

## Policy 8400

### Non-Instructional Operations

#### Electronic Surveillance

The board of trustees of the McCall-Donnelly School District No authorizes the use of electronic surveillance on school premises to ensure the health, safety, and well-being of all staff, students, and visitors, and to safeguard district facilities and property. Electronic surveillance may be used in common areas as determined to be appropriate by the superintendent or designee.

#### DEFINITIONS

For the purposes of this policy, the following definitions apply:

“Common area” means any area within the school district that is not being used for instructional study or where there is no reasonable expectation of privacy, including but not limited to, hallways, auditoriums, cafeterias, libraries, gymnasiums, entrances, parking areas, and school transportation.

“District property” means any property owned or operated by the district including inside any district building or on district grounds and vehicles.

“Electronic surveillance” means video/digital components of multi-media surveillance systems, including but not limited to, cameras, recording units, tapes, CD/DVDs, camera phones, tablets, etc. All electronic surveillance shall be limited to video without recording sound so as to prevent any violation of Idaho wiretapping statutes.

#### NOTICE

This policy will serve as notice to staff and students that video surveillance may occur on school premises. Additional notice of the existence of electronic surveillance cameras may be posted at the entrance to any school building where such electronic surveillance may be in use. The building principal may notify students, staff and visitors at the beginning of each school year that the District will be monitored by Electronic Surveillance.

#### USE OF ELECTRONIC SURVEILLANCE

Electronic surveillance may be used to determine if staff, students, or visitors have violated board policies, administrative directives, building rules, or laws. Staff, students, or visitors may be subject to disciplinary action and/or referred to law enforcement regarding conduct captured by electronic surveillance.

The administration is authorized to determine the frequency that electronic surveillance will be reviewed as well as the placement and focus point of all cameras.

Surveillance cameras will not be placed in a classroom and used as part of a teacher evaluation without prior consent. In the event electronic surveillance is utilized in common areas where no expectation of privacy exists, such electronic surveillance may be used as part of an evaluation or discipline when appropriate.

## EDUCATIONAL AND PERSONNEL RECORDS

Electronic surveillance video recordings in common areas made for the purpose of maintaining the physical security and safety of the school and where no expectation of privacy exists, shall not be part of a student's educational record or a staff member's personnel record. Electronic surveillance may, at the discretion of the superintendent, be made a part of a student's educational record or a part of a staff member's personnel record. Electronic surveillance may, at the discretion of the superintendent, be made a part of a student's educational record or a part of a staff member's personnel record. The disclosure of student educational records is governed by the Family Educational Rights and Privacy Act (FERPA) and Policy 3620, Student Records. Employee records are confidential pursuant to section 33-518, Idaho Code, and Policy 5230, Personnel Files.

All electronic surveillance that is not made a part of the educational record or a part of the personnel record is a public record subject to public disclosure under section 74-101 (11), Idaho Code, for the duration that it is maintained. The district reserves the right to edit, including concealing identities, any electronic surveillance recordings to comply with applicable state and federal law prior to any release or disclosure.

## RETENTION

The electronic surveillance recordings will be retained for a minimum of 10 days. All recordings shall be disposed of in a secure manner. The district shall have no duty to retain electronic surveillance recordings longer than this retention period, unless a public record request is received. The superintendent or the designated district records custodian will be responsible to review a sample of electronic surveillance on a periodic basis.

Only the superintendent, principal, or individuals authorized by the superintendent or principal will have access to electronic surveillance recordings. All electronic surveillance recordings will comply with state and federal law.

Policy History:

Adopted: December 2016

Legal Reference:

Idaho Code Section 33-518 – Employee Personnel Files Idaho Code Section 33-133 –  
Definitions – Student Data – Use and Limitations – Penalties The Family Educational  
Rights and Privacy Act of 1974 (FERPA)