

The board of trustees of Wendell School District No. 232 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 not 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 of review of electronic surveillance, 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.

EDUCATION AND PERSONNEL RECORDS

Electronic surveillance may, at the discretion of the superintendent, be made a part of a student's education record and safety of the school and where no expectation of privacy exists, shall not be part of a student's education 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 education record or a part of a staff member's personnel record. Student education records are subject to the Family Educational Rights and Privacy Act (FERPA) and Policy No. 681 - Student Records. Employee records are confidential pursuant to Idaho Code §33-518, and Policy No. 411 - Personnel Files.

All electronic surveillance that is not made a part of the education record or a part of the personnel record is a public record subject to public disclosure in accordance with the Idaho Public Records Act (Idaho Code §§74-101 *et seq.*) for the duration that such electronic surveillance 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 ___ months/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, including Policy No. 681.50, Protection of Student Data.

YYYYYYY

LEGAL REFERENCE:

Idaho Code Sections

33-518 – Employee Personnel Files

33-133 – Definitions – Student Data – Use and Limitations – Penalties

74-101 *et seq.* – Idaho Public Records Act

20 U.S.C. §1232g – The Family Educational Rights and Privacy Act of 1974 (FERPA)

ADOPTED: November 17, 2015

AMENDED: November 19, 2021