

New Sample Regulation

File: ECAF-R

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

This sample regulation is for districts that have installed video cameras in schools, other district buildings and school transportation vehicles. If the district adopts this sample, it does not need to adopt sample regulation EEAEF-R, Video Cameras on Transportation Vehicles.*

Use of Video and Audio Monitoring

Placement and notification

1. Video surveillance equipment may be installed in and around schools, district buildings and school transportation vehicles where there is a legitimate need for video surveillance, as approved by the superintendent or designee.
2. Equipment will not be used or installed in areas where the public, students and/or staff have a reasonable expectation of privacy, such as locker rooms and restrooms.
3. Video recording equipment may be in operation 24 hours per day on a year-round basis at any and all times, whether or not school is in session and whether or not the facilities or buildings are in use.
4. Video surveillance equipment shall not be located in an administrative office or in the school's or district's central security office.
5. Video monitors shall not be located in an area that enables public viewing.
6. Conduct and comments in publicly accessible places on district property (e.g. school hallways, buses, athletic facilities, etc.) may be recorded by video and audio devices.
7. The district shall notify students, staff and the public that video surveillance systems are present. Such notification will be included in staff and student handbooks and signs will be prominently displayed in appropriate locations throughout the district.
8. Specific notification will not be provided when a recording device has been installed or is being utilized in a school vehicle or building.

Use

1. The use of video surveillance equipment on school grounds shall be supervised and controlled by the *[building principal or designee]* . The use of video surveillance equipment on school vehicles shall be supervised and controlled by the *[transportation supervisor]* . The use of video surveillance equipment at sites other than schools or school vehicles will be supervised and controlled by the *[superintendent or designee]* .
2. Staff and students are prohibited from unauthorized use, tampering with or otherwise interfering with video recordings and/or video camera equipment. Violations will be subject to appropriate disciplinary action. Disciplinary action shall be consistent with applicable Board policies and regulations and may include, but not be limited to, written reprimand, suspension, demotion or dismissal for staff and suspension and/or expulsion for students, depending upon the nature and severity of the situation.
3. The superintendent or designee will review the use and operations of the video surveillance system with each school on a periodic basis.
4. Video recordings may be used as evidence that a student, staff member or other person has engaged in behavior that violates state law, Board policies and/or school rules.

Storage/security

1. The district shall provide reasonable safeguards including, but not limited to, password protection, well-managed firewalls and controlled physical access to protect the video surveillance system from hackers, unauthorized users and unauthorized use.
2. Video recordings will be stored for a minimum of ___ school days after the initial recording. If the designated district administrator and/or designee know no reason for continued storage, such recordings will be erased.
3. Video recordings held for review will be maintained in their original form pending resolution of the incident. Recording media will then be released for erasure, copied for authorized law enforcement agencies or retained in accordance with applicable law and Board policy.
4. To ensure confidentiality, all video storage devices that are not in use will be stored securely in a locked receptacle located in a controlled access area. All storage devices that have been used will be numbered and dated. Access to the storage devices will be limited to authorized district personnel.
5. Video recordings held by the district as student education records and/or personnel records shall be maintained in accordance with applicable law and Board policy.

Viewing requests

Requests for review of video recordings that are considered a student education record or personnel record will be as follows:

1. All viewing requests must be submitted in writing. Requests for viewing will be limited to those parents/guardians, students, staff and/or district officials with a direct interest in the recording as authorized by the designated district administrator. Only the portion of the recording concerning the specific incident at issue will be made available for viewing.
2. Written requests for viewing may be made to the designated district administrator within ___ school days of the date of recording.
3. Approval or denial for viewing will be made within ___ school days of receipt of the request and so communicated to the requesting individual.
4. Recordings will be made available for viewing within ___ school days of the approval of the request.
5. Actual viewing will be permitted only at district sites including a school building or district administrative office, unless otherwise required by law.
6. All viewing will include the designated district administrator or designee.
7. To the extent required by law, a written log will be maintained of those viewing video recordings including the date and location of viewing, reasons for viewing, date the recording was made and the viewer's signature.
8. Recordings will remain the property of the district and may be reproduced only in accordance with applicable law and Board policy.

(Approval date)