

EEAA - VIDEO AND AUDIO SURVEILLANCE ON SCHOOL PROPERTY

Category R

*See also [ECAE](#), [EEA](#), [EEAE](#), [JICC](#),
[JICK](#)*

The Board authorizes the use of video recording devices on District property to ensure the health, welfare, and safety of all students, staff and visitors to District property; to safeguard District buildings, grounds, and equipment and to monitor student behavior. District property includes, but is not limited to, school buses, school parking lots, school hallways, classroom, fields, playgrounds, and common areas.

Additionally the Board authorizes the use of video and audio recording devices by the District on any or all buses or other vehicles used to provide transportation for District students. This includes buses that are owned by the District or contracted by the District for transportation of its students. The presence of video and audio recording devices on the bus shall be announced by signage displayed prominently on the bus. The School Board authorizes the Superintendent to establish and maintain guidelines and procedures for the retention and viewing of the recordings.

The Superintendent is authorized to approve appropriate locations for surveillance devices. Placement of the video cameras will be 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. Video cameras shall not be placed in areas where individuals have a reasonable expectation of privacy, such as bathrooms and locker rooms. All video recordings made pursuant to this policy are the property of the School District.

The Superintendent or his/her designee shall ensure that signs are prominently displayed on school property to notify students, staff and visitors that video cameras may be in use. Parents and students will also be notified through the student handbook. Students will be responsible for any violations of school rules caught on tape by cameras.

All recordings shall be retained for a period not to exceed ten (10) school days, unless the Superintendent or his/her designee determines that the recording is relevant to a disciplinary proceeding or a court order that it be retained for a longer period of time. At the end of the ten (10) school day period, recordings that

are not being retained for disciplinary proceeding or pursuant to a court order will either be discarded, erased, or over written. The term “disciplinary proceedings” includes, but is not limited to, disciplinary proceedings in accord with RSA 189:9-a and RSA 193:13, as well as personnel matters.

Videos containing evidence of a violation of student conduct rules and/or state or federal law will be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or applicable law. Any release or viewing of the video will be in accordance with the law. Recordings that are subject to a court order shall be retained for the duration required by the order. To the extent that they exist, relevant recordings shall be preserved in accord with applicable court rules and case law, upon receipt by the District of a notice of claim against the District. If the order does not contain a specific time period, then the recording may be discarded, erased or overwritten when its retention no longer appears to be necessary for such purpose and, in any case, shall be discarded, erased or overwritten once the legal proceeding has reached its end.

All recordings shall be considered confidential and shall not be routinely reviewed by District personnel or District contractors. Such recordings may be viewed only on an “as needed” basis and only by those individuals authorized by the Superintendent or his/her designee. Video recordings that will be used as part of a disciplinary proceeding are considered educational records under the Family Educational Rights and Privacy Act (“FERPA”), or personnel records and recordings will only be disclosed in accord with the applicable provisions of federal and state laws and regulations.

Adult students and parents of minor student against whom a recording is being used as part of a disciplinary proceeding will be permitted to view the portion of the recording that is relevant to the disciplinary proceeding. Employees against whom a recording is being used as part of a disciplinary proceeding will be permitted to view the portion of the recording that is relevant to the disciplinary proceeding. No other individuals shall be entitled to view the audiotape or listen to a recording without the express authorization of the Superintendent. The Superintendent or his/her designee shall be responsible for maintaining a log of the date and names of all individuals who viewed a recording or a portion of a recording.

The District's failure to make or preserve a recording of any incident occurring on District property shall have no bearing on the District's right to bring or defend any disciplinary or legal proceeding.

Legal References:

RSA 570-A:2. Interception and Disclosure of Telecommunication or Oral Communications Prohibited

[20 U.S.C. §1232g](#), *Family Educational Rights and Privacy Act (FERPA)*

[34 C.F.R. 99](#), *Family Educational Rights and Privacy Act Regulations*

Appendix: [JICC-R](#) & [EEA-R](#)

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