

VIDEO AND AUDIO RECORDING DEVICES ON SCHOOL BUSES

To ensure the safety and secure environment of District students, the Windham 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.

NOTICE

The presence of video and audio recording devices on a bus shall be announced by signage displayed prominently on the bus and will indicate that the recording equipment is being used to record student behavior and that the recordings may be used in future disciplinary actions in the event of any misconduct. 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/AUDIO RECORDINGS

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

STORAGE AND RETENTION OF VIDEO/AUDIO RECORDINGS

After a recording has been made, the District’s transportation carrier will retain the recording in a secure location for a period of ten (10) school days. If no request by the District for a recording is made within ten (10) school days of the recording, the District’s transportation carrier shall erase and reuse the recording media. Recordings requested by an authorized District official (the superintendent or designee, building principal, or the District’s transportation coordinator) 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 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

Legal References: NH RSA 189: 15; 193-F: 3; and 570-A: 2 (k); 20 U.S.C. §1232g – FERPA

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enforcement or a court action, will be erased and the recording media reused at the direction of the Superintendent or designee.

VIEWING AND LISTENING OF VIDEO/AUDIO RECORDINGS

Any request for viewing and listening of the recordings must be approved by the Superintendent or designee. The Superintendent or designee will determine if an individual requesting to view and listen to 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 relative to conduct on the bus. The Superintendent or designee will be responsible for maintaining a log of the date and names of all individuals who view a recording. Recordings shall be viewed by the following or others only as expressly authorized by the Superintendent or designee:

- Superintendent or designee
- Transportation Coordinator
- Students and parents of students directly involved in a particular incident or a complaint relative to conduct on the bus
- Transportation contractor official
- Building Principal
- Law enforcement officers

Video and audio recordings 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 or audio recordings will only occur pursuant to disclosure requirements of FERPA. Use of the audio portion of the tape is limited by RSA 572-A:2(k), therefore, only that portion of the audio recording which is relevant to the incident or complaint will be reviewed or released in accordance to state and federal laws and this policy. For cases involving law enforcement or court requests to review the recordings, the Superintendent or designee will review the case and will decide on the appropriateness of the request based upon federal and state laws. The Superintendent or designee will release only a copy of the recording in accordance with state and federal laws, and the Superintendent or designee will maintain the original recording pending the outcome of the law enforcement or court action.

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