

# **PELHAM SCHOOL DISTRICT POLICY**

## **EEAA – VIDEO AND AUDIO SURVEILLANCE ON SCHOOL PROPERTY**

*Category: Recommended*

See also ECAF, EEA, EEAE, JICC, JICK

The School Board authorizes the District's use of video recording devices on School District property to ensure the health, welfare, and safety of all students, staff and visitors, and to safeguard District buildings, grounds, and equipment.

School District property subject to video surveillance includes, but is not limited to, school parking lots, school hallways, classrooms, and other common areas. Video recording devices will not be placed in areas where individuals have a reasonable expectation of privacy, such as bathrooms and locker rooms. The Superintendent will approve appropriate locations for the video recording devices. The School Board authorizes the Superintendent to establish and maintain guidelines and procedures for the retention and viewing of the recordings.

### **NOTICE**

The presence of video recording devices shall be announced by signage displayed prominently on School District property to inform individuals and indicate the District's use of video recording equipment on its property. The District shall provide notice of this policy annually to the students and parents in the student/parent handbooks.

### **CONFIDENTIALITY**

All recordings are considered confidential and will be viewed only on an "as needed" basis by those individuals authorized by federal and state laws and this policy.

### **CUSTODY AND MAINTENANCE OF VIDEO RECORDINGS**

All recordings are the property of the School District and shall be maintained in accordance with federal and state laws and this policy.

### **STORAGE AND RETENTION OF VIDEO RECORDINGS**

After a recording has been made, the District will retain the recording in a secure location for a period of at least ten (10) school days. If no request by an authorized District official or outside agency is made for a recording within ten (10) school days of the recording, the District may erase and reuse the recording media. Recordings requested by an authorized District official (the superintendent, or building principal) will be provided to and be retained by the District only pursuant to federal and state laws and this policy. The District may use recordings in discipline of students and employees or for any lawful purpose, and the recordings shall be retained by the District until the final resolution of any discipline, including the time for appeal or a court ordered retention period. Recordings provided to the District not used for discipline, law enforcement or a court action, will be erased and the recording media reused at the direction of the Superintendent.

### **VIEWING OF VIDEO RECORDINGS**

Any request for viewing of the recordings must be approved by the Superintendent. The Superintendent will determine if an individual requesting to view the recording is considered authorized pursuant to federal and state laws, and this policy. A recording shall only be reviewed if there has been a report of an incident or a complaint. The Superintendent will be responsible for maintaining a log of the date and names of all individuals who view a recording. Recordings shall

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be viewed by the Superintendent, principal, students and parents of students directly involved in a particular incident, employees directly involved in a particular incident, law enforcement officers, or others only as expressly authorized by the Superintendent.

Video recordings of student conduct used as part of disciplinary investigations or other proceedings shall be considered an educational record for purposes of the Family Educational Rights and Privacy Act (“FERPA”). Release of video recordings will only occur pursuant to disclosure requirements of FERPA. For cases involving law enforcement or court requests to review the recordings, the Superintendent will review the case and will decide on the appropriateness of the request based upon federal and state laws. The Superintendent will release only a copy of the recording in accordance with state and federal laws, and the Superintendent will maintain the original recording pending the outcome of the law enforcement or court action.

The School District’s failure to make or preserve a recording of any incident occurring on District property shall not have any bearing on the District’s right to discipline any student or employee, or assert a disciplinary or legal proceeding.

To ensure the safety and secure environment of District students, the Pelham School Board authorizes the use of video and audio recording devices by the District on any or all buses or other vehicles (hereinafter “bus”) used to provide transportation for District students. This authority shall extend additionally to all vehicles owned by the District or contracted by the District for the transportation of its students. The School Board authorizes the Superintendent to establish and maintain guidelines and procedures for the retention and viewing of the recordings.

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***District Policy History:***

*Adopted: November 19, 2014*

*Revised: August 18, 2021*

***Legal References:***

NH RSA 189: 15; 193-F: 3; and 570-A: 2 (k)

20 U.S.C. §1232g – FERPA