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 school 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 employees.
- The exception to this rule would be extracurricular events or school-day events open to parents or the public requiring student presence or other individuals as a historic 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 where recordings 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 under 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 without the written consent of the superintendent/designee’s written permission.
- A media request to view or listen to a recording should be routed through the public information director.
- A legalISEM will 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.

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 school authorities have a belief reasonable under the circumstances,

- that a student committed a crime or violated 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 authorized by a school rule and

- is reasonable in scope giving the age and sex of the student and the nature of the alleged incident.

Only the principal or the 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.

Surveillances on student

- Surveillances 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/her 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 arrest warrant.
- The principal will assist law enforcement officers in assuring that all procedures are conducted in accordance with the law.

Notice requirements

- Students, parents/legal guardians and employees must be notified whenever 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.
- Notice 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 discipline 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 or outside the district.
- Original recordings required as evidence in criminal, family or other court actions will be maintained by the district.
- Recordings 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.

Constitutional & Statutory Provisions

United States Supreme Court Cases

- New Jersey v. TLO; U.S. v. 105 B, 433 (1983)