



Administrative Policy
RECORDING OF MINORS
Administration – A207

Effective Date:

February 2011

Revised Date:

VIDEO AND VOICE RECORDING OF MINORS

Summary

In 2010, the State legislature added A.R.S. §1-602, the Parents' Bill of Rights. Subsection (A)(9) of the Parents' Bill of Rights states that parents have a right to consent in writing before a municipality makes a video or voice recording of their minor child subject to certain exceptions. This policy describes how the Town will utilize different methods to allow parents to exercise their rights as detailed below.

Consent and Notice Forms

The Town desires to fully comply with A.R.S. §1-602 and has developed several different methods to implement this statute, depending upon the context.

- 1) If a parent is required to fill out and sign a registration form for a minor to participate in a Town activity, the following language will be added to the registration form.

As the parent/guardian of the above listed minor, I understand that during the course of _____[activity]_____ the participants may be audio and/or video recorded and I consent to the above listed minor being audio and/or video recorded during his/her participation.

- 2) In situations where there is a small group of participants, but there is no preexisting registration form, the following language may be used to create a consent form:

Consent for Minor to be Audio and/or Video Recorded

I, _____[parent]_____, as the parent/guardian of _____[minor(s)]_____, a minor(s), agree to allow said minor(s) to appear and/or participate in Town of Payson activities including TOP Talk, Town Council Meetings, various boards, committees, and commission meetings, as well as Town sponsored educational and/or recreational activities. I further understand that these activities may be audio and/or video recorded and I hereby consent to the minor being audio and/or video recorded during his/her participation.

Signature of Parent/Guardian

Date



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- 3) In situations where there is a large group of participants and there is no preexisting registration form being used, a sign in sheet with appropriate language may be used. See attachment A.
- 4) In situations where there is a very large group of minors who are involved in a very small way, such as the girl scouts at a Council Meeting, a notice may be sent to the parents in lieu of an explicit waiver. See attachment B.

References

A.R.S. 1-602

Attachments

Attachment A – Sign In Sheet

Attachment B – Parent Consent form

Attachment C – A.R.S. 1-602



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Attachment A

_____ Sign In Sheet

Child Name (Print)	Parent Name (Print)	Parent Signature

By signing this sheet and allowing my minor child(ren) to participate, I agree to allow said minor(s) to participate in this activity. I further understand that this activity may be audio and/or video recorded and I hereby consent to the minor(s) being audio and/or video recorded during his/her participation.



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Attachment B

Attention Parents

In 2010, the Arizona Legislature added A.R.S. §1-602, the Parents' Bill of Rights. Under subsection (A)(9) of the Parents' Bill of Rights, subject to certain exceptions, a parent has the right to consent before a city or town makes a video or voice recording of any minor child.

TOP Talk, Town Council Meetings, and the various meetings of the Town's boards, committees, and commissions, as well as Town sponsored educational and/or recreational activities, are all audio and/or video recorded. Some of these activities are broadcast live, some are archived on the internet, and most all are recorded as an official record of the activity. In order to exercise your rights under the Parents' Bill of Rights, you may either file a written consent allowing your child to appear and be audio and/or video recorded at these activities or you may take action to ensure that your child is not present at these activities.

If you allow your child to be present at one of these activities and the Town does not have a written waiver, the Town will take notice that you have waived your rights under subsection (A)(9) of the Parents' Bill of Rights.

If you have any questions concerning this or you wish to obtain a written waiver, please feel free to contact _____ at 928-474-5242, Extension ____.



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Attachment C

1-602. Parents' bill of rights; definition

A. All parental rights are reserved to a parent of a minor child without obstruction or interference from this state, any political subdivision of this state, any other governmental entity or any other institution, including, but not limited to, the following rights:

1. The right to direct the education of the minor child.
2. All rights of parents identified in title 15, including the right to access and review all records relating to the minor child.
3. The right to direct the upbringing of the minor child.
4. The right to direct the moral or religious training of the minor child.
5. The right to make health care decisions for the minor child, including rights pursuant to sections 15-873, 36-2271 and 36-2272, unless otherwise prohibited by law.
6. The right to access and review all medical records of the minor child unless otherwise prohibited by law or the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released.
7. The right to consent in writing before a biometric scan of the minor child is made pursuant to section 15-109.
8. The right to consent in writing before any record of the minor child's blood or deoxyribonucleic acid is created, stored or shared, except as required by section 36-694, or before any genetic testing is conducted on the minor child pursuant to section 12-2803 unless authorized pursuant to section 13-610 or a court order.



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9. The right to consent in writing before the state or any of its political subdivisions makes a video or voice recording of the minor child, unless the video or voice recording is made during or as a part of a court proceeding, during or as part of a forensic interview in a criminal or child protective services investigation or to be used solely for any of the following:
 - a. Safety demonstrations, including the maintenance of order and discipline in the common areas of a school or on pupil transportation vehicles.
 - b. A purpose related to a legitimate academic or extracurricular activity.
 - c. A purpose related to regular classroom instruction.
 - d. Security or surveillance of buildings or grounds.
 - e. A photo identification card.
 10. The right to be notified promptly if an employee of this state, any political subdivision of this state, any other governmental entity or any other institution suspects that a criminal offense has been committed against the minor child by someone other than a parent, unless the incident has first been reported to law enforcement and notification of the parent would impede a law enforcement or child protective services investigation. This paragraph does not create any new obligation for school districts and charter schools to report misconduct between students at school, such as fighting or aggressive play, that are routinely addressed as student disciplinary matters by the school.
 11. The right to obtain information about a child protective services investigation involving the parent pursuant to section 8-807.
- B. This section does not authorize or allow a parent to engage in conduct that is unlawful or to abuse or neglect a child in violation of the laws of this state. This section does not prohibit courts, law enforcement officers or employees of a government agency responsible for child welfare from acting in their official capacity within the scope of their authority. This section does not prohibit a court from issuing an order that is otherwise permitted by law.



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C. Any attempt to encourage or coerce a minor child to withhold information from the child's parent shall be grounds for discipline of an employee of this state, any political subdivision of this state or any other governmental entity, except for law enforcement personnel.

D. Unless those rights have been legally waived or legally terminated, parents have inalienable rights that are more comprehensive than those listed in this section. This chapter does not prescribe all rights of parents. Unless otherwise required by law, the rights of parents of minor children shall not be limited or denied.

E. For the purposes of this section, "parent" means the natural or adoptive parent or legal guardian of a minor child.