



Book	Policy Manual
Section	800 Operations
Title	Transportation- Video/Audio Recording
Number	810.2
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### **Purpose**

The Board recognizes the need to sustain proper standards of safety for students who ride district school buses. The use of audio/video recording is intended to assist administration, contractors, and drivers in observing behavior and preventing violation of bus riding rules. The district will communicate and enforce disciplinary procedures to be followed by students when they are riding the bus. Rules can be enforced only with the cooperation of everyone concerned with transportation. Observance of these rules will ensure the safety, prompt arrival and prompt departure of buses as well as proper behavior on the part of students. The use of the audio/video system will enhance safety by preventing undesired behavior and will enhance the effectiveness of discipline by identifying offenders. The district wants to improve and maintain a safe bus system. The School Board, district administration, and contractors have committed to an audio/video surveillance system to assist in achieving that goal. This policy sets guidelines for use and administration of the system.

### **Authority**

The Board authorizes the use of video and audio recording on school buses and school vehicles for disciplinary and security purposes.[1]

The Board prohibits the use of audio recording on any school bus or school vehicle that is not being used for a school-related purpose.[1]

The Board determines eligibility of students for transportation and sets rules and disciplinary guidelines.

### **Definitions**

**School bus** means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.  
[2]

**School vehicle** means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.[2]

For the purpose of this policy:

1. **Audio/Video monitoring devices** shall mean all devices capable of recording sound or visual images.
2. **Contractor** shall mean the entity and all individuals employed by the entity with whom the school district has contracted to provide transportation services.

### **Delegation of Responsibility**

The Board directs the Superintendent or designee to ensure that:

1. Each school bus and school vehicle that is equipped with video and audio recording equipment contains a clearly posted notice informing drivers and passengers of the potential for video and audio recording.[1]
2. This policy is posted on the district's publicly accessible website.[1][3]
3. Each school year, this policy is included in the student handbook and in any other district publication that sets forth the comprehensive rules, procedures and standards of conduct.[1]

The primary responsibility for maintaining discipline on school buses lies with the bus driver. The Bus Conduct Report is the primary tool for use by the bus driver in reporting misconduct that cannot be corrected by less formal means, such as assignment of seats, or verbal warnings by the bus driver. These reports shall be forwarded to the responsible school administrator for corrective disciplinary action as per district policy. The use of an audio/video camera on a bus is an aid to monitor bus behavior. It does not replace the discipline policy, the authority of the bus driver, or the responsibility of the school officials. The Superintendent or his/her designee is authorized to develop procedures in implementing this policy.

### **Guidelines**

The district shall comply with the provisions of federal and state laws and regulations regarding student record requirements as applicable to the district's use and disclosure of recordings. Recordings considered part of a student's educational record shall be maintained in accordance with established student record procedures governing access, review and disclosure of student records.[4][5]

This policy shall serve as the guide for the recording and use of the audio/video camera as well as instruction for contractors and drivers including ownership, care and maintenance of the equipment.

Audio/Video monitoring devices may be in operation in district-owned and district-contracted school buses. Such devices will be installed in a locked camera box in such a manner as to be visible in appearance to all passengers. Hidden cameras will not be used. A warning notice shall be posted in each bus notifying passengers that an audio/video monitoring system may be used to audio/videotape actions on the bus.

Each school year students and their parents/guardians will be notified that audio/video monitoring devices may be used in district-owned and/or district-contracted school buses.

Audios/Videos may be used to identify behavior problems and unsafe conditions and other educationally appropriate purposes consistent with the privacy rights of students. Any students so identified as demonstrating behavior problems will be reported to the principal along with documentation from the bus driver. Disciplinary action will be taken as deemed necessary by the principal and in accordance with disciplinary guidelines.

### **Audio/Video Tapes**

After audio/videotaping has been conducted, the contractor's bus supervisor, or district's Transportation Coordinator may review the tapes. If no incidents or behavior problems or unsafe conditions occur, tapes will be retained for one (1) week and then erased and made available for reuse. Tapes documenting incidents will be made available to the appropriate school administrators. In such cases, the audio/videotapes are to be kept by the Transportation Coordinator in the district office until disciplinary action/final resolution is reached, including such time for any appeals. Thereafter, all recorded evidence of misbehavior shall be erased.

Where a specific student violation may be recorded on audio/video, parents/guardians of that student may request to view that portion of the tape where the violation is observed, subject to the following provisions. The audio/videotape of a student on a bus shall be considered an educational record for so long as it is maintained by the school district. The access to these records shall be subject to Family Educational Rights To Privacy Act and its implementing regulations. Accordingly, a parent/guardian will be permitted to view a tape only if no other student is identified or if another student is identifiable, that student's parent/guardian has given written permission allowing their child to be viewed.

Once an audio/videotaping has documented a disciplinary incident and the tape has been turned over to the appropriate school administrator for further action, a request for viewing that particular audio/videotaping can only be made to the appropriate school administrator in charge of the audio/videotape. The requesting party must have legitimate educational interest to view the tape.

For purpose of this policy, the following generally have legitimate educational interest to view the video tape: bus driver, school administrator, the contractor, the Transportation Coordinator, school districts, or an eligible student.

A legitimate educational interest includes viewing with the intent to observe a given problem, incident, or situation and in an effort to work toward a resolution of that problem, incident, or situation. All requests shall be made in writing by completing a "Request for Viewing Bus Video" form available in the district's Transportation Office or in each school principal's office. The video may be viewed in the Transportation Office or in the school attended by the student who allegedly committed the infraction.

This policy shall be interpreted and implemented in accordance with all state and federal laws relating to the rights of disabled students.

### Equipment

Ownership - all the audio/video equipment is the property of the Forest Hills School District. Repairs will be made at the district's expense unless such repair is caused by the contractor, his/her employees, or agents directly or through neglect. It is the contractor's responsibility to immediately report loss, damage, or needed repair to the Transportation Coordinator.

### Instructions to Contractors

The school will ensure that the majority of the buses are equipped with units. Cameras will be rotated on buses according to the directions of the Transportation Coordinator or school administrator. The contractors shall perform the following:

1. Instruct drivers as to their responsibilities.
2. Designate a person and train him/her in the installation, handling, and checking of live cameras.
3. Install tapes during the workday to remain on the bus for the AM and PM run, if necessary. Remove and deliver to the district as directed.
4. Rotate the live cameras between buses as directed.

5. Use separate tapes for activity runs.
6. Prevent tapes from being viewed by unauthorized personnel.

### Instructions to Drivers

Notwithstanding the fact that an audio/video camera may be installed on the school bus, drivers must submit incident reports for offenses witnessed.

Drivers will be instructed in the care of the equipment and in reporting damage or malfunction.

### Rotation of Camera

The Transportation Coordinator, bus contractors, or school administrator will direct the use of the cameras and will determine the method of rotation between buses. A record by date and bus number will be kept by the contractor/Transportation Coordinator for each rotating camera. The record form will be submitted when completed.

Use of cameras for a field trip, extracurricular activities, etc., will only be as approved by a school administrator or the Transportation Coordinator. Contractors are encouraged to request such use where necessary.

Legal	<u>1. 18 Pa. C.S.A. 5704</u>
	<u>2. 75 Pa. C.S.A. 102</u>
	<u>3. 24 P.S. 510.2</u>
	4. Pol. 113.4
	5. Pol. 216
	<u>24 P.S. 510</u>
	Pol. 218
	Pol. 805.1
	Pol. 810

Last Modified by Tamara Beach on January 25, 2017