

Adopted: May 11, 2015

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712 VIDEO SURVEILLANCE (OTHER THAN ON BUSES)

I. PURPOSE

Maintaining the health, welfare, and safety of students, staff, and visitors while on school district property and the protection of school district property are important functions of the school district. The behavior of individuals who come on to school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school district property. The school board recognizes the value of video/electronic surveillance systems in monitoring activity on school property in furtherance of protecting the health, welfare, and safety of students, staff, visitors, and school district property.

II. GENERAL STATEMENT OF POLICY

A. Placement

1. School district buildings, grounds and school district owned vehicles may be equipped with video cameras.
2. Video surveillance may occur in any school district building, on any school district property or school district vehicle.
3. Video surveillance will normally not be used in bathrooms or locker rooms, although these areas may be placed under surveillance by individuals of the same sex as the occupants of the bathrooms or locker rooms. Video surveillance in bathrooms or locker rooms will only be utilized in extreme situations, with extraordinary controls, and only as expressly approved by the superintendent.
4. Employees of the school district may not create videos on cell phones or other personal devices.

B. Use of Video Recordings

1. Video recordings will be viewed by authorized school district personnel on a random basis and/or when problems have been brought to the attention of the school district. Video recordings of employees may only be reviewed by Administration, Human Resources or direct supervisors.
2. A video recording of the actions of students may be used by the school district as evidence in any disciplinary action brought against any student arising out of the student's conduct in school district buildings or on school grounds.

3. A video recording of the actions of employees may be used by the school district as evidence in any disciplinary action brought against any employee arising out of the employee's conduct in school district buildings or on school grounds.
4. A video recording of the actions of visitors to school sites may be used by the school district as evidence in any trespass or legal action brought against any visitor arising out of the visitor's conduct in school district buildings or on school grounds.
5. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13, and the Family Educational Rights and Privacy Act, 20 United States Code section 1232g, and the rules and/or regulations promulgated thereunder. Video recordings are considered private educational data and/or confidential investigative data and will not be disclosed except as permitted by law. This means videos may only be reviewed by Administration, Human Resources or direct supervisors and will not be shared with any other parties unless legally compelled to do so.

C. Security and Maintenance

1. The school district shall establish appropriate security safeguards to ensure that video recordings are maintained and stored in conformance with the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13, and the Family Educational Rights and Privacy Act, 20 United States Code section 1232g, and the rules and/or regulations promulgated thereunder.
2. Any video recordings that are created on school district property, other than the video surveillance, are also subject to be maintained and stored in conformance with the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13, and the Family Educational Rights and Privacy Act, 20 United States Code section 1232g, and the rules and/or regulations promulgated thereunder.
3. The school district shall ensure that video recordings are retained in accordance with the school district's records retention schedule.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.585 (Notice of Recording Device)
Minn. Stat. § 138.17 (Government Records; Administration)
Minn. Stat. § 609.746 (Interference with Privacy)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)

MSBA/MASA Model Policy 711 (Video Recording on School Buses)