

EEAA - VIDEO AND AUDIO SURVEILLANCE ON SCHOOL PROPERTY

Category: Recommended

See also JIC, JICD

Video and Audio Surveillance

The Board authorizes the use of video and/or audio devices on District property to ensure the health, welfare, and safety of all students, staff and visitors to District property and to safeguard District buildings, grounds, and equipment. The Superintendent will approve appropriate locations for surveillance devices with recommendations from the Board and Community Council.

Signs will be posted on school buildings to notify students, staff and visitors that video and audio recording devices may be in use. At the Superintendent's discretion, parents and students may also be notified through the student handbook.

Live surveillance can only be used by authorized personnel with permission from building administrators or the Superintendent. The Superintendent may rescind authority at any time.

All persons will be responsible for any violations of school rules recorded .

The district will retain copies of recordings until they are erased, which may be accomplished by either deletion or copying over with a new recording. The Superintendent will consult with the Board to determine the retention timeline. .

Video and Audio Recordings Used for Student Discipline Matters

Recordings containing evidence of a violation of student conduct rules, school board policy, 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 review of the recording will be in accordance with the law.

In the event a recording is used as part of a student discipline proceeding, such recording may become part of a student's education record. If a recording does become part of a student's education record, the provisions of Policy JRA shall apply.

The Superintendent is authorized to contact the District's attorney for a full legal opinion relative to such an occurrence.

Video and Audio Recordings Used for Special Education Purposes

Recordings may be used for special education or Section 504 purposes, when a student's individualized education program or accommodation plan includes audio or video recording as part of the child's education. All such recordings will be maintained in accordance with the Family Education Rights and Privacy Act, 20 U.S.C. section 1232g, and other applicable law(s).

Other Purposes for Which Video and Audio Recordings May Be Used

The school board authorizes the superintendent to use video and/or audio recordings to the extent either required or prohibited by law.

Video and Audio Recordings Authorized

The school board permits the video or audio recording of the following school-related activities. The following purposes is not intended to be exhaustive and may be expanded or contracted by either administrative determination or school board action.

- Extracurricular/co-curricular activities
- Musical performances, band, concert band, ensemble, orchestra, choir
- Drama activities
- Club events
- Sporting events, including both inter and intra-scholastic
- Other activities such as student senate, yearbook, school pride, ROTC
- Ceremonies, orientation, presentations, school assemblies or meetings, or any school events which occur outside of the physical classroom.

NHSBA Note, September 2016: Amendments to this Sample Policy are necessary due to the passage of HB 1372, which amends RSA 189:68. These legislative amendments are issued to clarify legislative amendments to this statute last year, which limited the use of video and audio recording devices in classrooms.

The amendments to the Sample Policy are issued to clarify how and why video and/or audio recordings may be used within the school.

Legal References:

*RSA 189:65,
Definitions RSA
189:68, Student
Privacy RSA 570-A:2
20 U.S.C. §1232g, Family Educational Rights and Privacy Act (FERPA)
34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations
Appendix: JICC-R, EEA-R*

Reviewed and Approved – October 22, 2018