

# BYLAW GUIDE

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Board Member Use of Social Networks  
Dec 17

[See **POLICY ALERT No. 214**]

## 0169.02 BOARD MEMBER USE OF SOCIAL NETWORKS

In accordance with the School Ethics Act - N.J.S.A. 18A:12-21 et seq., Board of Education members must avoid conduct which is in violation of the public trust or which creates a justifiable impression among the public that such trust is being violated. To avoid conduct that may be in violation or perceived to be in violation of the School Ethics Act, the Board of Education adopts this Policy to provide guidance to Board members in their use of social networks.

For the purposes of this Policy, “social network(s)” shall include, but not be limited to: Internet blogs, electronic bulletin boards, emails, social networking websites, text messages, or any other online platform where people may post or communicate interests, opinions, or any other information that may be viewed by others with or without permission from the person making such post or re-publishing such post. “Social networks” also means an Internet-based service that allows individuals to: construct a public or semi-public profile within a bounded system created by the service; create a list of other users with whom they share a connection within the system; and view and navigate their list of connections and those made by others within the system.

For the purposes of this Policy, “use of a social network” shall include, but not be limited to: posting to a social network, reposting another person’s post to a social network, messaging, or any other publication of material on a social network.

Nothing in this Policy prevents a Board of Education member from using a social network. However, a Board member must avoid conduct on a social network that would violate the School Ethics Act – N.J.S.A. 18A:12-21 et seq., which includes the Code of Ethics for Board Members. Board members should be advised communications, publications, photographs, and any other information posted by the Board member or reposted by the Board member on a social network could violate the School Ethics Act and be cause for sanctions in accordance with the law.



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While this Policy respects the right of Board members to use social networks, Board members shall recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. A Board member's use of social networks shall not damage the reputation of the school district, employees, students, or their families. Board members who use social networks shall ensure their conduct is appropriate for a Board of Education member. Board members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding what is private in the digital world often has the possibility of becoming public, even without their knowledge or consent.

Board members should carefully review the privacy settings on social networks they use and exercise care and good judgment when posting content and information. When using social networks, Board members are advised to:

1. Not post anything that would violate any of the district's policies for Board members;
2. Uphold the district's value of respect for any individual(s) and avoid making defamatory statements about the Board of Education, the school district, employees, students, or their families;
3. Not disclose any confidential information about the school district or confidential information obtained as a result of being a Board member, about any individual(s) or organization, including students and/or their families;
4. Not use or refer to their Board of Education title or position when soliciting for a business organization that he or she or any immediate family member has an interest in, as well as posting or referencing any confidential information regarding the Board of Education or the school district obtained through their Board membership, unless authorized by law;
5. Refrain from having communications through social networks with other Board members regarding any Board of Education business to avoid any potential violation of the New Jersey Open Public Meetings Act;



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### Board Member Use of Social Networks

6. Not respond to any postings regarding Board of Education or school district business or respond to any question or inquiry posted to the Board member or posted on any social network regarding Board of Education or school district business and shall refer any such questions or inquiries to the Superintendent of Schools to address, as appropriate; or
7. Not post any information on a social network determined by the New Jersey School Ethics Commission to be a violation of the New Jersey School Ethics Act.

A Board member shall comply with all Board policies regarding acceptable use of computers and computer networks whenever a Board member is using a Board of Education electronic device.

If the Board or Superintendent believes a Board member's activity on any social network may violate the Board's policies or the New Jersey School Ethics Act, the Board or Superintendent may request the Board member cease such activity.

This Policy has been developed and adopted by this Board to provide guidance and direction to a Board member to avoid actual and/or a perceived appearance of inappropriate conduct or conduct prohibited by the School Ethics Act while using social networks.

N.J.S.A. 18A:12-21 et seq.

N.J.S.A. 10:4-6 et seq.

Adopted:



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Student Tracking Devices  
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[See POLICY ALERT No. 214]

## 5516.01 STUDENT TRACKING DEVICES

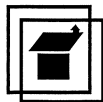
The Board of Education recognizes students may have in their possession while in school, at a school-sponsored activity, or on a school bus an electronic tracking device that uses a global positioning system (GPS) or any other similar system. A tracking unit is a device, normally carried by a moving vehicle or person, that uses a GPS or similar system to determine and track its precise location, and hence that of its carrier, at intervals. The recorded location data can be stored within the tracking unit or it may be transmitted to another location, including, but not limited to, a central location database or an Internet-connected computer, using a cellular, radio, or satellite modem embedded in the unit. This allows the tracking unit's location to be displayed against a map backdrop either in real time or when analyzing the tracking path later, using tracking software. A tracking unit may be a device designed just for tracking or may be an application installed on any other electronic device.

A tracking unit may also have the ability to transmit in real time or through taping electronic communications to another location. These electronic communications may be one-way or two-way audio or video communications between the student and a person with a device at another location or an audio and/or video feature that enables a person remote from the student, with or without the permission of the student, to listen-in or have voice communications with the student and/or access video through the unit either in real time or by taping such communications.

The Board of Education permits the use of a tracking unit or an application on an electronic device that can track the location of the student while in school, at a school-sponsored event, or on a school bus. However, to protect the privacy rights of all students and to maintain the school district's legal obligation to maintain confidential student information in accordance with Federal and State law and regulations, the use of a tracking device or an application on an electronic device that enables any type of one-way or two-way audio and/or video communications or taping is not permitted.

A violation of the provisions of this Policy will result in a violation of the Student Code of Conduct Policy and appropriate discipline will be imposed.

Adopted:



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[See POLICY ALERT Nos. 177 and 214]

## 7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

The Board of Education authorizes the use of electronic surveillance systems in school buildings and on school grounds 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 and grounds.

The content produced by the surveillance system under certain circumstances may be considered a student record; **and if so in which** it will be subject to the Board of Education policy and regulations regarding confidential student 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.~~

**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.**

The **Board of Education shall post signage** ~~following statement shall be posted~~ in a prominent, public place in buildings and on school grounds where electronic surveillance equipment may be used:.



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~~The Board of Education authorizes the use of electronic surveillance monitoring devices in school buildings and on school grounds. Therefore, all school buildings and school grounds within this school district may be monitored using such devices in accordance with Board Policy.~~

In addition to posting, the district shall notify school staff members, parent(s) or legal guardian(s), and students that electronic surveillance may be used in school buildings and on school grounds 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 and on school grounds.

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

Adopted:



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[See POLICY ALERT Nos. 177 and 214]

## R 7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

In order to enhance a safe and secure environment, the Board authorizes electronic surveillance devices to be used ~~on~~ **in school district buildings** ~~property~~ and on school grounds.

### A. Recording and Notice

1. Surveillance devices may include, but are not limited to, sound/video cameras, audio recording devices, and other appropriate devices.
2. Recordings may be used to monitor and observe the conduct of school district staff, students, community members, and other person(s) in school buildings or on school grounds.
3. **Signage** ~~Notice regarding the use of surveillance devices~~ will be posted in **a prominent public place in** school buildings ~~and~~ ~~or~~ on school grounds where **electronic surveillance equipment** ~~devices~~ may be used.

### B. Student Records and Notice

School district personnel will comply with the provisions of applicable law regarding student record requirements including the Family Educational **Rights** and Privacy Act (**FERPA**) and the Individuals with Disabilities Education ~~Improvement~~ Act (**IDEA**). Recordings considered for retention, as a part of a student's behavioral record, will be maintained in accordance with established student record procedures governing access, review, and release of student records.

### C. Staff Records and Notice

1. Recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established Board personnel policies, administrative regulations, applicable law, and any labor agreements governing access, review, and release of employee personnel records.



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2. The district will provide notice to students, parent(s) ~~or legal guardian(s)~~, and school staff members that surveillance devices may be used in school buildings and on school grounds.

## D. Storage/Security

1. All recordings will be stored by the Superintendent or designee, and secured to ensure confidentiality.
2. Recordings will be **retained in accordance with the New Jersey Department of the Treasury – Records Management Services – Records Retention Schedules** and stored for \_\_\_\_\_ calendar days ~~after initial recording, whereupon such recordings~~ will be erased or discarded, unless there is a legitimate reason for retaining such recording for review, **upon receiving prior authorization from Records Management Services.**

## E. Use

1. The determination of the location of surveillance devices shall be made by the **Superintendent or designee in conjunction with input from the Principals.**
2. Tampering with or otherwise interfering with surveillance equipment is prohibited. Any individual found tampering with equipment shall be subject to discipline.

## F. Viewing or Listening

1. Initial viewing or listening to recordings will be done by the Building Principal or designee.
2. Requests for viewing or listening will be limited to persons with a direct interest in any proceedings, disciplinary or otherwise, resulting from the recordings, as deemed appropriate by the Superintendent of Schools or designee.





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3. Only the portion of the recording concerning a specific incident will be made available for viewing.
4. Viewing or listening to the recording will be permitted on school property or as otherwise required by law.
5. All viewing will be in the presence of the Superintendent of Schools or designee.
6. A written log will be maintained by the Building Principal or designee of those viewing video recordings including date of viewing, reason for viewing, the date the recording was made, and the signature of the viewer.
7. Video recordings remain the property of the **school** district and may be reproduced only in accordance with law, including applicable district student records policy and procedures and district personnel records policy, procedures and applicable labor agreements.

**G. Law Enforcement Memorandum of Understanding (MOU)  
(N.J.S.A. 18A:41-9)**

1. **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 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, but need not be limited to, the following:**
  - a. **The designation of individuals who shall be authorized to view live streaming video;**



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- b. The circumstances under which the designated individuals would view live streaming video; and**
    - c. A detailed plan for preventing and detecting unauthorized access to live streaming video.**
  - 2. In the case of a school building that is located in a municipality in which there is no municipal police department, the Board shall enter into a MOU with an entity designated by the Superintendent of the State Police.**
  - 3. In the event the district and law enforcement authority are unable to reach an agreement regarding any provision required to be included pursuant to G.1.a.-c. above, the County Prosecutor shall make the final determination.**
  - 4. 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 is not equipped with such equipment.**
- HG. Purchase, Maintenance, Replacement of Equipment/Supplies**
- 1. The School Business Administrator/Board Secretary or designee will be responsible for the purchase, maintenance, and replacement of all electronic surveillance devices.

Issued:

