

## Local Council Advisory

### Digital Safety in a Time of Increased Online Activity

As local councils and units use digital and online resources, such as video conferencing, to continue Scouting meetings, projects and advancement during the COVID-19 outbreak, the National Council is providing the following guidance. Note this guidance is not comprehensive and if it differs from the legal requirements of your state or local jurisdiction, please consult with your local council attorney.

- **BSA's youth protection policies apply to all online activities.** All online activities, including video and audio conferencing through platforms such as Zoom and Skype, must adhere to the BSA's current youth protection guidelines for digital communications, including the BSA's Digital Privacy guidelines (<https://www.scouting.org/training/youth-protection/>) and the BSA's Social Media Guidelines (<https://scoutingwire.org/social-media-guidelines/>). Because safety features and privacy controls vary widely from platform to platform, and out of respect for families' own preferences concerning social media usage, we strongly recommend using business-oriented conferencing platforms—for example, Zoom, Skype, GoToMeeting and others—to conduct online group activities instead of platforms intended for online gaming (e.g., Discord, Roblox, Twitch).
- **Safeguard personal information.** If you collect a person's personal information online—for example, through web forms used to register people for online meetings—then you should post a notice or disclosure at the point of collection describing how you will use the information. The notice should be conspicuous and written in plain English. Keep in mind, video conferencing platforms (e.g., Zoom) have their own privacy policies which apply to data collected through the platform (e.g., if the platform is hosting your web form). Organizers of Zoom and Skype meetings—for example, unit leaders and Merit Badge counselors—may obtain personal information about a youth, such as his or her name, phone number or email address. Meeting organizers must keep such information private and not share a youth's personal information with anyone else except that youths' parent or guardian or the unit leader responsible for recording advancements. For example, a Merit Badge counselor should not publicly post or otherwise disclose a roster containing personal information of Scouts who the counselor has worked with.
- **Recording online meetings is not authorized.** As a reminder, Scouting's Barriers to Abuse (<https://www.scouting.org/health-and-safety/gss/gss01/#a>) prohibits any one-on-one contact between an adult leader and youth members – in person, online, through a web conference, over the phone, via text, or in any other form. Electronic communication between adults and youth should always include another registered leader or parent. We believe our existing policy is the best way to protect youth and volunteers, and we do not believe recording online meetings would provide any additional material benefit. To the contrary, recording calls would *increase* personal risk as call recording is subject to various legal requirements under U.S. law and the laws of individual states, some of which require all parties to a call consent to recording. Considering those potential regulatory risks and the effect of BSA's existing policies, we are not authorizing the recording of online meetings.

- **Collecting personal information from youth under 13 is not recommended.** We advise against collecting personal information *directly from* youth under 13 years of age due to the parental notice and consent requirements under the Children’s Online Privacy Protection Act (“COPPA”). COPPA does not restrict the collection of personal information *about* a youth from his or her parent or guardian. For the purposes of COPPA, “personal information” includes first and last name; home or other physical address; screen name or username that functions as online contact information; telephone number; a social security number; or a photograph, video, or audio file containing the child’s image or voice.