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Policy Title: Electronic Surveillance	Effective Date: August 16, 2017
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The board of trustees of Snake River School District No.52 authorizes the use of electronic surveillance on school premises to ensure the health, safety, and well-being of all staff, students, and visitors, and to safeguard district facilities and property. Electronic surveillance may be used in common areas as determined to be appropriate by the superintendent or designee.

DEFINITIONS

For the purposes of this policy, the following definitions apply:

“Common area” means any area within the school district that is not being used for instructional study or where there is no reasonable expectation of privacy, including but not limited to, hallways, auditoriums, cafeterias, libraries, gymnasiums, entrances, parking areas, and school transportation.

“District property” means any property owned or operated by the district including inside any district building or on district grounds and vehicles.

“Electronic surveillance” means video/digital components of multi-media surveillance systems, including but not limited to, cameras, recording units, tapes, CD/DVDs, camera phones, tablets, etc. All electronic surveillance shall be limited to video without recording sound so as to prevent any violation of Idaho wiretapping statutes.

NOTICE

This policy will serve as notice to staff and students that video surveillance may occur on school premises. Additional notice of the existence of electronic surveillance cameras may be posted at the entrance to any school building where such electronic surveillance may be in use. The building principal may notify students, staff and visitors at the beginning of each school year that the District will be monitored by Electronic Surveillance.

USE OF ELECTRONIC SURVEILLANCE

Electronic surveillance may be used to determine if staff, students, or visitors have violated board policies, administrative directives, building rules, or laws. Staff, students, or visitors may be subject to disciplinary action and/or referred to law enforcement regarding conduct captured by electronic surveillance.

The administration is authorized to determine the frequency that electronic surveillance will be reviewed as well as the placement and focus point of all cameras.

Surveillance cameras will not be placed in a classroom and used as part of a teacher evaluation without prior consent. In the event electronic surveillance is utilized in common areas where no expectation of privacy exists, such electronic surveillance may be used as part of an evaluation or discipline when appropriate.

EDUCATIONAL AND PERSONNEL RECORDS

Electronic surveillance video recordings in common areas made for the purpose of maintaining the physical security and safety of the school and where no expectation of privacy exists, shall not be part of a student’s educational record or a staff member’s personnel record. Electronic surveillance may, at the discretion of the superintendent, be made a part of a student’s educational record or a part of a staff member’s personnel record. Electronic surveillance may, at the discretion of the superintendent, be made a part of a student’s educational record or a part of a staff member’s personnel record. The disclosure of student educational records is governed by the Family Educational Rights and Privacy Act (FERPA) and Policy 8540, Student Records. Employee records are confidential pursuant to section 33-518, Idaho Code, and Policy 7570, Personnel Files.

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All electronic surveillance that is not made a part of the educational record or a part of the personnel record is a public record subject to public disclosure under section 74-101 (11), Idaho Code, for the duration that it is maintained. The district reserves the right to edit, including concealing identities, any electronic surveillance recordings to comply with applicable state and federal law prior to any release or disclosure.

RETENTION

The electronic surveillance recordings will be retained for a minimum of one (1) month. All recordings shall be disposed of in a secure manner. The district shall have no duty to retain electronic surveillance recordings longer than this retention period, unless a public record request is received. The superintendent or the designated district records custodian will be responsible to review a sample of electronic surveillance on a periodic basis.

Only the superintendent, principal, or individuals authorized by the superintendent or principal will have access to electronic surveillance recordings. All electronic surveillance recordings will comply with state and federal law, including Policy 8520, Student Data Privacy and Security Policy.



LEGAL REFERENCE:

Idaho Code Section 33-518 – Employee Personnel Files
 Idaho Code Section 33-133 – Definitions – Student Data – Use and Limitations – Penalties
 The Family Educational Rights and Privacy Act of 1974 (FERPA)

ADOPTED: 11/20/13

AMENDED: 08/16/17

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Electronic Surveillance System Operation

