

## Raymond School District Policy – EEAA

### VIDEO AND AUDIO SURVEILLANCE ON SCHOOL PROPERTY

The Board authorizes the use of video and/or audio devices consistent with applicable law and School Board policies. Notwithstanding other Board policies, the Superintendent is authorized to allow video and/or audio recordings to the extent allowed by applicable law.

#### **Surveillance.**

Video surveillance is authorized on District property, including, without limitation, school buses and other district provided transportation, to ensure the health, welfare, and safety of all students, staff, and visitors to District property and to safeguard District buildings, grounds, and equipment.

##### **1. Audio Surveillance.**

**Although video surveillance is permissive, surveillance with audio recording is only permitted on school buses – whether such buses are operated by the District or not - in accordance with RSA 570:A-2, II (k) and Board policy ECAF. Audio recordings are also authorized in classrooms per Section D below.**

##### **2. Video Surveillance.**

The Superintendent or his/her designee will approve appropriate locations for surveillance cameras. Placement of 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 dressing or locker rooms.

Signs will be posted on school property to notify students, staff, and visitors that video recording devices may be in use. (More specific notice is required for audio recordings on school buses as provided under Board policy ECAF.) At the Superintendent's discretion, parents and students may also be notified through the Student Handbook as well as the District and school websites. All persons will be responsible for any violations of school rules recorded 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.

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

Video/audio recordings in District possession, whether or not recorded by District equipment, that contain 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 recording will be in accordance with the law. Notwithstanding this paragraph, use of video/audio surveillance on school buses shall be in accordance with Policy ECAF.

In the event any audio or video recording (from whatever source) is used as part of a student discipline proceeding, such video may become part of a student's education record. If recording does become part of a student's education record, the provisions of Policy JRA shall apply. (In accordance with RSA 570:A-2 and Board policy ECAF, retention and use of audio recordings gathered via bus surveillance have stricter requirements than video only or recordings from non-District sources.)

**B. 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).

**C. Additional Video and Audio Recordings Authorized.**

The school board permits the video and audio recording of the following school-related activities. The following purposes are 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.

**D. Consultation with Counsel.**

The Superintendent (and other administrators if the Superintendent is unavailable) is specifically authorized to seek and obtain legal advice from the School Board/District's attorney with respect to any new use of surveillance or audio recordings, and/or relative to the use, sharing, ownership, retention and/or destruction of video or audio recordings.

~~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.~~

~~Classroom recordings are governed by RSA 189:68, IV.~~

~~Signs will be posted on school buildings to notify students, staff and visitors that video cameras may be in use. At the Superintendent's discretion, parents/guardians 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.~~

~~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.~~

~~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 individual 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 Records 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 list 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 for student council, yearbook, school pride~~
- ~~● Ceremonies, orientation, presentations, school assemblies or meetings, or any school events.~~

#### Legal References:

RSA 189:65, Definitions

RSA 189:68 Student Privacy

RSA 570-A:2

34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations

20 U.S.C. §1232g, Family Educational Rights and Privacy Act

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