



SCHOOL BOARD OF BREVARD COUNTY, FLORIDA
School Board Policy Executive Summary
 Form D

Policy Number:	7440.01
Title of Policy:	Protection of Personnel and Property
Cabinet Member:	Robin Novelli, Chief Operating Officer, District Operations
Purpose of Revisions:	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions promote transparency and accountability.
Tentative Schedule:	<ul style="list-style-type: none"> • Cabinet – 4/6/20 • Work Session – 5/12/20 • Rule Development Workshop – 6/16/20 • School Board Meeting Information – 6/16/20 • School Board Meeting Approval – 6/30/20 • Effective Date – upon approval
Summary of Proposed Policy Revisions:	<ul style="list-style-type: none"> • This policy is being revised to clarify the procedures regarding video surveillance and electronic monitoring while on property own and operated by the Board and other changes in compliance with applicable Florida law. • Particular areas of revision include the following: title change to “Video Surveillance and Electronic Monitoring, recording and/or releasing of Video Surveillance and Electronic Monitoring recordings; confidential and exempt pursuant to Florida Law. • These proposed revisions encompass the suggested language from NEOLA.
Specific Authority:	18 U.S.C. 2510, 18 U.S.C. 2511, 18 U.S.C. 2512, 18 U.S.C. 2513, 18 U.S.C. 2515, 18 U.S.C. 2516, 18 U.S.C. 2517, 18 U.S.C. 2518, 18 U.S.C. 2519, 18 U.S.C. 2520, 18 U.S.C. 2521, 20 U.S.C. 1232g, 34 C.F.R. 99.1-99.67; Title I of the Electronic Communication Privacy Act of 1986; §§119.071, 281.301; F.S.; 1B-24.003(1)(a), F.A.C.
Next Steps:	<ul style="list-style-type: none"> • Revisions to internal procedures • Training for BPS employees regarding revisions to policy and revised procedures

**Current
Version**

7440.01 - PROTECTION OF PERSONNEL AND PROPERTY

It shall be the responsibility of the Board to provide safety and security for all students and employees of the Board.

A. Environmental Health and Safety Program

The Superintendent shall direct the development, implementation, and enforcement of an environmental health and safety program, compliant with applicable laws and regulations, designed to prevent injury and illness to employees, students, and the general public, and damage to property or the environment arising from the District's operations. The program shall include, at a minimum, loss prevention, employee training, facility inspections, and corrective maintenance.

The principal or facility manager is responsible for the environmental health and safety program at their school or facility and for correction of "operation of plant" deficiencies within the time period specified.

B. Fire Exit Drills

Carefully planned and executed fire exit drills shall be conducted the beginning of each semester, at times designated by the principal, following instruction of all classes regarding exits to be used in case of fire. At least one (1) fire exit drill shall be conducted every month school is in session. One (1) additional fire exit drill shall be required within the first thirty (30) days of the school year. Any emergency evacuation drill (e.g., "crisis event"), completely performed, may be substituted for a required fire exit drill in a given month. All drills and all deficiencies affecting egress shall be documented in writing.

C. Inspection

Annual inspections of all buildings for fire safety, casualty safety, and sanitation shall be conducted. Conditions that may affect environmental health and safety or impair operation of the plant will be reported, with recommendations for corrective action.

F.S. 1001.41, 1013.12

F.A.C. 6A-2.76(1) and (2), 6A-2.86

Neola Template

Neola Template – (NEW) April, 2019

Book Florida Policies for Update

Section Vol. 19, No. 2

Title NEW POLICY - VOL. 19, NO. 2 - VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

Code po7440.01

Status Active

NEW POLICY - VOL. 19, NO. 2

7440.01 - VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

The School Board authorizes the use of video surveillance and electronic monitoring equipment at various school sites throughout the District and on school buses. The video surveillance/electronic monitoring equipment shall be used to protect Board property and assets from theft and vandalism, through deterrence and video documentation. The system is not designed nor intended to protect individuals from being victims of violent or property crimes, nor to detect other potentially illegal and undesirable activities that may occur, although information may be used as evidence in such cases.

