

## CAMERAS IN SPECIAL EDUCATION CLASSROOMS

~~The Lincoln Parish School Board shall develop procedures pursuant to this policy, and upon approval of such request, and receipt of funding, shall install and operate the cameras, for the installation and operation of cameras that record both video and audio in special education classrooms, in accordance with state law, and the policy and procedures of the School Board.~~

~~For purposes of this policy, *classroom* shall mean a self-contained classroom or other special education setting in which a majority of students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least fifty percent (50%) of the instructional day and for which a parent or legal guardian has requested a camera to be installed. Classroom *shall not* mean special education classrooms and other special education settings where the only students with exceptionalities receiving special education and related services are those who have been deemed to be gifted or talented and have not been identified as also having a disability.~~

~~The School Board shall ensure/provide:~~

- ~~1. Proper location and placement of cameras. The recording of the interior of a restroom or any area designated for students to change or remove clothing shall be prohibited.~~
- ~~2. Written notice of the placement of the cameras shall be provided to persons who enter a classroom where a camera is installed, including teachers and other school employees, students in the classroom, the students' parents and legal guardians, and authorized visitors.~~
- ~~3. Training concerning the provisions of this policy for any teacher or other school employee who provides services in a classroom where cameras are installed.~~
- ~~4. Procedures for proper retention, storage, and disposal of the video and audio data recorded. Recordings shall be retained for at least one month from the recording date.~~
- ~~5. Protection of student privacy and development of procedures for determining to whom and under what circumstances the recordings may be disclosed including:
  - ~~A. Limiting viewing of the recordings to the Superintendent or his/her designee and the parent or legal guardian of a recorded student upon request.~~
  - ~~B. Requiring any person who views a recording and who suspects the recordings show a violation of state or federal law to report the suspected~~~~

~~violation to the appropriate law enforcement agency.~~

- ~~6. Each camera installed shall be in compliance with the National Fire Protection Association's Life Safety Code.~~
- ~~7. Procedures for the approval or disapproval of a request for the installation and operation of cameras in a classroom.~~
- ~~8. Procedures regarding how a parent or legal guardian may request to review a recording, under what circumstances a request may be made, and any limitations to a request.~~
- ~~9. Procedures regarding how a parent or legal guardian may request the installation and operation of cameras in his child's classroom.~~

~~Recordings made pursuant to this policy shall be confidential and shall not be public record. However, a recording may be viewed by the Superintendent or his/her designee, the parent or legal guardian of a recorded student, or by law enforcement officials as provided in the policies required by item number 5 above.~~

~~The recordings shall not be considered "personally identifiable information" as defined in La. Rev. Stat. Ann. §17:3814.~~

The Lincoln Parish School Board shall install and operate audio/video equipment (i.e., video cameras with audio recording capabilities) in a special education classroom upon receipt of a written request of a parent or legal guardian of an eligible student with a disability, in accordance with State law and administrative procedures established by the Superintendent within sixty (60) days of receipt of funding for such equipment installation or December 31, 2022, whichever occurs first.

#### APPLICABILITY

This policy is applicable to Self-contained Classrooms or Other Special Education Settings in which a majority of students in regular attendance are provided special education and related services and are assigned to one or more Self-contained Classrooms or Other Special Education Settings for at least fifty percent (50%) of the instructional day and for which a parent or legal guardian of a student in that classroom has requested a camera to be installed ("Eligible Requestor"). This policy is not applicable to special education classrooms and other special education settings where the only students with exceptionalities receiving special education and related services are those identified as gifted or talented (under Louisiana Department of Education (LDE) Bulletin 1508) who have not been identified as also having a disability under Bulletin 1508 and served in special instructional settings for 50% of the day as described hereinabove.

