



## ENVIRONMENTAL CHARTER SCHOOLS BOARD POLICY

### SECURITY SYSTEM/VIDEO CAMERA/VIDEO FOOTAGE POLICY

The Environmental Charter Schools (“ECS”) Board of Directors recognizes the value of video cameras in protecting the health, safety, and welfare of its students and staff and in protecting the community’s investment in school operated property and facilities. The Board carefully considers both the privacy rights of students and staff with that of the School duty to provide a safe, secure, and orderly learning and work environment. The Board authorizes the use of video cameras in school buildings and upon school grounds pursuant to the following regulations:

Video Monitoring System: ECS implements a digital security system. This system provides for the monitoring/surveillance of school property and recording thereof.

1. Video cameras may be installed in any public area within a school building and/or upon school grounds, including but not limited to classrooms, hallways, cafeterias, libraries, computer labs, parking lots, auditoriums, break rooms, weight rooms, and gymnasiums.
2. Video cameras may not be installed in any area in which individuals possess a reasonable expectation of privacy, such as restrooms or locker rooms.
3. The precise location of video cameras shall be determined by the Executive Administration with the assistance of the appropriate Site Principal. Input from staff members may from time to time be sought to determine the most beneficial locations for video cameras.
4. The contents of video recordings captured by video cameras may be used as evidence in a student disciplinary matter, evaluation of staff conduct, and/or to provide evidence of any unlawful activity on school grounds.
5. Absent a reported incident, recordings may be subject to erasure after thirty (30) days unless there exists extenuating circumstances as determined by ECS. System security features, including passwords and recorded material delete functions, do not neutralize ECS’ ability to access recorded material. Individuals recorded on the security system do not have an expectation nor any right of privacy in the information, material, or images contained in any system used by ECS.
6. Video recordings shall be kept in a secure location.
7. All systems and recorded information are ECS property and ECS retains the right to inspect the system and the recorded material at any time.

8. The Executive Director and Site Principals will manage the surveillance system and monitor recorded material periodically to be sure that the equipment is being used for business purposes.

9. Personal use of system or the recorded material by any ECS staff member, student or parent, is strictly prohibited. Use of the security system and the recorded material for any purpose other than school-related business is prohibited, unless requested by law enforcement.

10. Release of Video Footage: Under the Family Educational Rights to Privacy Act (FERPA) a parent has a right to access, seek to amend, and to have some control over the disclosure of personally identifiable information from their child's education records. Student education records cannot be released without the consent of the student parent(s) unless an exception to FERPA applies or a court order is obtained. Video footage which constitutes a student's education record is only accessible to "school officials" with "legitimate educational interests".

Request of footage by law enforcement investigating student:

ECS may not disclose video footage involving a student to local law enforcement without either parent consent OR subpoena or court order.

Request of footage by law enforcement investigating matter not involving ECS student:

ECS may disclose video footage involving a student to local law enforcement without parental consent if there is no indication that the video is of a student who attends ECS. If it is determined that an offender in the footage is an ECS student, ECS may discipline the student for the conduct.

Request for footage by law enforcement investigation a matter of an adult, or report of a matter of an adult to law enforcement:

In the event ECS or law enforcement suspect criminal act(s) by an adult, or are investigating policy violations by an employee, ECS may disclose video footage which may involve an ECS student to local law enforcement without parental consent for the purposes of investigating the adult or disciplining an employee, as the footage is not an educational record.

Exceptions:

1) Subpoena or Court order exception: Police officers or other outside parties' may have access to personally identifiable information from students' education records, i.e. video footage without parental consent. FERPA permits disclosure of education records without consent in compliance with a lawfully issued subpoena or judicial order, however, ECS must generally make a reasonable effort to notify the parent or eligible student of the subpoena or judicial order before complying with it in order to allow the parent or eligible student the opportunity to seek protective action, unless certain exceptions apply.

#### Treatment of Recordings

Recordings of incidents captured by video cameras located on school property shall constitute a part of a student's education record or a staff member's personnel record, as the case may be,

subject to relevant board policies and administrative regulations, including FERPA, applicable record retention policies and state law. Upon the report of an incident, or possible incident, only those persons with a legitimate educational purpose shall be permitted to view the recordings. In most instances, those persons will be the Executive Director and Site Principal.

The Site Principal shall keep a written log of all persons viewing the recordings stating the time, name of individual viewing the recording, date the recording was viewed, and reason the recording was viewed. If the content of the recording becomes the subject of a student disciplinary proceeding or personnel proceeding, it may be treated like other evidence in that proceeding. Parents may request to view recordings of their children in the event the recordings are used in disciplinary proceedings involving their children. Staff members may similarly request to view any recording used in the evaluation of that staff member's conduct. Any such request shall be processed by the Executive Administration in accordance with applicable state and federal laws and regulations.

#### Notification

ECS shall annually provide the following notice to students and parents:

The Environmental Charter Schools Board of Directors has authorized the use of video cameras in the Schools buildings and on School property. The video cameras will be used to monitor student behavior in order to maintain a safe, secure, and healthy environment for students and staff. Students and parents are hereby notified that the content of video recordings may be used in a student disciplinary proceeding. The content of the video recordings may be a confidential student record and, if so, will be retained with other student records. Video recordings will only be retained if necessary for use in a student disciplinary proceeding or other matters as determined necessary by the administration. Parents may request to view recordings of their children in the event the recordings are used in disciplinary proceedings involving their children. Any such request shall be processed by the Executive Administration in accordance with applicable state and federal law and regulations.

ECS will annually provide the following notice to Employees:

The Environmental Charter Schools Board of Directors has authorized the use of video cameras in the School buildings and on School property. The video cameras will be used to monitor student and employee behavior to maintain a safe, secure, and healthy environment for students and staff. Employees are hereby notified that the content of the video recordings may be used in an employee disciplinary proceeding. The content of the video recordings may be confidential records and, if so, will be retained in the employee's personnel file. Video recordings will only be retained if necessary for use in an employee disciplinary proceeding or other matter as determined necessary by the administration. Employees may request to view video recordings if the video recordings are placed in the employee's personnel file. Any such request shall be processed by the school district in accordance with applicable state and federal laws and regulations.

### Tampering

Students and employees are prohibited from tampering with ECS video cameras. Students and employees found in violation of this policy will be disciplined in accordance with school policies and may be required to reimburse the school district for any repairs or replacement necessary as a result of the tampering. In the administration's discretion, matters involving tampering with a school video camera may be turned over to law enforcement.