

**Administrative Procedures for Policy #1060 (Administration)
Regarding Video Surveillance
Installation and Use of Audio-video Surveillance on School Vehicles/ Buses**

I. Definitions

- A. School Property – Any Calvert County Public Schools (CCPS) building and/or grounds and/or owned, leased or contracted school vehicle used for school business.
- B. Audio-video Surveillance – the use of video cameras and recording equipment to monitor school property.
- C. Actionable – a behavior that requires the intervention of CCPS Director of Transportation/designee, Principal/designee, Director of Human Resources/designee or school vehicle/bus contractor. Typically, this would involve a violation of the Federal law, State law, local law, the school vehicle/bus contract, CCPS policy, procedure, guidelines, or the Students’ Rights, Responsibilities and Code of Conduct

II. Guiding Principles

- A. The recording system on buses is designed to record both picture and sound.
- B. These procedures only apply to the audio-visual surveillance recordings from school buses when they are operating on CCPS’ business.
- C. All audio-visual recordings are the property of CCPS.
- D. Parents and students will be annually notified through the Students’ Rights, Responsibilities and code of Conduct, the CCPS School Calendar and Handbook, the CCPS website and information distributed to bus riders at the start of the school year that audio-video surveillance equipment may be used on school vehicles/buses, as funding is available.
- E. Stored recordings containing images of students may be considered student records and are therefore treated as such for purposes of access by non-school personnel.
- F. Audiovisual recordings concerning school vehicle/bus drivers and CCPS employees may only be viewed by the appropriate CCPS staff with the approval of the Director of Transportation. School officials may include school-based administrators/designees, the Director of Transportation/designee, the Director of Student Services/designee, the Director of Human Resources/designee, and others deemed necessary to conduct an investigation.
- G. Audio-visual recordings concerning the behavior of CCPS employees and/or school vehicle/bus drivers employed by independent contractors shall not be viewed by parents/guardians. This is done to protect the confidentiality of the records of CCPS employees and of contractor-employed drivers.

- 1. Two exceptions may be made if the recordings are pertinent to;

- a. A review of a driver's ability to safely operate a school vehicle/bus by the Motor Vehicle Administration's Medical Advisory Board, then a copy of the recording may be provided to the appropriate staff there.
 - b. An act of sexual harassment/sexual abuse committed on board a bus, then the recording may be reviewed by and copies provided to the victim and the victim's parents/guardians.
- H. Audiovisual recordings concerning students may only be viewed during an investigation by the appropriate CCPS staff as determined by the Principal/designee, the Director of Student Services/designee and the Director of Transportation/designee.
 - 1. CCPS staff involved in the appeal of the consequences assigned to a student may also review the audiovisual recordings.
- I. If audiovisual recordings were used as part of an investigation which resulted in an action/consequence being assigned to student, the parent/guardian may request a playback of the recordings, as follows:
 - 1. Parents/guardians must submit the appropriate form to the Principal/designee to request viewing the audiovisual recording of their student.
 - 2. CCPS will have an administrator, dean of students or central office designee present during the audiovisual playback.
 - 3. CCPS does not intend to have counsel present during audiovisual playback.
 - a. If a guardian intends to bring legal counsel to view playback, then legal counsel may also be in attendance for CCPS.
 - b. The guardian must notify CCPS of the intention to bring counsel to the playback so CCPS can notify its counsel.
 - c. No playback can take place until a mutually agreeable date and time has been determined.
 - d. The playback will take place on school property on computers with a proprietary software installed.
 - 4. Playback of audiovisual recording shall be limited to the date, time of day and school trip/tier when an event resulting in the Principle/designee assigning the student a consequence took place. (Example: A.M./bring-in trip/tier or P.M./take-home trip/tier)
 - 5. During the playback of an audiovisual recording from a school vehicle/bus, notetaking will be permitted by all parties in attendance.
 - 6. No one in attendance may make an audio or audiovisual recording of the playback.
 - 7. No one in attendance may take still photography of the playback.
 - 8. No copies of the audio-only or audiovisual recordings will be produced by CCPS. If a still image from the audiovisual recordings is already part of the

student file, then a copy of it must be provided to the guardian, if the guardian requests it.

