

Business OperationsSchool Facilities; Use of Surveillance

The Board of Education of the Holdrege Public Schools has authorized the use of video cameras and similar devices on District property, and the use of searches on school property, for the purposes of ensuring the health, welfare and safety of all staff, students and visitors, safeguarding District facilities and equipment, and maintaining student discipline and an appropriate educational and work environment. The following are administrative guidelines and regulations with regard to such video surveillance and searches.

1. ***Use and Location of Video Cameras and Other Recording Devices:*** Video cameras and similar devices may be used in locations and times deemed appropriate by the Superintendent or the Superintendent's designee.
2. ***Notice of Users of Facilities:*** The District shall notify users of the facilities through appropriate mechanisms, such as postings or student/parent and staff handbooks, that video surveillance may occur on District property.
3. ***Retention and Use of Video and Other Recordings:*** Video recordings and similar records may become a part of a student's educational record or a staff member's personnel record. The District shall comply with all applicable state and federal laws related to record maintenance and retention.
 - a. ***FERPA Provisions:*** FERPA prohibits disclosure of "personally identifiable information from the student's education records" without written consent or an applicable exception. Those terms are defined:
 - i. Education records means records that are: (1) Directly related to a student; and (2) Maintained by [a school] or by a party acting for the [school]. (Exceptions: "sole possession records," records of the school's designated "law enforcement unit," employment records of a student working at the school, and records made after the student has left the school).
 - ii. Record means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.
 - iii. Personally identifiable information includes but is not limited to:
 1. the student's name;
 2. the name of the student's parent or other family member;
 3. the address of the student or the student's family;
 4. a personal identifier, such as the student's social security number or student number;
 5. a list of personal characteristics that would make the student's identity easily traceable; or,
 6. other information that would make the student's identity easily traceable.
 - iv. Directory Information: Directory information may be released without consent. The school district's annual FERPA notice lists information the school has designated to be directory information. Parents can retain the right to consent to the disclosure of directory information. Parents who wish to retain this right must so advise the school.

- b. ***Applicability of FERPA to Video and Other Recordings:*** The term "education records" is defined under FERPA regulations as those records that are "directly related" to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. (See 34 CFR section 99.3 "Education record"). In the case of a video or other picture image of one or more students and where there are students in the background (walking down the hall, sitting on the bus, eating lunch, etc.), such regulations have be interpreted to provide that the video is "directly related" to, and thus the "education record" of, the student or students who are the focus or subject of the video and not the students merely in the background. The term "focus" is deemed to mean a student or students are involved in an altercation or some other disturbance that causes them to be the focal point of the video.
 - c. ***Parental Viewing of Video:*** With regard to parents of those students that are the focal point being permitted to view the video, a school would not need to obtain the consent of the parents of the two students and may show both sets of parents the video, because this would typically be the education record of both students, especially in situations involving altercation.
 - d. ***Provision of Copies of Video to Parents:*** In the case where there is more than one student that is the focus of the video, while the school may provide the parents of the student(s) shown in the video with access to the video without the prior consent of the other parent, the school may not give a copy of the video to any of the parents without the consent of the other students' parents.
 - e. ***Media Request for Video or Other Recordings of Students:*** If media were to ask the School District for a copy of a video showing students, the School District may deny such request based on the student records/FERPA exception to the Public Records Act.
4. ***Responsibility of Security or Safety of Personal Property:*** The District is not responsible for the security or safety of personal property which employees, students, or other building users may bring to school.

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