

**Berkeley Unified School District**  
BP 3515

**Use of Surveillance Cameras**

The Governing Board is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting District property, facilities, and equipment from vandalism and theft.

Accordingly, the Superintendent or designee shall develop campus security procedures which are consistent with the goals and objectives of the District's comprehensive safety plan and site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

The Board believes that reasonable use of surveillance cameras will help the District achieve its goals for campus security. In consultation with industry experts, staff, and relevant public agencies, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Cameras may be used to monitor buildings, exterior campus areas, including but not limited to; parking lots, perimeters, walkways, entrance and exit doors, interior hallways, large open interior spaces, picnic areas, foyers, lobbies, gymnasiums, school buses, athletic fields, stadiums, and other areas the Superintendent deems appropriate. The Superintendent shall notify the board if he/she designates locations for cameras in areas deemed appropriate other than those specifically identified in this paragraph.

Video Surveillance in work or office spaces shall be limited only to locations the Superintendent deems necessary for the safety and security of the District. The Superintendent shall notify the Board if a camera is installed in a work or office space.

Any audio capability on the District's surveillance equipment shall be disabled so that sounds are not recorded.

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at one entry per building at affected school buildings grounds, or other appropriate locations. These signs shall inform students, staff, and visitors that surveillance may occur. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the District's surveillance system, including the sites where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by the camera may be referred to local law enforcement, as appropriate under Board policy or law.

Students and staff shall not tamper or interfere with video camera equipment.

Video images obtained by the District shall be viewed by the Superintendent or designee as necessary. The District may rely on the images obtained by the video surveillance cameras in connection with the enforcement of Board policy, administrative regulations, building rules and other applicable law including but not limited to student and staff disciplinary proceedings and matters referred to local law enforcement agencies in accordance with Board policy and applicable law. Video images may become part of a student's educational record.

A video image of an identifiable pupil that is being maintained by the District is considered a pupil record for the specific student for whom it is being maintained. The video image may be shown to the following entities without prior parental consent, subpoena, or court order under the following conditions:

1. The image has been viewed by the Superintendent, or designee, at the request of a school principal or District administrator.
2. A judge, probation officer, or district attorney who is participating in or conducting a truancy mediation program, or is participating in the presentation of evidence in a truancy petition.
3. The district attorney's office for consideration against a parent or guardian for failure to comply with the Compulsory Education Law.
4. A probation officer, district attorney, or counsel of record for a minor for purposes of conducting a criminal investigation or an investigation in regards to declaring a person a ward of the court or involving a violation of a condition of probation.
5. Appropriate persons in connection with an emergency if the knowledge of the information is necessary to protect the health or safety of a pupil or other person.
6. A video image depicting an identifiable pupil, after determination by the Superintendent, or designee as appropriate for disclosure, may be also shown to a peace officer identified to the District by the officer's agency in writing in connection with an active investigation because of probable cause the pupil has been kidnapped and that his or her abductor may have enrolled the pupil in a school or if there is reason to believe that there is an emergency in which providing the information to a peace officer is necessary to protect the health or safety of the pupil or other individuals.
7. School Resource Officers assigned to a particular school or district, may view video images when there is a reasonable suspicion that the image depicts an event or action related to a crime or violation of school rules, or the image depicts a situation constituting a health or safety emergency requiring immediate action to protect the pupil or other individuals.

Video images of an identifiable pupil, that are not maintained by the district, are not considered student records and may be released to law enforcement for any reason. To the extent that any images from the District's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are

accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

Video recordings and images of students captured on security video recording devices that are maintained by Berkeley Unified School District are considered pupil records under the Education Code and education records under FERPA. Accordingly, these video images may be shared with parents or students whose images are on the video and with outside law enforcement authorities, as required by law and deemed appropriate by the Superintendent or designee. Video recordings not saved for student or personnel records, or for law enforcement proceedings, will be destroyed after there has been an opportunity to review the recordings, but in no instance will this time exceed ninety (90) days.

Images captured by District video surveillance equipment may be used in personnel disciplinary proceedings or cases of suspected criminal activity by an employee.

The Superintendent, or designee, may authorize monitoring of live video feeds from District surveillance cameras after determining all of the following:

1. A dire emergency is present which is defined as a violent attack, crippling natural or human made disaster, mass destruction, terrorist activity, or threatened terrorist act that poses immediate and significant peril.
2. The incident creates a clear and present danger of psychological harm or injury to students, staff, or visitors present.
3. The incident or threat is continuing.
4. The nature of the incident is of such magnitude that an immediate call for law enforcement or other public safety personnel presence is warranted.

Such monitoring of live video shall be only in the presence of the Superintendent, or designee(s), and public safety personnel.

This Policy does not apply to surveillance cameras placed by any law enforcement agency including the district attorney, the sheriff's office, the highway patrol, the city police, or any state or federal law enforcement agency. These agencies are governed by laws and regulations pertaining to the activities of the agency.

Adopted: November 5, 2014