

DOVER SCHOOL DISTRICT	POLICY CODE: EEAA
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VIDEO AND AUDIO RECORDING ON SCHOOL PROPERTY

The Board authorizes the use of video cameras and/or audio recording (“recording equipment”) on District property to ensure the health, welfare, and safety of all staff, students, and visitors and to safeguard District buildings, grounds, and equipment. The Superintendent will approve appropriate use and/or locations of such recording equipment as set forth herein.

Placement and/or use of recording equipment will be based upon the belief that students, staff and visitors have no reasonable expectation of privacy in public areas or at public events that occur on school property. Under no circumstances shall recording equipment be used or placed in bathrooms or locker rooms.

Recording equipment may be placed or used on district property in accordance with the following requirements:

1. If a teacher intends to create a recording in a classroom, including one or more students, prior written consent must be obtained from the parent/legal guardian of each affected student in the class.
2. If a student, parent, administrator or member of the public wishes to create a classroom recording of a teacher, student or a class, prior written consent must be obtained from the affected teacher and the parent/legal guardian of each affected student.
3. Written consent is not required from the teacher or other affected students for the use of recording equipment pursuant to a student’s IEP or 504 Plan, when the IEP or 504 Team determines that such recording is necessary for the delivery of a free appropriate public education (FAPE). In such cases, the IEP or 504 Team is expected to establish reasonable conditions and limitations reasonably necessary for the student to receive a FAPE. These recordings are not intended to be used for teacher evaluation or discipline.
4. The use of recording equipment is also authorized in non-classroom locations/settings including, but not limited to, hallways, offices, libraries, vestibules, doorways, buses, vans, walkways, parking lots, maintenance areas, lawns, fields, roadways, arenas, rinks, sporting venues, and gymnasiums.

Signs will be posted on school buildings to notify students, staff and visitors that video cameras may be in use. At the Superintendent’s discretion, parents and students may also be notified through the student handbook and/or the District’s FERPA Annual Notice. Students will be responsible for any violations of school rules or state/federal law caught on tape by cameras.

The district will retain copies of video recordings until they are erased in accordance with the district’s practices relative to the retention or reuse of video tapes/files/storage.

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The Superintendent will consult with the necessary personnel to determine how and when such records should be deleted.

Whenever possible, videos containing evidence of a violation of student conduct rules and/or state or federal law will be retained until the issue of misconduct is no longer subject to review or appeal as determined by board policy or applicable law. Any release or viewing of the video will be in accordance with law and shall respect the privacy interest of others.

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's educational record. If an audio or video recording does become part of a student's education record, the provisions of Policy JRA shall apply.

This policy is not intended to circumvent provisions of any collective bargaining agreement between the District and its employees.

Legal References

20 U.S.C.1232g, Family Educational Rights and Privacy Act (FERPA)

RSA 189:65 Definitions

RSA 189:68 Student Privacy

RSA 570-A:2

34 C.F.R Part 99, Family Educational Rights and Privacy and Act Regulations

RSA 189:6, Transportation of Pupils

RSA 189:8, Limitations and Additions

RSA 189:9, Pupils in Private Schools

Also see Dover School District Policies EEA, EEAE-R, EEAE, EEAE-C