1. The Board or its administrators may use electronic surveillance: 1) to monitor and protect district property; 2) to foster the safety and security of students, staff, and visitors while at work or participating in school functions; 3) in response to specific inquiries and proceedings relating to law enforcement; and 4) when warranted, for specific student discipline. Electronic surveillance recordings may not be used for any other purposes.
2. Electronic surveillance will be utilized on school grounds and on buses as recommended by building administration and approved by the Superintendent. The district shall notify students, staff, and the public that electronic surveillance may occur on school property. Such notification will occur through incorporation in the school parent/student handbooks and through clearly written signs displayed near the main entrance of each school. Cameras may only be installed on buses with prior notice to drivers.
3. Electronic surveillance recording equipment will be installed prominently. Equipment should not monitor areas where the students, employees and public have a reasonable expectation of privacy, such as locker rooms and adult and student restrooms. Electronic surveillance equipment may be in operation 24 hours per day.
4. The use of electronic surveillance equipment on school grounds shall be supervised and controlled by the building Principal and/or School Resource Officer and on the school buses by the Superintendent or Transportation Supervisor. The building principal operates the system and maintains the recordings. Any further delegation should be limited and should include only administrative staff.
5. Electronic surveillance recordings should only be reviewed where there is a need to do so, either because an incident has been reported or is suspected to have occurred. Examples of such include, but are not limited to: incidents of property damage, theft, trespassing, personal injury, or student, staff or visitor altercations, etc.
6. Administrative staff and school resource officer assigned to the electronic surveillance system will be required to review and apply these regulations in performing their duties and functions related to operation of the system. All staff and students shall be made aware of the board's electronic surveillance policy. The regulations shall be incorporated into training and orientation programs. It shall be the responsibility of the Superintendent and school administration to review and update the regulations periodically.
7. Audio shall not be a part of the recordings made, reviewed, or stored by district staff.
8. Staff and students are prohibited from unauthorized use, tampering with or otherwise interfering with electronic recordings and/or electronic surveillance equipment and will be subject to appropriate disciplinary action. Disciplinary action shall be consistent with district standards.
9. The district shall provide reasonable safeguards including but not limited to password protection, well managed fire walls and controlled physical access to protect the surveillance system from hackers, unauthorized users and unauthorized use.
10. Electronic surveillance monitors shall be located in administrative offices at the school. Electronic surveillance monitors shall not be located in an area that enables public viewing. Parental requests to inspect electronic surveillance must be made in writing.
11. Electronic surveillance equipment will be used in accordance with all District Board Policies including the District's Nondiscrimination Policy.

Storage/Security

1. Electronic surveillance recordings will be stored for a minimum up to a maximum of 30 days after initial recording, where upon if the principal and/or designee know no reason for continued storage, such recordings will be released for erasure. The vehicle for storage will be dependent upon the type of system installed, which could vary from school to school and with the introduction of new technology.
2. Electronic surveillance recordings held for review of property or student incidents will be maintained in their original form pending resolution. Recordings will then be released for erasure, copied for authorized law enforcement agencies, or retained as necessary as part of the student's record in accordance with established procedures and applicable law.

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3. Every reasonable effort shall be made to preserve recordings up to the maximum of 30 days, excepting system failure or other unforeseen circumstances.

Requests To View Electronic Surveillance

Requests to review electronic surveillance recordings shall comply with all applicable state and federal laws and with Board Policy. All requests for review of electronic surveillance recordings that are considered an educational record will be as follows:

1. All viewing requests must be submitted in writing. Requests for viewing will be limited to those parents/guardians, students and/or district officials with a direct interest in the proceedings as authorized by the principal and only the portion of the electronic surveillance recording concerning the related specific incident will be made available for viewing.
2. Written requests for viewing shall be made to the principal.
3. Approval/denial for viewing will be made within five school days of receipt of the request and so communicated to the requesting individual.
4. Electronic surveillance recordings will be made available for viewing within three school days of the request approval.
5. Actual viewing will be permitted only at school-related sites including the school buildings or other locations authorized by the superintendent, or district office.
6. All viewing will include the building principal or his/her designee.
7. A written log will be maintained of those viewing electronic surveillance recordings including the date of viewing, reasons for viewing, date the recording was made, location at school or district office, and signature of the viewer.
8. Electronic surveillance recordings will remain the property of the district and may be reproduced only in accordance with the law, including applicable Board policy and regulations.

Student Records

1. Electronic surveillance recordings may become a part of a student's educational record. The district shall comply with all applicable state and federal laws and district Board Policies related to record maintenance and retention.
2. Parents/students and the public will not be specifically notified when electronic surveillance is in use.

(This page must be printed on the back of 8540F)

Category: 8000 Students	Procedure or Form Number: 5270 F #1
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Policy Title: Request to Inspect Electronic Surveillance Recordings	Effective Date: August 16, 2017
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Please read the information on the back of this form.

We the undersigned as parents or legal guardians, student age eighteen (18) or older, request to inspect the electronic surveillance tape of:

Incident: _____

Date of Recording: _____

School: _____

_____ **(date)**.

Signature: _____

Date of Request: _____