

Memorandum of Understanding Between
Antelope Valley College Federation of Teachers (AVCFT)
And
Antelope Valley Community College District (DISTRICT)

This Memorandum of Understanding Agreement (MOU) is made as of the 7th day of January 2021 by and between the Antelope Valley College Federation of Teachers (“AVCFT”) and Antelope Valley Community College District (“DISTRICT”), collectively known as the “PARTIES” concerning the DISTRICT 's installation of new camera technology in classrooms.

1. The Parties agree that the "effects" of the DISTRICT 's installation of cameras inside of classrooms is a negotiable matter under the California Education Employment Relations Act (EERA).
2. The Parties also agree that AVCFT has a legitimate interest in protecting its unit members from capricious and unreasonable invasions of privacy and violations of their First Amendment, due process and EERA rights.
3. The Parties agree the DISTRICT has a legitimate interest in improving instructor’s ability to provide instruction to students by providing cameras as a form of “smart technology” in classrooms whenever feasible. Accordingly, the DISTRICT has determined that the installation of cameras with microphones in the classroom is a necessary means of assisting instructors with the delivery of synchronous and asynchronous remote education during the current pandemic and in the future.
4. The decision to use cameras to either broadcast and/or record in-class lectures is an issue of classroom management and thus is at the discretion and control of the instructor as provided by District policy and the law.
5. The DISTRICT shall not use the cameras to surveil activity by faculty or students in the classroom. Should a faculty member make a recording of a course lecture or other in class interaction using the camera in the classroom and a complaint is made to the DISTRICT that a violation of District policies or law is contained on the recording, the DISTRICT may review the recording and any recordings that support the alleged violation. Any information obtained in the DISTRICT’s review of the recording(s) which may lead to the disciplinary action of a bargaining unit member shall require the DISTRICT to adhere to due process in accordance with the collective bargaining agreement, and in such instances the DISTRICT shall provide AVCFT with a copy of the recording(s).
6. Faculty members who choose to utilize cameras in the classroom shall provide a lecture recording policy to each student in writing. The written notification to students shall be provided in advance and can be satisfied by including the policy in the course syllabus and/or other written

methods used to routinely communicate with students. When a class is being recorded by a web meeting platform, students will be notified by the software provided upon joining a recorded class session. If the instructor uses a recording method which does not provide automatic notification that the class session is being recorded, the instructor shall prominently post that the session is being recorded throughout the session.

7. Work product resulting from a recorded class meeting cannot be utilized by the DISTRICT for commercial purposes without the instructor's express written permission. For purposes of this paragraph, "work product" shall include the original thoughts and stories conveyed by the instructor and not generated by any other source.

Antelope Valley College Federation of Teachers



David Adams, Esq., Vice President/Lead Negotiator

01/07/2021

Date

Antelope Valley Community College District



Bridget Cook, Esq., Lead Negotiator

01/07/2021

Date



Edward Knudson (Jan 7, 2021 11:49 PST)

Ed Knudson, Superintendent President

01/07/2021

Date