

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

Video Surveillance

Video surveillance provides a tool for monitoring activity on School Board property to further protect the health, welfare, and safety of students, staff, and visitors. Video surveillance is a valuable deterrent to inappropriate behavior and is a significant factor in protecting school division assets. This system shall not replace the need for the ongoing vigilance of school supervision/security staff. School administrators shall ensure that due diligence is observed in maintaining general campus security.

A. Camera Location, Operation and Control

1. Placement of cameras is restricted to public areas.
2. Areas chosen for surveillance shall be where surveillance is a necessary and viable deterrent.
3. Cameras will not monitor areas where people have a reasonable expectation of privacy (e.g. change rooms and restrooms).
4. Surveillance cameras are to be used to deter incidents of theft, violence, vandalism or other breaches of security.
5. Only authorized personnel shall have access to the monitor operation controls.
6. The video camera surveillance system will be in operation virtually 365 days a year and 24 hours per day. However, at the school division's discretion, video camera surveillance may be suspended without notice.

B. Protection of Information and Disclosure

1. Security and retention of recordings
 - a. Only those authorized by the Superintendent/designee, Principal/designee, Director of Safety and Loss Control, or Director of Transportation shall have access to the recordings.
 - b. Video monitoring of buildings or areas for security purposes shall be retained for thirty (30) calendar days and then disposed of. Copies of video monitoring preserved as evidence for student hearings or court cases will be made part of the student's educational record, or the investigative file.

- c. Copies of recordings of incidents subject to investigations, court cases or due process hearings must be retained until resolved.

2. Video Monitors

- a. The video monitors shall be in a controlled access area or a privacy screen should be utilized as needed to block public view of the video monitor.
- b. Only an administrator, authorized staff members, **contractors**, or police officers shall have access to the video monitors while they are in operation.

C. Use of Information Collected

1. Video surveillance may be used for inquiries and proceedings related to law enforcement, **administrative investigations, lawsuits, and** student and employee hearings. Video used as evidence for law enforcement purposes, **administrative investigations, or lawsuits** may not be altered.
2. Videotape/film of students is considered part of a student's educational record and therefore, viewing of a videotape must adhere to regulations of the Federal Educational Rights and Privacy Act (FERPA).
 - a. ~~A video can only be shown to unauthorized persons if the school division receives consent from the adult student or parents/guardians of the other minor students visible in the videotape. A video that is an educational record may only be disclosed to individuals who have a legitimate educational interest in viewing it. Adult students or Pparents/guardians of minor students(or the adult student) may view a video when it directly relates to their own child or themselves, even if other students appear in the recording. The school division is not required to obtain consent from the parents of those other students. However, disclosing the video to any individual who does not have a legitimate educational interest—and who is not the parent/guardian or eligible student—does require prior written consent.~~
 - b. A copy of a video recording can be released to appropriate authorities **in accordance with applicable law**. Prior to release of a recording, a Video Surveillance Release Form shall be completed to document who took the recording, when this occurred and whether the recording will be returned or destroyed by the authorities after use.
 - c. A videotape of athletic events, concerts, and plays **or similar events** does not hold the same confidentiality because they are public events and therefore can be shown. At the **Sschool Ddivision's** discretion, recordings of students that do

not involve disciplinary or other confidential information, i.e., hallways, playgrounds, parking lots, etc., may be released without consent of the parties shown on the recording.

Legal Reference

The Family Educational Rights and Privacy Act, 20 U.S.C. § 1230, 1232 g, 34 C.F.R. Part 99, as amended.

Code of Virginia § 18.2-386.1, as amended. Unlawful filming, videotaping or photographing of another.

Code of Virginia § 22.1-289, as amended. Scholastic Records.

Virginia Department of Education Regulations, 8 VAC 20-671-670, as amended. Videotaping.

Adopted by the Superintendent: June 25, 2008

Revised by the Superintendent: September 28, 2011

Revised by the Superintendent: 2025

Policy and Regulation Approval page attachment

Regulation 3-64.2 Video Surveillance

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01/08/2026
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