9. A Principal/designee may, in his/her sole discretion, produce a still image from a recording used as evidence in an investigation resulting in consequences, to honor a guardian's request for a copy of a still image, even if the copy of the still image is not already in the discipline file.
 - a. Two copies of the still image will be produced. One will be provided to the parent/guardian and another will be placed in the student's discipline file.
 10. Victims of sexual assault/sexual harassment may see recordings of the alleged act(s) against their student. Unless it involves sexual assault/sexual harassment by a school vehicle/bus driver or CCPS employee on board the bus, then parents/guardians and the student shall not review playback of the actions of the bus driver or the bus assistant.
 11. Failure to adhere to any of the items by anyone in the student/guardians party during playback may lead CCPS staff to ask the individual(s) to leave the meeting, and/or leave CCPS property and/or may result in CCPS staff terminating the appointment for playback of the audiovisual recording.
- J. For training purposes only, the Director of Transportation may save some audiovisual recordings.
- K. Audiovisual recordings which are not reviewed as part of an investigation are automatically recorded over as new data is recorded.
- L. An individual hard drive which is removed from a school vehicle/bus must be reformatted prior to being installed into a bus. This also eliminates previous recordings.
- M. Purchase and Installation of Recording Equipment
1. CCPS will provide all necessary equipment as funding is available. Spare buses and temporary route buses may also have audiovisual equipment installed as funding is available.
 2. CCPS will obtain a service contract to maintain and repair the equipment to ensure performance quality and regular maintenance of the equipment.
- N. Contractor Responsibilities
1. Contractors are responsible for the system being activated any time the bus is serving CCPS.
 2. Contractors will be responsible for implementing a check that the audiovisual recording systems are working correctly before each trip and report any problems to the Transportation Department within twenty-four (24) hours.
 3. Contractors will collaborate with the Director of Transportation in using audio-video surveillance to investigate allegations that a school vehicle/bus driver is responsible for any infractions of rules or misconduct. This would include failure to execute assigned responsibilities as per policy, procedure, guidelines, COMAR and state or federal law.

4. Contractors will provide the Director of Transportation ten (10) business days' written notice prior to the sale and delivery of a bus with an audiovisual system to any party not serving as a school vehicle/bus contractor to CCPS. This is to allow time for CCPS to schedule its audiovisual equipment vendor to remove the system.

III. School-Based Administrator Responsibility

A. School-based administrators/designee will:

1. Work closely with bus drivers to ensure safe and orderly bus rides.
2. Determine when a review of an audiovisual recording may be necessary as part of an investigation of student behavior.
3. Contact the Director of Transportation/designee to request approval to exchange the hard drive from the bus, prior to reviewing recordings.
4. Upon finding evidence of student behavior in an audiovisual recording that requires corrective action or assigning a consequence the Principal/designee will:
 - a. Create a still image, label it, and insert it into the student's discipline record; or
 - b. Have an audiovisual recording copied, labeled and stored in the student's discipline file.
5. Delete audiovisual recordings that do not indicate anything actionable regarding an adult or student from a hard drive prior to exchanging it with a hard drive on a bus.
6. Report any concerns regarding the safe and efficient operation of the bus, by the bus driver and/or bus assistant or unsafe actions by any passenger to the Director of Transportation/designee.

IV. Transportation Department responsibilities

A. The Director of Transportation or his/her designee will:

1. Oversee communication concerning this program to all affected members of the school community.
2. Purchase all necessary equipment and service contracts.
3. Report to vendors all malfunctioning audio-video surveillance equipment and provide oversight on their repair.
4. Work with CCPS departments and employees to ensure the security of all audiovisual equipment on buses and recordings from buses.
5. Work closely with the bus contractors, drivers, bus assistants and administrators/designees to ensure that all procedures are followed.
6. Assist school-based administrators/designees as they use audiovisual recordings as one tool to enhance the safety and orderliness of the passengers on school vehicles/buses.

7. Determine when a review of an audiovisual recording may be necessary as part of an ongoing investigation pertaining to safety of students, staff and the motoring public.
8. Secure the audiovisual recording(s) or still image(s) of school bus/vehicle driver, employees of an independent contractor, which indicated a behavior that was actionable by either:
 - a. Creating a still image, labeling it and having it stored by the Transportation Department; or
 - b. Creating an audiovisual recording, labeling it and having it stored by the Transportation Department.
9. Secure the audiovisual recording(s) or still image(s) of bus assistant or other CCPS employee or other adult as part of an investigation by:
 - a. Creating a still image, labeling it and having it stored by the Human Resources Department; or
 - b. Creating an audiovisual recording, labeling it and having it stored by the Transportation Department.
10. Delete audiovisual recordings that do not indicate anything actionable regarding a school vehicle/bus driver, CCPS employee or other adult on board a bus.
11. Act regarding concerns about the safe and efficient operation of the bus by the CCPS' employee and/or bus driver, who is employed by a private contractor.
12. Report any concerns regarding student discipline, or physical or emotional safety of students to the school Principal/designee and/or school vehicle/bus contractor.