

ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS
AND ON SCHOOL PROPERTY

In order to enhance the safety and security of students, District employees, parents/guardians, visitors and others, the Board authorizes the use of electronic surveillance equipment in school buildings and on school property. Surveillance devices may include, but are not limited to cameras, video cameras, and other appropriate electronic devices which record visual images. It is the intent of the Board not to place electronic surveillance devices in locations where individuals normally expect their privacy to be protected (i.e., bathrooms).

The District will provide written notice to students, District employees, parents/guardians, visitors and others who are in school buildings or on school property that electronic surveillance devices may be used in school buildings and on school property. The District will also notify students, District employees, parents/guardians, visitors and others that electronic surveillance may be used in school buildings and on school property through publication in District publications, the District's website, and other reasonable means, including postings or other written notices prominently displayed on school property.

The District and the Union Police Department shall agree to terms of access to school video cameras. Access shall be based upon an actual health or safety emergency. School Officials shall be permitted to disclose these records without prior written parental consent or issuance of a court order or subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232(g)(a)(4)(A)(ii) and 34 C.F.R. § 99.8 (a)(1)(i) and (ii) and the "A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials," promulgated by the New Jersey Department of Law and Public Safety and the New Jersey Department of Education.

Video recordings remain the property of the Board.

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Legal references

20 U.S.C. § 1232(g) Family Educational Rights and Privacy Act
20 U.S.C. § 1401 et seq. Individuals with Disabilities Education Improvement Act
34 C.F.R. Part 99 Family Educational Rights and Privacy Act
34 C.F.R. Part 300 Individuals with Disabilities Education Improvement Act
Federal Register, January 17, 1995 (Volume 60, No. 10), pages 3463-3469
N.J.S.A. 2A:156A-1 et seq. New Jersey Wiretapping and Electronic Surveillance
Control Act
N.J.A.C. 6A:14-1 et seq. Special
N.J.A.C. 32:7.1 et seq. Student Records

A Uniform State Memorandum of Agreement Between Education and Law
Enforcement Officials [New Jersey Department of Law and Public Safety; New
Jersey Department of Education (2007 edition)]

Kinsella v. Welsh, 362 N.J. Super. 143 (App Div 2003)

State v. Diaz, 308 N.J. Super. 504 (App Div 1998)

Adopted:
