

**INTERDEPARTMENTAL AGREEMENT
BETWEEN THE SPRINGFIELD PUBLIC SCHOOLS
AND THE
SPRINGFIELD POLICE DEPARTMENT,
REGARDING ACCESS TO SCHOOL SECURITY SURVEILLANCE CAMERAS**

This Inter-Departmental Memorandum of Agreement ("Agreement") is made by and between the **CITY OF SPRINGFIELD POLICE DEPARTMENT ("SPD")**, acting by and through its Police Commissioner ("Police Commissioner"), and the **SPRINGFIELD PUBLIC SCHOOLS**, acting by and through its School Committee, and effective upon execution.

WHEREAS, the Springfield Public Schools ("SPS") has security surveillance cameras installed inside and outside of school buildings and SPS buildings; and

WHEREAS, the SPD may, for the purpose of promoting school and public safety and the physical security of students, school staff, and citizens and as part of a police investigation, public safety emergency, or police response to an incident, have the need to access images recorded by SPS security surveillance cameras; and

WHEREAS, SPS security surveillance camera video images and recordings of students are considered to be education records under FERPA, 603 CMR 23 and the U.S. Department of Education; and

WHEREAS, FERPA permits SPS to disclose education records to third parties under circumstances where the education record may be used only for the purpose for which the disclosure was made; and

WHEREAS, the purpose of this Agreement is to establish an agreement regarding the SPD's purpose for, and access to, and use of, live or stored digital images and recordings from the SPS security surveillance cameras located in and outside of school buildings and SPS buildings;

NOW THEREFORE, the parties agree as follows:

1. **Exterior SPS Cameras**: Live or stored recordings of images by security surveillance cameras located on the outside or exterior of school buildings ("Exterior Images") and SPS buildings may be accessed at any time, but only by the then current members of the SPD Real Time Crime Analysis staff, the SPD Video Analyst, SPD officers and supervisors responding to or in good faith investigating an incident depicted on such images and recordings, and such other SPD officers, supervisors and personnel designated by the Police Commissioner, provided the security surveillance camera access is needed for a bona fide law enforcement purpose, police investigative or criminal investigative purpose, and provided further that SPS retains the right to reproduce the requested video images for the SPD, district attorney's office, law enforcement agencies, or upon Court Order or subpoena, to other third parties.
2. **Interior SPS Cameras**: Live or stored recordings of images captured by security surveillance cameras located inside school buildings and SPS buildings ("Interior Images") may be accessed only by the Real Time Crime Analysis staff, the SPD Video Analyst, and/or SPD officers and supervisors responding to or investigating an incident believed to be depicted on such images and recordings, under the following conditions:
 - A) solely for the purpose of responding to a public safety emergency situation. In such a public safety emergency situation, the SPD Supervisor responsible for coordinating the SPD response shall as soon as practicable, notify SPS Safety and Security Office that SPD has accessed inside security surveillance cameras at a school

building or SPS building, and provide the details of such access - date, time, location, and reasons therefore; . Or

- B) as part of a non-emergency law enforcement investigation provided that SPD receives prior written approval from the SPS Safety and Security Office to view such Interior Images and provided further that SPS retains the right to reproduce the requested video Inside Images for the SPD, district attorney's office, law enforcement agencies, or upon Court Order or subpoena, to other third parties; Or
 - C) Interior Images may be accessed only by the Real Time Crime Analysis staff, the SPD Video Analyst, and/or SPD officers and supervisors for the purpose of law enforcement training provided that SPD receives prior written approval from the SPS Safety and Security Office to view such Inside Images.
3. SPD utilizes the SPD Motorola Platform to connect to the SPS cameras. The SPD Motorola Platform requires a user-name and password to login in order to access a security camera. A record is made of the camera's exact location and of the video stream accessing the event.
4. **Recorded Video or Still Recordings:**
- A) No recorded video or still image recordings from the SPS security surveillance cameras shall be used by SPD for any purpose other than law enforcement, or in response to a Court Order, lawfully issued subpoena, or pursuant to paragraph 2 (C).
 - B) In no event should SPS security surveillance camera still images or video images of a SPS student or students be released to a person or entity not a party to this Agreement, or redisclosed, without prior authorization from the student's parent/guardian and in compliance with FERPA and 603 CMR 23, unless otherwise required by a lawfully issued subpoena or Court Order.
5. By entering into this Agreement, SPS is not acting as an agent of the SPD and no agency relationship is conferred on the SPS by the terms of this Agreement.
6. SPD agrees to hold confidential the SPS password and router information disclosed to SPD in order for SPD to access SPS security surveillance cameras for the above referenced purposes.
7. Term: This Agreement shall remain in effect for a period of 3 years, unless earlier terminated by either party on 30 days written notice to the other party.
8. Amendments: The parties may amend the Agreement by mutual agreement, in writing, and signed by all parties listed on the signature page below.

IN WITNESS WHEREOF, the City of Springfield Police Department, acting by and through its Commissioner, and the Springfield Public Schools, , acting by and through its School Committee, have executed this Inter-Departmental Agreement regarding access to SPS security cameras, as of the date the same is signed by all parties listed below.

FOR THE CITY OF SPRINGFIELD POLICE DEPARTMENT:

Approved:

Cheryl Clapprood,
Police Commissioner
Date signed: _____

Approved as to Form:

City Solicitor
Date signed: _____

FOR THE SPRINGFIELD PUBLIC SCHOOLS:

Approved:

Daniel J. Warwick
Superintendent of Schools
Date signed: _____

SPRINGFIELD SCHOOL COMMITTEE

