

**Burlington School District Policy  
E 21: USE OF VIDEO SURVEILLANCE**

**Former Policy INJA**

**STATEMENT OF PURPOSE**

The Burlington School Board recognizes its responsibility to promote and foster school safety and ensure a safe and effective learning environment. The Board believes the use of video surveillance will assist in law enforcement on school property, aid in enforcement of school policy, and protect property. After having carefully considered and balanced rights of privacy with the District's duty to promote discipline, health, welfare and safety of staff and students, as well as that of the general public who use school facilities, and to protect District property, the Board supports the video surveillance in its schools, buses used for school purposes, and/or on school grounds.

**DEFINITIONS**

Eligible Student - A student or former student who has reached age 18 or is attending a post-secondary school. An eligible student has the same rights of review, inspection, and consent accorded to a parent.

Surveillance Cameras - Photographic equipment which makes video recordings of the environment, people and events in proximity to the equipment and stores the recorded information in a digital format.

**POLICY STATEMENT**

This policy regulates how the District will utilize Surveillance Cameras.

1. Surveillance Cameras will only be utilized in public areas upon authorization of the Superintendent. The Board urges the Superintendent to utilize the fewest number of cameras necessary to achieve the goals of this policy. Cameras will not be used where there is a "reasonable expectation of privacy" such as bathrooms and locker rooms.
2. Audio recordings shall not be utilized by School District officials. This prohibition, however, does not preclude the use of audio recordings by law enforcement officials in accordance with their official duties and/or as otherwise authorized by law.
3. Any video recording used for surveillance purposes in school buildings, buses used for school purposes, and/or on school property, shall be the sole property of the District. The Superintendent or his/her designee will be the custodian of such recordings. Only the

Superintendent and his/her designee shall have access to the video recordings, except as provided herein. All monitors that display video recordings shall only be accessed by those authorized to review the video recordings in a discrete location. Surveillance Camera recordings are not actively monitored at all times. Consequently, they cannot necessarily be relied upon to provide an immediate response where inappropriate action is occurring.

4. All video recordings will be created in digital form and secured to avoid tampering and ensure confidentiality in accordance with applicable laws and regulations. Video recordings shall be date and time stamped and shall be retained for up to 30 days. If however, there is a pending request for the recording, it shall be retained until such time as the request has been resolved. After 30 days, a video recording may be destroyed.
5. Requests for reviewing a video recording must be made in writing to the Superintendent or his/her designee and contain an explanation of why the request is being made. The Superintendent or his/her designee shall consider each request under the circumstances in which it is being made, including, but not limited to, whether one or more student's identities are discernable; whether it is the parent of a student or an Eligible Student who is identified in the recording who is making the request; whether student or other discipline is being contemplated and whether criminal activity is depicted. If the request is granted, such viewing must occur in the presence of the District's designated custodian of the recording. Under no circumstances will the District's video recording be removed from District premises, physically or by electronic transmission, unless in accordance with a court order and/or subpoena.
6. Burlington Surveillance Cameras are not intended to be hidden. Appropriate signage will be posted at entrances to the school campus and/or at major entrances into school buildings notifying students, staff, and the general public of the District's use of Surveillance Cameras.
7. The superintendent or designee shall maintain an ongoing up to date register of all Burlington School District surveillance cameras. Students, parents and staff will receive additional notification, as appropriate, regarding the use of Surveillance Cameras in the schools, buses used for school purposes, and/or school grounds. Such notification may include, but is not limited to, publications in the District calendar, employee handbook, employee newsletter and student handbook. Such notification does not preclude, as deemed appropriate by administration, the discussion of the use of Surveillance Cameras with staff and students to heighten awareness.
8. The District reserves the right to use the images produced by the Surveillance Cameras as part of enforcement of school policy, and, where appropriate, disciplinary proceedings.
9. Surveillance Cameras may record criminal offenses and/or other misconduct that occurs in view of the camera. Such video recordings may be released to police or other applicants in accordance with state and federal law, including, but not limited, to the Family Educational Rights and Privacy Act.

10. The Superintendent is charged with establishing further procedures as necessary to implement this Policy, including, but not limited to establishing maps of camera locations, protocols for maintaining confidentiality, and ensuring notification of all school facility users.

#### **AUTHORITY AND CROSS REFERENCES**

Fourth Amendment to the United States Constitution

20 U.S.C. 1232(g) as it may be amended and implementing regulations.

Family Educational Rights and Privacy Act (FERPA),

1 V.S.A. §317(11) (Definitions; public agency, public records and documents)

16 V.S.A. §563 (Powers of School Boards)

Policy F 13, Student Conduct and Discipline

Policy F 3R, Policy on Education Records

Policy F 27, Videotaping/Filming/Photographing of Students

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