

## **VIDEO AND AUDIO SURVEILLANCE ON SCHOOL PROPERTY**

### **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. 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. However, such devices are not to be placed in bathrooms or locker rooms.

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.

All persons will be responsible for any violations of school rules caught on tape by cameras.

The district will retain copies of video 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 necessary personnel to determine how and when such recordings should be deleted.

### **Video and Audio Recordings Used for Student Discipline Matters**

Videos/audios 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 viewing of the video will be in accordance with the law.

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If an audio or video 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 in the event of such an occurrence.

### **Video and Audio Recordings Used for Special Education Purposes**

Video and audio 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 and 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*

Revised: September 2016

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