

Surveillance on district property

Surveillance equipment

- Surveillance equipment may be installed to monitor public spaces including, but not limited to, meeting rooms, hallways and parking lots.
- Surveillance equipment may also be installed on buses.
- Surveillance equipment will not be installed in individual offices or classrooms without the specific authorization of the superintendent/designee.
- Individuals may not make recordings on school property, including classrooms, hallways, offices, meeting rooms, parking lots and buses at any time, without knowledge and approval of appropriate school employee.
 - The exception to this rule would be extracurricular events or school-day events open to parents or the public that are recorded by parents, students or other individuals as a historical record for a person connected to the event.

Custody of district recordings

- The principal or his/her designee will have custody of and maintain recordings made by the district in public spaces.
- The transportation director will have custody of and maintain recordings made on buses.
- All recordings must be maintained in a secure location to which students do not have access.

Access to district recordings

- Recordings made by the district are the exclusive property of school district.
- The district will release or allow viewing/hearing of recordings only in certain defined situations, consistent with state and federal law, including the Family Education Rights and Privacy Act.
- Recordings will not be loaned, sold, rented, leased or otherwise made available outside the district without superintendent/designee's written permission.
- A media request to view or listen to a recording should be routed through the public information director.
- A parent/legal guardian may request to review a recording of alleged incident involving his/her child.
- The principal or his/her designee will determine whether it is appropriate for a parent/legal guardian to review a recording in consultation with the superintendent or his/her designee and/or legal counsel.
 - If a review is permitted, the principal or his/her designee will be present when the parent/legal guardian reviews the recording.
 - The parent/legal guardian may view only the portion of the recording that pertains to his/her child.

- Parents/legal guardians, the media and others may not duplicate or make any type of recording except with the written permission of the superintendent or his/her designee.

Reusing/erasing recordings

- Recordings may generally be recycled or reused after a period of 30 days.
- However, if an incident is reported or a request is made to view, listen to or copy a recording, the recording will be kept as long as needed, including time for any appeals resulting from disciplinary or other actions.

Reporting violations

- Any person who has reason to believe that a recording is being made or used in violation of the policy or this administrative rule or in an otherwise improper manner should immediately notify the appropriate administrator.
- Once the administrator is notified of a possible violation, he/she must notify the superintendent or his/her designee of the allegations.
- The appropriate administrator must
 - investigate the allegations,
 - take appropriate remedial or disciplinary actions as necessary and
 - notify superintendent or his/her designee of the outcome of the investigation and the remedial or disciplinary actions taken.

Penalties for improper use

- Any employee who violates the terms of the policy or this administrative rule or otherwise misuses a recording device will be subject to disciplinary action, up to and including discharge.
- Any student who violates the terms of the policy or this administrative rule or otherwise misuses a recording device will be subject to disciplinary action in accordance with the district's student behavior code.
- Any individual who violates the terms of the policy or this administrative rule or otherwise misuses a recording device will be subject to appropriate legal action.
- Violations of U.S. or S.C. laws may subject a person to criminal prosecution.
- Any person who damages a district recording device will be charged the cost to repair or replace damaged equipment. In the case of a student, the student(s)' parent/legal guardian will be liable, and the student will face appropriate disciplinary action.

Notice requirements

- Students, parents/legal guardians and employees must be notified annually that students, employees and visitors are subject to being videotaped in public spaces, including hallways, meeting rooms, parking lots and on buses at any time.
- Notices must be conspicuously posted on school property at all regular entrances and all other access points on school grounds and should advise individuals that they are subject to being recorded at any time in any public spaces, including hallways, meeting rooms, parking lots and on buses.

Use of recordings in discipline proceedings

- The school administration may use recordings as evidence in student disciplinary proceedings.
 - The parents/legal guardians will be notified in advance of the disciplinary proceeding that the administration intends to introduce a recording during the proceeding.
 - The administration will provide parents/legal guardians an opportunity to view the recording before the proceeding.
- The district may use recordings as evidence in employee grievance proceedings.
 - The employee will be notified in advance of the disciplinary proceeding that the district intends to introduce a recording during the proceeding.
 - The district will provide the employee an opportunity to view the recording before the proceeding.