The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order and discipline. Video surveillance/electronic monitoring systems serve to complement other means being employed in the District to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a video surveillance/electronic monitoring system does not replace the need for the ongoing vigilance of designated school staff to monitor and supervise the school building; rather, the video surveillance/electronic monitoring system serves as an appropriate and useful tool with which to augment or support the in-person supervision provided by staff. The principal is responsible for verifying that due diligence is observed in maintaining general campus security.

The Superintendent is responsible for determining where to install and operate fixed-location video surveillance/electronic monitoring equipment in the District. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner. Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary action.

Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the School District's schools and facilities, and for law enforcement purposes, and not for any other purposes. As such, recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceeding or criminal proceeding, subject to Board policy and regulations. Further, such recordings may become a part of a student's education record or staff member's personnel file. The Board will not use video surveillance/electronic monitoring equipment to obtain information for the purpose of routine staff appraisal/evaluation or monitoring.

Ordinarily, video surveillance/electronic monitoring equipment will not be used to make an audio recording of conversation occurring on school grounds or property where individuals have a reasonable

expectation of privacy; however, notice shall be given to all individuals present on the grounds of a school site or on a school bus that their conversations may be recorded through the video surveillance/electronic monitoring equipment and, as a result, individuals on the grounds of a school site or on a school bus should not have an expectation that their conversations will remain private.

Recordings of students will be treated as confidential. Consequently, because the Board is bound by Florida's Public Records Act and the Family Educational Rights and Privacy Act (FERPA), copies of video recordings containing personally identifiable information about students shall not be released except to school officials with legitimate educational interests. Parents or guardians of minor students, and students who are eighteen (18) years of age or older, who are charged with disciplinary violations may view relevant portions of any video recording related to the charge, upon written request to the principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any other students whose images appear on the recording). Likewise, school personnel may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recordings). Otherwise, such confidential recordings shall only be released as authorized under or required by State and Federal laws.

Video surveillance/electronic monitoring recordings may be retained beyond the retention period required by law if they are going to be utilized for training purposes or as required by law pursuant to Policy 8315 - Information Management and Administrative Procedure 8315 - Litigation Hold Procedure. This policy does not address or cover instances where school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting) or an isolated instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional and/or research purposes is permitted and is not addressed by this policy.

Video surveillance is to be implemented in accordance with this policy and the related administrative procedures. The Board will not accept or tolerate the improper use of video surveillance/electronic monitoring equipment and will take appropriate action in any cases of wrongful use of this policy.

Periodically, the Superintendent shall conduct a review to verify that this policy and its implementing procedures are being adhered to and report to the Board on the use of video surveillance/electronic monitoring equipment in the District.

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Legal References

F.A.C. 1B-24.003(1)(a)

Title I of the Electronic Communication Privacy Act of 1986

18 U.S.C. 2510

18 U.S.C. 2511

18 U.S.C. 2512

18 U.S.C. 2513

18 U.S.C. 2515

18 U.S.C. 2516

18 U.S.C. 2517

18 U.S.C. 2518

18 U.S.C. 2519

18 U.S.C. 2520

18 U.S.C. 2521

20 U.S.C. 1232g

34 C.F.R. 99.1-99.67

**Redline
Draft**

7440.01 - ~~PROTECTION OF PERSONNEL AND PROPERTY~~ VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

~~It shall be the responsibility of the Board to provide safety and security for all students and employees of the Board.~~

~~A. Environmental Health and Safety Program~~

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~~F.S. 1001.41, 1013.12~~

~~F.A.C. 6A-2.76(1) and (2), 6A-2.86~~

- A. The ~~School~~ Board authorizes the use of video surveillance and electronic monitoring equipment at various school sites throughout the District and on school buses. The video surveillance/electronic monitoring equipment shall be used to protect Board property and assets from theft and vandalism, through deterrence and video documentation. While the system is not primarily designed nor intended to protect individuals from being victims of violent crimes or disruptions property crimes, nor to detect other potentially illegal and undesirable activities that may occur, although video captured information may be used as evidence in such cases for school discipline and/or criminal prosecution. In addition, with available technology during a critical incident, video can be shared in real time with first responders to enhance their response capabilities.
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- B. The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order, safety, and discipline. Video surveillance/electronic monitoring systems serve to complement other means being employed in the District to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a video surveillance/electronic monitoring system does not replace the need for the ongoing vigilance

of designated school staff to monitor and supervise the school building and campus; rather, the video surveillance/electronic monitoring system serves as an appropriate and useful tool with which to augment or support the in-person supervision provided by staff. The principal is responsible for verifying that due diligence is observed in maintaining general campus security.

