

## **Electronic Surveillance of School Facilities and Grounds**

The School Board has a responsibility to maintain discipline, protect safety, security, and welfare of its students, staff and visitors while at the same time safeguarding district facilities, vehicles, and equipment. As part of fulfilling this responsibility, the School Board has authorized the installation of an electronic surveillance system (video camera system) within the school district facilities and grounds, specifically in the middle/high school building. Surveillance cameras shall be placed based on the presumption and belief that students, staff, and visitors have no reasonable expectation of privacy in areas or at events that occur in plain view of other students, staff, or visitors.

This system will be used exclusively for the purpose of maintaining a safe and orderly educational environment, for identifying disciplinary issues, for minimizing theft and vandalism and for enforcing school policies and rules. A separate transportation policy (EEACD) authorizes electronic surveillance of busses and school vehicles.

The video camera system shall be used according to the following guidelines.

### **Camera Location, Operation, and Control**

- The cameras will not be routinely/continuously monitored by an individual(s) except when specifically authorized by the superintendent in an emergency situation and only in compliance with state or federal law.
- Cameras are authorized for use in the following areas where the public, students, and staff have no reasonable expectation of privacy: entrances, hallways, commons, gymnasiums, parking lots, athletic fields, and the exterior of buildings. Under no circumstances will video cameras be used in any area where the public, students or staff have a reasonable expectation of privacy, including restrooms, locker rooms, and health rooms.
- No “dummy” cameras will be permitted, and all cameras will remain operational with the exception of regular maintenance, repair or in the case of network failure
- Public areas of District buildings and grounds including classrooms may be subject to limited term surveillance with authorization of the superintendent. Such approval shall be granted only in situations where the superintendent has reason to believe that a safe and orderly educational environment is at risk or to monitor areas where theft and vandalism are believed to be occurring.
- Surveillance cameras may have audio recording capabilities enabled if available and if authorized by the superintendent.
- Video surveillance will be used in accordance with all guidelines specified in this policy.

### **Notification of Use of Surveillance Cameras/Request for Recordings**

- The School District of Bonduel will post signs at all main entrances to the building stating that video surveillance cameras are in use but not continuously monitored.

- This policy shall be distributed through student and employee handbooks, district newsletters, on facility use request forms and by other reasonable means.
- Requests to view video recordings must be made to the building administrators within 10 days of the incident in question.
- Requests for copies of video records must be submitted in writing to the District Administrator with 10 days of the incident in question and the District has 45 days to provide the recording.

### **Use of Video Recordings**

- The School District of Bonduel may use video surveillance and the resulting recordings for inquiries and proceedings related to law enforcement, deterrence, and student discipline.
- The District reserves the right to provide copies of recordings to law enforcement agencies (or other third parties) as deemed appropriate by the superintendent and in compliance with appropriate federal and state laws.

### **Video Monitors and Viewing**

- Video monitoring for security purposes will be conducted in a professional, confidential, ethical and legal manner.
- Only individuals authorized by the superintendent or building administrators and law enforcement agencies shall have access to video monitors while they are in operation. This shall include Administrators, Director of Maintenance and Grounds, Director of Information Technology, Network Manager, director of Transportation, and School Resource Officer.
- The video camera system is to be used as a resource only for investigations. When a video recording becomes part of a student disciplinary action, the recording will become part of the student's behavioral record consistent with the District's records policy and procedures.
- All authorized individuals who have access to camera controls (such as pan, tilt and zoom) will not monitor individuals based on characteristics of race, creed, color, sex, national origin, sexual orientation, marital status, disability, public assistance status, age or inclusion in any group or class protected by state or federal law.

### **Protection of Information and Disclosure/Security and Retention of Recordings**

- Recordings will be kept no longer than fourteen (14) days or until such time that the storage area becomes full and then the oldest video segments are overwritten by the newest segments unless the investigation is still ongoing.
- No attempt shall be made to alter any part of a video recording.
- Video recordings that may be relevant to the investigation of an incident will be transferred to the mass storage area onto removable media such as CD or DVD.
- All saved video recordings shall be properly labeled (student name, date, time, incident type and number) and securely stored in a locked receptacle.
- A log shall be maintained of all episodes of access to, or use of recorded materials as defined in 34 CFR 99. 10. The log shall include 1) the video number and date of recording, 2) the name of the individual or agency that was given access to the

recording, 3) the date that access was given, 4) the reason that access was given, and 5) the date when access is no longer available to the individual or agency.

- Video records that contain personal information used to make a decision directly affecting an individual must be retained for a minimum of one year and may be retained by the School District of Bonduel indefinitely as a permanent archive.
- The School District of Bonduel will provide reasonable security measures to prevent unauthorized access to the electronic surveillance network; however, the School District cannot guarantee that access to the network through illegal methods is impossible.
- The School District of Bonduel will not destroy any recordings as long as there is an outstanding request to inspect and review them (34 CFR 99.10). The right to inspect is triggered only for those parents whose students are the cause for the retention of the video recordings. Parents of students “inadvertently” caught in the video do not have the right to inspect them. Please note, however, that if a student was not “involved” in the altercation prompting the disciplinary action, but happened to get pushed by one of the students in the fight, the pushed student’s parents have the right to review the video. The District must permit viewing of education records within a “reasonable” period of time, but in no case may it be longer than 45 days. (34 CFR 99.10)

#### **Disposal or Destruction of Recordings**

- Surveillance recordings need not be kept by the School District of Bonduel if there have been no identified incidents within view of the surveillance cameras. In these cases, there will be no permanent record of the recordings.
- All saved recordings shall be disposed of in a secure manner unless they are archived as part of a permanent record as stated in “*Protection of Information and Disclosure/Security and Retention of Recordings.*” Removable media shall be shredded, burned, degaussed, or otherwise made permanently unreadable.

#### Legal References/Legislation:

The Privacy Act of 1974.

The Electronic Communications Privacy Act (ECPA) of 1986.

The Patriot Act of 2001, which amended the ECPA and FISA.

20 USC 1232 (g)

34 CFR 99.3,4,5,7,8,10, 12 31

#### Cross Reference:

EEACD	Use of Video Cameras on School Buses
JO	Student Records

Adopted: October 15, 2007

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