

PRELIMINARY DRAFT – JANUARY 26, 2010

Board of Education District 97

VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

In order to promote student and staff safety, and deter unauthorized access and destructive acts (e.g., theft and vandalism), the Board of Education authorizes the use of video surveillance and electronic monitoring equipment 24 hours a day, seven days a week on school property and in school buildings, as well as during times when school buses are in use. Information obtained through video surveillance/electronic monitoring may be used to identify intruders and persons breaking the law, enforce Board policy, the Effective Student Behavior Handbook and school rules (i.e., it may be used as evidence in disciplinary actions and criminal proceedings).

The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order and protecting students, staff, visitors, the school and property. Video surveillance/electronic monitoring systems serve to complement other means being employed in the District to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a video surveillance/electronic monitoring system does not replace the need for the ongoing vigilance of the school staff assigned by the building principal to monitor and supervise the school building. Rather, the video surveillance/electronic monitoring system serves as an appropriate and useful tool with which to augment and support the efforts of staff to provide a safe environment and positive climate within the building. The building principal is responsible for verifying that due diligence is observed in maintaining general campus security.

The Superintendent or designee is responsible for determining where to install and operate fixed location video surveillance/electronic monitoring equipment in the District. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner.

Video surveillance/electronic monitoring equipment may be placed in:

- Common areas in school buildings (e.g., school hallways, entryways, publically-located locker bays, 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, and in school buses=

Video surveillance/electronic monitoring equipment shall not be used in the following areas:

- Restrooms
- Locker rooms
- Changing areas
- Private offices
- Conference/meeting rooms
- Individual classrooms

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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 action.

Legible and visible signs 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 24 hours a day, seven days a week. Additionally, the Superintendent is directed to annually notify staff, parents, and students of the use of video surveillance/electronic monitoring systems in their schools.

Any information obtained from video surveillance/electronic monitoring systems be used to support the school's efforts to maintain an orderly, positive climate, and for law enforcement purposes. The recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in disciplinary proceedings, administrative proceedings or criminal proceedings, subject to Board policy and regulations.

Under no circumstances will video surveillance/electronic monitoring equipment be used to make an audio recording of conversation occurring on school grounds or property or on buses.

Use of Video Recordings

- Any information obtained from video surveillance/electronic monitoring systems shall be used to support the school's efforts to maintain an orderly, positive climate, and for law enforcement purposes.
- The recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in disciplinary proceedings, administrative proceedings or criminal proceedings, subject to Board policy and regulations
- Video recordings of students, staff, or others may be reviewed or audited for the purpose of determining adherence to Board of Education policy and school rules.
- The Board of Education may use video surveillance of students, staff, and others to detect or deter criminal offenses that occur in view of the camera.
- Video recordings may be released to third parties or applicants in conformance with the provisions contained in applicable state and federal statutes and laws.
- The Board of Education or its administrators may use video surveillance and the resulting recordings for inquiries and proceedings related to law enforcement, deterrence, and student discipline.
- The Board of Education or its administrators will not employ the video surveillance system in instructional observations on professional staff.
- The Board will not use video surveillance/electronic monitoring equipment to obtain information for the purpose of routine staff appraisal/evaluation or monitoring.

Protection of Information and Disclosure/Security and Retention of Electronic Video Data (Includes Diskettes, CD-ROM, etc.)

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Recordings of students will be treated as confidential. Consequently, because the Board is bound by the Illinois Student Records Statute 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, 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). When students are involved, their images may be pixilated to protect their rights and ensure their privacy in accordance with the Family Educational Rights and Privacy Act (FERPA). Otherwise, such confidential recordings shall only be released through subpoena or court order.

- All video electronic data not in use should be securely stored.
- All video electronic data that have been used for the purpose of this policy shall be numbered and dated and retained according to the camera site.
- The superintendent of schools or principal of the affected school must authorize access to all video electronic data.
- Documentation shall be maintained of all episodes of access to, or use of recorded materials.
- Video electronic data will be erased normally on a monthly basis. Video electronic data that contain personal information used to make a decision directly affecting an individual, however, may be retained for a longer period of time as needed.
- The Superintendent or principal of the affected school shall ensure that a video electronic release form is completed before disclosing video surveillance electronic data to appropriate authorities or third parties. Any such disclosure shall only be made in accordance with applicable legislation. Such release forms should include the individual or organization who is requesting the video electronic data, the date of the occurrence and when or if the video electronic data will be returned or destroyed by the authority or individual after use.

The Board shall maintain video surveillance/electronic monitoring recordings for a limited period. Any request to view a recording under this policy must be made within 30 days of the event/incident and within seven days of notification that the event/incident has taken place. Unless a formal complaint is being investigated, recordings shall be destroyed after 30 days. If, however, action is taken by the Board/administration, as a result of a formal complaint or incident, recordings shall be kept for a minimum of one (1) year from the date of the action taken.

This policy does not address or cover instances where school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting), or an isolated

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instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional and/or research purposes is permitted and is not addressed by this policy.

The Superintendent or designee is directed to develop administrative guidelines to address the use of video surveillance/electronic monitoring equipment in school buildings, school buses and on property owned and/or operated by the Board.

Video surveillance is to be implemented in accordance with this policy and the related guidelines.

Within the first year of implementation, the Superintendent or designee shall conduct a monthly review to verify that this policy and its implementing guidelines are being adhered to, and report to the Board on the impact and outcomes of the use of video surveillance/electronic monitoring equipment in the District. In subsequent years, this review and report will be conducted on a quarterly basis.

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