

## **VIDEO SURVEILLANCE AND ELECTRONIC MONITORING**

The Board authorizes the use of video surveillance and electronic monitoring equipment at various facilities and school sites throughout the District, and on school buses. Wherever the terms video surveillance or electronic monitoring are used, such reference includes both video and audio surveillance as possible technologies employed.

The District Administrator 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, the front office where students, employees, and visitors are permitted to freely come and go, gymnasiums, cafeterias, libraries), the school parking lots and other outside areas, and in school buses. Except in extraordinary circumstances and with the written authorization of the District Administrator, video surveillance/electronic monitoring equipment shall not be used in areas where persons have a reasonable expectation of privacy (e.g. restrooms, locker rooms, changing areas, private offices (unless there is express consent given by the office occupant), or conference/meeting rooms), or in individual classroom during instructional times.

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 entrances to buildings and in the areas where video surveillance/electronic monitoring equipment is in use to notify people that their action/behavior are subject to being monitored/recorded, which may include video footage, audio recording, or both. Additionally, the District Administrator is directed to annually notify parents and students through the Student Handbook and staff via the Staff Handbook, of the use of video surveillance/electronic monitoring systems in their schools, which may include either video or audio footage, or both. In cases approved by the District Administrator, camera surveillance may be used for investigatory purposes without staff, student, or public notice if the usage is calculated to further investigation into misconduct believed to have occurred or believed to be ongoing.

Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the School 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 proceeding, administrative proceeding or criminal proceeding, subject to Board policy and regulations. Further, such recordings may become a part of a student's education record or staff member's personnel file.

The Board will not place video surveillance/electronic monitoring equipment for the purpose of obtaining information for routine staff appraisal/evaluation or monitoring;

however, video footage captured in the normal course of surveillance which shows information pertinent to staff performance or conduct may be used for that purpose.

Recordings that capture students may be student records and as such will be treated as confidential, subject to the Board's public records and student records policies.

### **Retention, Secure Storage, Access to and Disposal of Video Recordings**

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 seven (7) days of the event/incident in order to assure its availability. Inquiries after that time period may be available depending on current retention capabilities. Unless a recording is separated and maintained for some reason by the District, any recording may be destroyed after seven (7) days. If, however, action is taken by the Board/administration, as a result of a formal complaint or incident, recordings shall be kept consistent with the Board's record retention policy depending on the nature of the video record retained, but for a minimum of one (1) year from the date of the action taken. Recordings may also be kept beyond the normal retention period if they are going to be utilized for training purposes.

Video recordings, if stored on a removable/portable device or on a locally hosted server, when not in use, shall be stored in a locked, fire-resistant cabinet or room in an area to which students and the public do not normally have access. The recordings must be clearly and properly labeled and entered into a storage log. Any video data stored on a cloud-based server system must be stored pursuant to a vendor agreement that assures the confidentiality of data accessible only to school officials.

Access to and viewing of video recordings is limited to authorized personnel. The Building Principal is responsible for maintaining a proper audit trail for all video recordings (i.e., logs must be maintained of all instances of access to, and use of, recorded material – the log must document the person accessing the recording, the date and time of access, and the purpose). The Building Principal shall approve requests for access to recorded and stored video images. The Building Principal may authorize the viewing of recorded images in the event of an ongoing law enforcement investigation, an incident involving property damage or loss, or for other reasons deemed appropriate.

Video files should not be transmitted electronically to sources outside the District except as required or permitted by law and only with the approval of the District Administrator.

All video surveillance/electronic monitoring recording media shall be considered legal evidence and treated as confidential or as directed by Board counsel. The release of original video recordings to individuals or outside agencies may only occur pursuant to subpoena or court order after the same has been reviewed by Board counsel.

Original video recordings shall never be edited or manipulated in any manner. When video recordings are requested by any law enforcement agency as part of an ongoing investigation, a duplicate may be provided for that purpose. The original media shall be protected from accidental overwrite or erasure during the duplicating process. Nothing in this paragraph prohibits the redaction of personally identifiable information from duplicated media when mandated by FERPA.

Video recordings may never be sold publicly, viewed or distributed in any other fashion except as provided for by Board policy and consistent with State and Federal law.

Devices containing video recordings, scheduled to be destroyed must be securely disposed of in such a way that the personal information cannot be reconstructed or retrieved (e.g. shredding, burning, magnetically erasing the personal information).

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

Video surveillance is to be implemented in accordance with this policy and consistent with the school safety plan. The Board will not accept or tolerate the improper use of video surveillance/electronic monitoring equipment and will take appropriate action in any cases of wrongful use of this policy.

Adopted: March 14, 2022  
Revised:

Legal References: Wisconsin Statutes: 19.31-19.39, 118.125  
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