R 7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS (M)

In order to enhance a safe and secure environment, the Board authorizes electronic surveillance devices to be used in school district buildings and on school grounds.

A. Recording and Notice

1. Surveillance devices may include, but are not limited to, sound/video cameras, audio recording devices, and other appropriate devices.

2. Recordings may be used to monitor and observe the conduct of school district staff, students, community members, and other person(s) in school buildings or on school grounds.

3. Signage will be posted in a prominent public place in school buildings and on school grounds where electronic surveillance equipment may be used.

B. Student Records and Notice

School district personnel will comply with the provisions of applicable law regarding student record requirements including the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA). Recordings considered for retention, as a part of a student's behavioral record, will be maintained in accordance with established student record procedures governing access, review, and release of student records.

C. Staff Records and Notice

1. Recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established Board personnel policies, administrative regulations, applicable law, and any labor agreements governing access, review, and release of employee personnel records.

2. The district will provide notice to students, parent(s), and school staff members that surveillance devices may be used in school buildings and on school grounds.

D. Storage/Security

1. All recordings will be stored by the Superintendent or designee and secured to ensure confidentiality.

2. Recordings will be retained in accordance with the New Jersey Department of the Treasury – Records Management Services – Records Retention Schedules and will be erased or discarded, unless there is a legitimate reason for retaining such recording for review, upon receiving prior authorization from Records Management Services.

E. Use

1. The determination of the location of surveillance devices shall be made by the Superintendent or designee.

2. Tampering with or otherwise interfering with surveillance equipment is prohibited. Any individual found tampering with equipment shall be subject to discipline.

F. Viewing or Listening

1. Initial viewing or listening to recordings will be done by the Building Principal.

2. Requests for viewing or listening will be limited to persons with a direct interest in any proceedings, disciplinary or otherwise, resulting from the recordings, as deemed appropriate by the Building Principal.

3. Only the portion of the recording concerning a specific incident will be made available for viewing.

4. Viewing or listening to the recording will be permitted on school property or as otherwise required by law.

5. All viewing will be in the presence of the Building Principal.

6. A written log will be maintained by the Building Principal or designee, of those viewing video recordings including date of viewing, reason for viewing, the date the recording was made, and the signature of the viewer.

7. Video recordings remain the property of the school district and may be reproduced only in accordance with law, including applicable district student records policy and procedures and district personnel records policy, procedures and applicable labor agreements.

G. Law Enforcement Memorandum of Understanding (MOU)
(N.J.S.A. 18A:41-9)

1. In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school district is equipped with video surveillance equipment that is capable of streaming live video

wirelessly to a remote location, the Board of Education shall enter into a MOU with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video during an emergency situation. The MOU shall include, but need not be limited to, the following:

a. A list of designated persons, including contact information, position, rank, and supervisor's contact information, of those who are authorized to activate the equipment to view the live streaming video. The list may be executed as a confidential attachment to the MOU;

b. Description of the emergency circumstances under which the designated individuals could activate and view live streaming video; and

c. A detailed plan for preventing and detecting unauthorized access to live streaming video.

2. In the case of a school building that is located in a municipality in which there is no municipal police department, the Board shall enter into a MOU with an entity designated by the Superintendent of the State Police.

3. In the event the district and law enforcement authority are unable to reach an agreement regarding any provision required to be included pursuant to G.1.a.-c. above, the County Prosecutor shall make the final determination.

4. Nothing in N.J.S.A. 18A:41-9 shall be construed as to require the installation of video surveillance equipment capable of streaming live video wirelessly to a remote site from a school building that is not equipped with such equipment.

H. Purchase, Maintenance, Replacement of Equipment/Supplies

1. The School Business Administrator/Board Secretary or designee will be responsible for the purchase, maintenance, and replacement of all electronic surveillance devices.

Adopted: February 15. 2018
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