

USE OF VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

The District has approved use of video surveillance and electronic monitoring equipment at its facilities and sites for the purpose of, but not limited by enumeration to, maintaining a safe and orderly educational environment, for identifying disciplinary issues, for minimizing theft and vandalism, to protect District property and building security, and for enforcing district/school policies, procedures and rules.

ADOPTED: December 14, 2016

REVISED:

LEGAL REFS: 19.31 - 19.39, 118.125 Wis. Stats.
FERPA 20 U.S.C. 1232g
34 C.F.R. 99.1-99.67
Title I of the Electronic Communication Privacy Act of 1986 18 U.S.C. 2510-2521

CROSS REFS: Policy JO - Student Records
Policy JFC - Student Conduct
Policy EB - School Safety Program
Policy JFGA – Locker Searches
Policy KBG - Access to Public Records

REVIEW DATE: December 14, 2016

USE OF VIDEO SURVEILLANCE AND ELECTRONIC MONITORING GUIDELINES

The Superintendent or designee is responsible for determining where to install and operate fixed-location video surveillance/electronic monitoring equipment in the District. Such video surveillance/electronic monitoring equipment will not be used to make an audio recording of conversation occurring on school grounds or in school facilities.

Dummy cameras are not permitted. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner in places and locations where students, staff and visitors would lack a reasonable expectation of privacy. Video surveillance/electronic monitoring equipment, pursuant to the terms contained within this policy, may be placed in common/public areas in school buildings (e.g. school hallways, entryways, the front office where students, employees and visitors are permitted to freely come and go, gymnasiums, cafeterias, libraries), school parking lots and other outside areas. Video surveillance/electronic monitoring equipment shall not be used in areas where persons have a reasonable expectation of privacy, such as restrooms, locker rooms, or changing areas. School administration and authorized school staff are permitted to carry and use portable video cameras when responding to incidents.

Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary and/or legal action.

Notice shall be placed at the main entrance to buildings and in the areas where video surveillance/electronic monitoring equipment is in use to notify people that their actions/behavior are being monitored/recorded. Such notification shall state that although video surveillance/electronic monitoring is in use, no duty of care to immediately respond is transferred or implied by the use of video surveillance/electronic monitoring.

The video surveillance/electronic monitoring systems will not be continuously or routinely monitored. Only individuals authorized by the Superintendent or designee or the building principal(s) may view recordings, unless otherwise required by law. The Superintendent or designee may authorize law enforcement to view and/or monitor video surveillance/electronic monitoring live streaming broadcasts. The Superintendent or designee may further authorize law enforcement in an emergency situation to view and/or monitor video surveillance/electronic monitoring recordings onsite or remotely if the Superintendent or designee determines that such disclosure protects the health and/or safety of any individual.

Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the District's schools and facilities, and for law enforcement purposes, and not for any other purposes. As such, recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceeding or criminal proceeding, subject to District policy and procedures. Further, such recordings may become a part of a student's education record or staff member's personnel file.

The District will not use video surveillance/electronic monitoring equipment to obtain information for the purpose of routine staff appraisal/evaluation or monitoring.

Recordings of students will be treated as confidential. Consequently, because the Board is bound by Wisconsin Pupil Records Statute and the Family Educational Rights and Privacy Act (FERPA), copies of video recordings containing personal identifiable information about students shall not be released except to school officials with legitimate educational interests. Parents or guardians of minor students, and students who are eighteen (18) years of age or older, who are charged with disciplinary violations may view relevant portions of any video recording related to the charge, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e. the privacy rights of any other students whose images appear on the recording). Likewise, school personnel may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e. the privacy rights of any students whose images appear on the recordings). Otherwise, such confidential recordings shall only be released through subpoena or court order.

The District shall maintain video surveillance/electronic monitoring recordings for a limited period. Such period shall not be for less than thirty (30) days and such retention schedule shall be approved by the State's Public Records Board.

Video surveillance/electronic monitoring recordings that are a pupil's behavioral record, employee disciplinary record or for other reasons as established by state or federal law will be retained in accordance with such record retention requirements. Video surveillance/electronic monitoring recordings that are a pupil's behavioral record will be digitally segregated for confidentiality and authenticated approved access.

Notification of this policy shall be communicated through student and employee handbooks, district newsletters, and by other reasonable means.

12/14/16