Other uses of recordings

- Recordings may be used for legitimate training purposes inside the district.
- Original recordings required as evidence in criminal, family or other court actions will be maintained by the safety director.
 - A recording used as evidence in a criminal or family court proceeding will be maintained by the safety director for a period of two years.
 - A recording of an incident resulting in injuries or fatalities will be secured as soon as practicable, sealed in an envelope and sent to safety director.
 - » The safety director, in consultation with the superintendent/designee and/or legal counsel, will determine disposition of the recording.
 - Recordings showing potential evidence of criminal activity will be evaluated by the safety director and/or resource officer for evidentiary value and referral to the appropriate law enforcement agency.

Searches & seizures on district property

Students do not lose their constitutional rights upon entering school premises. The Fourth Amendment to the U.S. Constitution protects all citizens, including students from unreasonable searches.

However, students and their belongings are subject to reasonable searches and seizures when administrators have a belief, reasonable under the circumstances,

- that a student committed a crime or a violation of a school rule and
- that such a search will reveal contraband or evidence of a violation of a school rule or a criminal law.

Any search conducted must be reasonable in scope giving the age and sex of the student and the nature of the alleged infraction.

Only the principal or his designee may conduct such searches within the constitutional parameters outlined above unless exigent circumstances exist that require another staff member to take immediate action for safety reasons.

Searches - lockers & desks

Schools provide lockers and/or desks to students for their use during the school year.

- Schools retain ownership of both.

- School officials may conduct unannounced searches at any time to maintain health and safety standards.

Searches with metal detectors

The administration is authorized to use stationary or mobile metal detectors when

- the administration in any school has reasonable suspicion to believe that weapons or dangerous objects are in the possession of unidentified students;
- a pattern of weapons has occurred or dangerous objects have been found at a school, on school property, at a school function or in the vicinity of a school; or
- violence involving weapons has occurred at a school or on school property, at school functions or in the vicinity of a school.

School personnel operating the metal detectors must comply with the rules and regulations for the use of such devices as adopted by the Board of Trustees.

Surveillance of students

- Surveillance may be used in areas where students have no expectation of privacy such as but not limited to buses, classrooms, parking lots, lunch rooms and halls.

Interrogations by school personnel

Teachers and principals may question students about any matter pertaining to the operation of a school and/or enforcement of its rules.

- The staff member will conduct the questioning discreetly and under circumstances that will avoid unnecessary embarrassment to the person being questioned.
- Any student who answers falsely or evasively or who refuses to answer a proper question may be disciplined.

Interrogations by law enforcement personnel

When law enforcement officers find it necessary to question students during the school day, the school principal or his designee will be present.

- The law enforcement officers will conduct the questioning with the principal or his designee present.
- The principal or his designee will attempt to contact the parent/legal guardian and request his attendance.
- If law enforcement officers intend to take a student into custody or arrest a student, they must present an official warrant.
- The principal will assist law enforcement officers in assuring that all proce-

dural safeguards as prescribed by law, are observed.

- School officials must attempt to notify parents if their child is taken into custody by a law enforcement officer.

Disposal of illegal items/substances

The district will arrange with local law enforcement agencies custodial and disposal procedures for illegal items/substances that are confiscated by school officials.

When an administrator confiscates an illegal item or substance, he must

- if the item/substance is not needed for an in-district hearing, call the designated law enforcement agency to pick up the item/substance for use in criminal prosecution, if needed, or for disposal

OR

- if the item/substance is needed for an in-district hearing, call the designated law enforcement agency to pick up the item/substance for safekeeping until the hearing and then disposal.

Adopted Aug. 20, 1996

Constitutional & Statutory Provisions

- United States Supreme Court Cases
- New Jersey v. T.L.O.- U.S.-, 105 S. Ct. 733 (1985)