photographed in a general setting?  Yes  No

\_\_\_\_\_ Date

\_\_\_\_\_ Parent or Guardian Signature

If this form is not returned by \_\_\_\_\_, permission will be assumed to have been given.