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C. The Superintendent designated cross-~~functional~~ team, to include each location's administration, is responsible for determining where to install and operate fixed-location video surveillance/electronic monitoring equipment in the District. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner. Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary action.

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D. Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the ~~School~~ District's schools and facilities, and for law enforcement purposes, and not for any other purposes. As such, recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceeding, or criminal proceeding, subject to Board policy and regulations. Further, such recordings may become a part of a student's education record or staff member's personnel file. The Board will not use video surveillance/electronic monitoring equipment to obtain information for the purpose of routine staff appraisal/evaluation or monitoring.

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E. Ordinarily, video surveillance/electronic monitoring equipment will not be used to make an audio recording of conversation occurring on school grounds or property where individuals have a reasonable expectation of privacy; however, notice shall be given to all individuals present on the grounds of a school site or on a school bus that their conversations may be recorded through the video surveillance/electronic monitoring equipment and, as a result, individuals on the grounds of a school site or on a school bus should not have an expectation that their conversations will remain private.

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F. Recordings of students will be treated as confidential. Consequently, because the Board is bound by Florida's Public Records Act and the Family Educational Rights and Privacy Act (FERPA), copies of video recordings containing personally identifiable information about students shall not be released except to school officials with legitimate educational interests. Parents/~~or legal~~ guardians of minor students, and students who are eighteen (18) years of age or older, who are charged with disciplinary violations may view relevant portions of any video recording related to the charge, upon written request to the ~~principal~~, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any other students whose images appear on the recording). At no time during the requested viewing will the video be recorded by any electronic device.

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F.G. Likewise, ~~school personnel~~ staff may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal or administrator, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recordings). Otherwise, such confidential recordings shall only be released as authorized under or required by State and Federal laws. At no time during the requested viewing will the video be recorded by any electronic device.

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G.H. Video surveillance/electronic monitoring recordings may be retained beyond the retention period required by law if they are going to be utilized for training purposes or as required by law pursuant to Policy 8315 - Information Management and Administrative Procedure 8315 - Litigation Hold Procedure. This policy does not address or cover instances where school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting) or an isolated instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional, and/or research purposes is permitted and is not addressed by this policy.

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I. Video surveillance is to be implemented in accordance with this policy and the related administrative procedures. The Board will not accept or tolerate the improper use of video surveillance/electronic monitoring equipment and will take appropriate action in any cases of wrongful use of this policy.

~~H.J. Video recordings from campuses and/or buses may be confidential and exempt under F.S. 281.301 and F.S. 119.071 and may only be released pursuant to a lawfully issued subpoena or in an emergency involving health, safety, and/or welfare.~~

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K. Periodically, the Superintendent or designee shall conduct a review to verify that this policy and its implementing procedures are being adhered to and report to the Board on the use of video surveillance/electronic monitoring equipment in the District.

Adopted 5/1/02

Revised _____ -

Legal References

F.A.C. 1B-24.003(1)(a)

Title I of the Electronic Communication Privacy Act of 1986

18 U.S.C. 2510

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18 U.S.C. 2520

18 U.S.C. 2521

20 U.S.C. 1232g

34 C.F.R. 99.1-99.67

F.S. 119.071

F.S. 281.301

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**Clean
Version**

7440.01 - VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

- A. The Board authorizes the use of video surveillance and electronic monitoring equipment at various school sites throughout the District and on school buses. The video surveillance/electronic monitoring equipment shall be used to protect Board property and assets from theft and vandalism, through deterrence and video documentation. While the system is not primarily designed to protect individuals from being victims of violent crimes or disruptions, nor to detect other potentially illegal and undesirable activities, video captured may be used as evidence in such cases for school discipline and/or criminal prosecution. In addition, with available technology during a critical incident, video can be shared in real time with first responders to enhance their response capabilities.
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- G. Likewise, staff may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal or administrator, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recordings). Otherwise, such confidential recordings shall only be released as authorized under or required by State and Federal laws. At no time during the requested viewing will the video be recorded by any electronic device.
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