
Note: Unless otherwise noted, the terms “video recording,” “video surveillance,” and “video monitoring” shall also include any associated audio recordings. **IN ADDITION, THE TERM “CLASSROOM” SHALL ALSO INCLUDE OTHER SPECIAL EDUCATION SETTINGS SUBJECT TO VIDEO AND AUDIO RECORDING REQUIRED BY LAW.**

TO PROMOTE STUDENT SAFETY, THE District shall comply with requests for video and audio monitoring of certain self-contained special education classrooms and settings as required by law ~~to promote student safety in these settings~~. Regular or continual monitoring of video recordings shall be prohibited. Video recordings shall not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

THE SUPERINTENDENT IS RESPONSIBLE FOR COORDINATING THE PROVISION OF EQUIPMENT TO CAMPUSES IN COMPLIANCE WITH THE LAW.

THE SUPERINTENDENT SHALL ENSURE THAT ADMINISTRATIVE REGULATIONS OPERATING GUIDELINES ARE DEVELOPED TO IMPLEMENT THIS POLICY.

~~A parent, Trustee, or staff member making a request~~ **A PARENT OF A STUDENT RECEIVING SPECIAL EDUCATION SERVICES AND WHOSE PLACEMENT FOR THE FOLLOWING SCHOOL YEAR WILL BE IN A SELF-CONTAINED CLASSROOM ELIGIBLE FOR VIDEO SURVEILLANCE MAY REQUEST THAT A VIDEO CAMERA BE PLACED IN THE CLASSROOM BY THE END OF THE CURRENT SCHOOL YEAR OR BY THE TENTH BUSINESS DAY AFTER THE STUDENT’S ADMISSION, REVIEW, AND DISMISSAL (ARD) COMMITTEE DETERMINES THE STUDENT’S PLACEMENT, WHICHEVER IS LATER. IF SUCH A** ~~under this policy shall submit the request~~ **IS MADE, to the campus SHALL BEGIN OPERATION OF THE CAMERA BY THE DEADLINES IN LAW.**

Requests
FOR FOLLOWING YEAR
~~and Notice~~

FOR CURRENT
YEAR

WRITTEN REQUESTS FROM A PARENT, ASSISTANT principal, ~~on a form provided by the District, and the principal,~~ **STAFF MEMBER, OR THE BOARD SHALL BE SUBMITTED AND PROCESSED IN ACCORDANCE WITH THE PROCEDURES IN LAW.**

RESPONSE

AS REQUIRED BY LAW, THE DISTRICT shall provide a response to the requestor NOT LATER THAN THE SEVENTH BUSINESS DAY AFTER RECEIPT OF THE REQUEST.

NOTICE

~~BEFORE A CAMERA IS ACTIVATED, THE~~ ~~within ten District business days.~~ The principal shall provide advance written notice to staff on the campus and to parents of the students assigned to **OR ENGAGING IN SCHOOL ACTIVITIES IN** the classroom ~~or setting~~ that video and audio surveillance will be conducted in the classroom ~~or setting~~. ~~The Superintendent shall develop administrative regulations as necessary to implement these request, response, and notice provisions.~~

Installation and Operation

THE CLASSROOM SUBJECT TO THE REQUEST SHALL BEGIN OPERATION OF VIDEO SURVEILLANCE NOT LATER THAN THE TIME FRAMES REQUIRED IN LAW, EXCEPT WHEN THE DISTRICT IS GRANTED AN EXTENSION OF TIME.

When the District has installed video cameras in a classroom ~~or other setting~~ as required by law, the District shall operate the cameras during the instructional day at all times when students are in the classroom ~~or other setting~~. For purposes of this policy, the instructional day shall be defined as the portion of a school day during which instruction is taking place in the classroom ~~or other setting~~.

FOR THE SCHOOL YEAR IN WHICH A CAMPUS RECEIVES A REQUEST FOR VIDEO AND AUDIO SURVEILLANCE, THEA campus shall continue to operate and maintain any video cameras placed in the classroom ~~or other setting~~ for as long as the classroom ~~or other setting~~ continues to satisfy the requirements in Education Code 29.022(a). **HOWEVER, THE CAMPUS MAY DISCONTINUE OPERATION OF THE VIDEO CAMERA DURING THE YEAR IF THE REQUESTOR WITHDRAWS THE REQUEST IN WRITING AND NO REQUEST IS SUBMITTED TO CONTINUE THE SURVEILLANCE.**

Video cameras must be capable of recording video and audio of all areas of the classroom, **INCLUDING A ROOM ATTACHED TO THE CLASSROOM USED FOR TIME OUT AS DEFINED BY LAW. NO VISUAL MONITORING, OTHER THAN INCIDENTAL COVERAGE,** ~~or setting, except that no video surveillance~~ shall be conducted of the inside of a bathroom or other area used for toileting or diapering a student or removing or changing a student's clothes.

The District shall post notice at the entrance to a classroom ~~or other setting~~ in which video cameras are placed stating that video and audio surveillance is conducted in that classroom ~~or setting~~.

Retention of Recordings

Confidentiality of Recordings

Video recordings shall be retained for at least ~~SIX~~ **THREE** months after the date of the recording but may be retained for a longer period in accordance with the District's records management program, or as required by law. [See CPC]

Video recordings made in accordance with this policy shall be confidential and shall only be accessed or viewed by the individuals and in the limited circumstances permitted by law. ~~Contractors and District personnel with job duties related to the installation, operation, or maintenance of video equipment, or the retention of video recordings, who incidentally view recordings when performing regular job duties such as ensuring the proper functioning of the equipment or pulling specific footage shall not be considered in violation of the confidentiality provisions.~~

The following individuals shall have authority to view video recordings to the extent permitted by the Family Educational Rights and Privacy Act (FERPA):

1. A District employee or a parent of a student who is involved in an **ALLEGED** incident documented by a recording ~~AND for which a complaint has been~~ reported to the District;
2. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged abuse or neglect of a child;
3. A peace officer, school nurse, District administrator trained in de-escalation and restraint techniques, or human resource staff member in response to a **REPORT OF AN ALLEGED INCIDENT** ~~complaint~~ or an investigation of an **EMPLOYEE OR A REPORT OF ALLEGED ABUSE COMMITTED BY A STUDENT** ~~incident~~; and
4. Appropriate TEA or State Board for Educator Certification personnel or their agents as part of an investigation.

For purposes of this policy, the term "human resource staff member" shall include the Superintendent, a principal, an assistant principal or other campus administrator, assistant superintendent of special education and special programs, **THE DESIGNATED DISTRICT COORDINATOR, THE DIRECTOR OF SPECIAL EDUCATION, THE DIRECTOR OF SPECIAL EDUCATION OPERATIONS AND COMPLIANCE**, chief school officer, and any supervisory position within the District's human resources office. If an individual listed in items 2 through 4 above believes that a recording shows a violation of District policy or campus procedures, the individual may

allow access to the recording by appropriate legal and human resources personnel designated by the District for the purpose of determining whether a policy or procedure has been violated.

Any person who suspects that child abuse or neglect has occurred shall report this suspicion as required by law and District policy. [See FFG]

Reporting an Incident

A person alleging that an incident, as defined by law, has occurred in a classroom ~~or other setting~~ in which video surveillance is conducted shall file a report on the form provided by the District with the principal as soon as possible after the person suspects the alleged incident. If possible, an incident report form shall be filed within 48 hours of the facts giving rise to the allegation. The principal shall promptly view, or direct an authorized individual to view, the video surveillance footage to identify the relevant portion of the recording. No later than ten District business days after the report is filed, the principal or designee shall respond by notifying the person whether the alleged incident was recorded in the District's video surveillance footage and shall initiate other steps as required by law, District policy, or local procedures.

Complaints

Complaints related to video and audio recordings under this policy shall be filed in accordance with DGBA, FNG, or GF, as applicable. **A COMPLAINANT WHO IS DISSATISFIED WITH THE OUTCOME OF THE DISTRICT'S COMPLAINT PROCESS MAY APPEAL IN WRITING TO THE COMMISSIONER OF EDUCATION IN ACCORDANCE WITH EDUCATION CODE 7.057, INCLUDING REQUESTING AN EXPEDITED REVIEW.**