

Questions from SB 507 presentation

1. Do cameras have to be in every classroom that has special ed students? We have inclusion in our district.

No, the statute provides very specific criteria for determining which special education classrooms trigger the camera requirement. The majority of the students in regular attendance in the classroom must (1) receive special education and related services, and (2) be assigned to a self-contained classroom or other special education setting for at least 50% of the instructional day.

2. Audio is required for all areas of the classroom but does the video have to record all areas other than the restrooms and changing areas?

Yes, the video must record all areas of the classroom except for the inside of a bathroom and areas in which students' clothes are changed.

3. We have not had a request but are putting forth effort to start the process. We have put video cameras in a few of our Life Skills classrooms. Do need to notify even though we haven't had a request?

Yes, the statute requires that prior written notice of the placement be provided to (1) all school or campus staff, and (2) the parents of students receiving services in the classroom.

4. In the list of people that can access the video, who is suppose to do the video editing?

A designated district administrator trained in de-escalation and restraint techniques would likely be the best candidate for overseeing access to the recordings and for determining whether and to what extent any editing may be required. It is unclear at this time whether the administrator would be able to designate other district personnel to perform the video editing.

5. When Life Skills class goes to PE do you have to record in gym?

Probably not, as the gym is not likely to satisfy the criteria referenced in Question 1 for triggering the camera requirement. In the event that

the gym is located within a facility dedicated solely to providing special education services, however, the gym may satisfy the above criteria and further analysis may be warranted.

6. How much time do you have for implementation after a request is received?

It is unclear at this time how long a district will have to install the camera equipment once the request has been received. For requests received during the 2015-2016 school year, we recommend that districts complete implementation by the beginning of the 2016-2017 school year.

7. Do we think ACCESS LOGS will be needed to prove compliance with authorized viewing?

The statute does not currently indicate that access logs are required, but use of access logs would be a best practice to ensure that only authorized individuals are accessing the recordings. In the absence of an access log, it would be difficult for districts to prove their compliance with the statute's restrictions on access.

8. Can these cameras be tied into your campus cameras used in the security/monitoring system?

Yes, provided that you are able to satisfy the statutory requirements for audio and video recording and that you are able to configure the equipment to ensure compliance with the statute's retention and confidentiality requirements. Please keep in mind that these recordings should not be commingled with other security camera footage.

9. On video saved for a request, does it's 6 month expiration restart or based on request documentation, depending on where it was finalized?

No, the six-month retention period begins when the recording is made and the statute does not currently provide for any extension of that period. Practically speaking, however, districts should be prepared to retain the recordings for longer than six months to accommodate for the time required to process a request. Once a request has been made, districts should retain the relevant recording until the issue that triggered the request has been resolved and

potentially longer, depending on the circumstances.

10. Do playgrounds for special needs students have to have video/audio as well?

Probably not, similarly to the gym setting mentioned above, the playground is not likely to satisfy the criteria referenced in Question 1 for triggering the camera requirement. In the event that the playground is located at a facility dedicated solely to providing special education services, the playground may satisfy the above criteria and further analysis may be warranted.