

ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS (M)

7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS (M)

The Board of Education authorizes the use of electronic surveillance systems in school buildings, on school grounds and on school vehicles to enhance the safety and security for school district staff, students, community members, and other building occupants and to protect the school district's buildings, grounds and, vehicles and school-provided electronic equipment ("hardware"), software, networks and cloud accounts.

To maintain safe and secure conditions for all students and staff transported on school vehicles, the Board may use electronic surveillance devices to monitor student and staff behavior, school bus driver discipline procedures and/or school bus driver driving techniques.

To maintain a safe and secure environment for students and staff, the Board may use electronic surveillance devices and/or software to monitor the use of school-provided electronic equipment by students and staff. Such protection includes but is not limited to the protection of student's privacy, the academic integrity of the content they develop, integrity of the "system" (the school- provided electronic equipment ("hardware"), its software, school computer networks and cloud accounts), compliance with appropriate policies, and system management and planning (to assess how equipment is being used to guide future decisions). Such protection may include monitoring of websites visited, resources used, and the IP addresses used to connect school-provided electronic equipment to the internet (to ensure network security and assist in device recovery in the event of loss or theft).

With regard to school-provided electronic equipment, in the event of a conflict between this Policy and Policy 5516, Policy 5516 shall take precedence.

In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Education shall enter into a Memorandum of Understanding (MOU) with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video. The MOU shall include the provisions of N.J.S.A. 18A:41-9 and any additional information required by law enforcement officials. In the event the parties to the MOU are unable to reach an agreement regarding any provision required to be included in the MOU as per N.J.S.A. 18A:41-9a, the County Prosecutor shall make the final determination regarding that provision. Nothing in N.J.S.A. 18A:41-9 shall be construed as to require the installation of video surveillance equipment capable of streaming live video wirelessly to a remote site from a school building that does not have the ability to have live streaming video.

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The Livingston Board of Education will provide access to our electronic surveillance systems to the Livingston Police Department (LPD). The LPD will utilize the system only in emergency situations or upon request of district administration. In the event the LPD has a need to monitor the electronic surveillance system in a non-emergency situation, they will notify the LBOE every time monitoring takes place.

The content produced by the surveillance system including content developed and stored on the school-provided electronic equipment and the school-provided networks and cloud accounts, under certain circumstances may be considered a personnel or student record, in which it will be subject to the Board of Education policy and regulations regarding confidential records. If the content of the surveillance system becomes the subject of a disciplinary proceeding, it shall be treated like other evidence in the proceeding, and the district declares such use to be a legitimate educational interest.

The following statement shall be posted in a prominent, public place in buildings and on school grounds where electronic surveillance equipment may be used:

The Board of Education authorizes the use of electronic surveillance monitoring devices in school buildings, on school grounds and on school vehicles. Therefore, all school buildings and school grounds within this school district may be monitored using such devices in accordance with Board Policy. In addition, school-provided electronic equipment may be monitored even when used in any location (i.e. at home, not just on school grounds and on school vehicles).

In addition to posting, the district shall notify school staff members, parent(s) and students that electronic surveillance may be used in school buildings, on school grounds, on school vehicles and on school-provided electronic equipment (“hardware”), software and networks through publication in student and staff handbooks, school calendars, notice sent home with students, or any other effective means to publish the district’s use of electronic surveillance equipment in school buildings, on school grounds and on school vehicles. Such notice may additionally be provided through the use of a “login banner”, a notice which appears upon start-up of school-provided electronic equipment before the student first logs-in.

N.J.S.A. 18A:41-9

Adopted: 09 November 2009

Reviewed: 09 January 2012

Revised: 06 May 2013

Revised: 11 April 2016

Revised: