


Expert help from friendly people


Cameras in the Classroom: Recommended Additions Beyond the Rules

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Figure out the classrooms/settings


- Self-contained classroom =
 - Classroom on a *regular* school campus; and
 - Majority of students in *regular* attendance are provided special education and related services; and
 - Have one of the following instructional arrangements/settings: 43, 44, 45, 84, 85, 94, 95, 98.
- Do these have specific classroom/program names in your district?

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Figure out the classrooms/settings

- Other special education setting =
 - Classroom on a *separate* campus; and
 - Majority of students in *regular* attendance are provided special education and related services; and
 - Have one of the following instructional arrangements/settings: 86, 96
- Is this applicable to your district?


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Planning for Maintenance and Retention


- Where will the equipment "live?"
- Who "owns" the equipment?
- What will happen when the employee or child who originated the request no longer is assigned to the classroom?
- Technology personnel will need to be involved.

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Responding to Alleged Incidents


- Rules define "incident."
- Have a standard reporting form. Consider chain of custody of this form and who starts the investigation.
- Did the "incident" occur? Does it matter for purposes of those authorized to view recordings?
- If a parent or staff member raises a concern that does not rise to the definition of incident, then what?

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Balancing Safety and Privacy

- At what point do these recordings become educational records?
- District ability to mask or block other faces in a recording will vary.
- FERPA prevails over state law/rule.

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NOTE: These are draft forms only and are subject to change after final adoption of Commissioner rules.

SPECIAL EDUCATION
VIDEO/AUDIO MONITORING

EHBAF
(EXHIBIT)

The forms on the following pages are provided to assist the District in relation to operation of video and audio equipment in certain special education classrooms and other settings as required by law.

- Exhibit A: Request for the Installation of Video and Audio Recording Equipment — 1 page
- Exhibit B: Notice of Installation of Video and Audio Recording Equipment — 1 page
- Exhibit C: Incident Report Form — 2 pages

DRAFT

TASB Policy Service provides no assurance that this sample comports with law or is appropriate for your district. Policy Service samples and assistance provided by your policy consultant should not be considered legal advice and are not intended as a substitute for the advice of the district's legal counsel.

EXHIBIT B

NOTICE OF INSTALLATION OF VIDEO AND AUDIO RECORDING EQUIPMENT

Note: Before the District installs video and audio recording equipment in a self-contained classroom or other special education setting in accordance with Education Code 29.022, the District is required to provide written notice to all staff assigned to the applicable campus and to the parents of the students receiving special education services in the classroom or setting. For more information, see EHBAF(LEGAL) and (LOCAL).

_____ (date)

_____ (campus)

As required by law, this letter serves as notice that the campus has received a request to install and operate video and audio recording equipment in the following location(s):

The sole purpose of video and audio monitoring is to promote the safety of students receiving special education services, and the recordings may not be used for any other purpose. Regular or continual monitoring of these recordings is prohibited.

The District will maintain the footage from these recordings for at least six months, as required by law.

Please contact the campus principal with any questions.

Note: If the District has determined that the request requires placing video and audio equipment in multiple special education classrooms or settings, be sure to indicate all the locations subject to the request.

SPECIAL EDUCATION
VIDEO/AUDIO MONITORING

EHBAF
(EXHIBIT)

Signature

Date

Print Name

DRAFT

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