## PURPOSE

In accordance with La. Rev. Stat. Ann. §§17:1948, 17:3996(B)(59), and 44.4.1(B)(9) as amended, the Board adopts and implements this policy applicable to the installation and operation of audio/video recording cameras in certain special education classrooms, upon the written request of a parent or legal guardian; exceptions relative to public records; matters relative to funding and implementation; and other related matters. Audio/Video recording may be made available in certain Self-contained Classrooms and Other Special Education Settings for the purposes of promoting student safety in compliance with Louisiana law.

## GENERAL

The Superintendent shall establish administrative procedures to implement this policy as required by law. The Superintendent shall designate an administrator (Designated District Representative) with responsibility for coordinating implementation of La. Rev. Stat. Ann. §17:194 in accordance with School Board policy and procedures.

Parental/legal guardian requests for audio/video cameras may be made at any time and shall be made in writing as set forth in the School Board's administrative procedures. A request for audio/video cameras remains valid for a period of one school year.

A parent/legal guardian may only request installation of an audio/video camera for the Self-contained Classroom(s) or Other Special Education Setting(s) in which the parent's/legal guardian's child is in regular attendance.

The School Board shall respond to an audio/video camera request subject to this policy, authorizing the request or stating the reason for denial, in accordance with the School Board's administrative procedures.

Advance written notice of audio/video recording shall be provided, as applicable, to affected parents/legal guardians and staff. Such notice of audio/video recording shall be posted at affected schools.

The School Board expects staff to be vigilant in their observation and protection of all students. If a staff member suspects that an audio/video recording shows a violation of federal or state law, the mandatory reporter must report the suspected violation to the Louisiana Department of Children and Family Services (DCFS) or the appropriate law enforcement agency in accordance with State law.

Audio/video recordings captured by the School Board shall only be released for viewing to certain individuals as defined by Louisiana statute and the School Board's administrative procedures. Viewings of audio/video recordings shall be limited to the Superintendent or his/her designee(s) (designated district representative(s)), the parent or legal guardian of a recorded student, or law enforcement officials, as part of an investigation regarding suspected violations of

State or federal laws. District personnel or contractors whose job duties involve installation, operation, or maintenance of the audio/video equipment or the retention of the recordings shall have access to the equipment and recordings only to the extent necessary to fulfill their assigned responsibilities. Continual monitoring of an audio/video feed is prohibited. Standing or on-going requests for viewing recordings are not authorized.

Audio/video recordings are confidential but are not considered personally identifiable information as defined in La. Rev. Stat. Ann. §17:3914. Audio/video recordings shall not be subject to public records requests. Specific exceptions, exemptions, and limitations to laws pertaining to public records are incorporated by reference into La. Rev. Stat. Ann. §17:1948. Audio/video recordings shall be stored in a safe and secure manner whether on on-site or off-site servers or in cloud storage.

In accordance with State law, the School Board shall ensure retention of captured audio/video recordings for at least one (1) month after the recording date. The Superintendent and his designee(s) are authorized to dispose of recordings after a one-month period unless there is an outstanding request for viewing of the recording. No one has a right to obtain a copy of an audio/video recording except that a copy shall be released at the request of the student's parent or guardian in a legal proceeding.

The School Board is authorized to accept, administer, and make use of federal, state, and local funds, any public and private grants and donation, and when appropriate, to accept nonmonetary resources in the form of services or equipment for use in connection with the installation and operation of audio/video cameras as described in administrative procedures. The use of Individuals with Disabilities Education Act (IDEA) funds and State special education funds to implement the requirements of this policy is prohibited Any installed cameras must be in compliance with the National Fire Protection Association's Life Safety Code.

Complaints related to audio/video recording, requests for audio/video recording, or use of audio/video recording shall be filed through the School Board's Designated District Representative.

New policy: November 2, 2021

Revised: September 6, 2022

Revised: November 1, 2022

Ref: La. Rev. Stat. Ann. §17:1948. Board minutes, 11-2-21, 9-6-22, 11-1-22.

## **VIDEO MONITORING OF SCHOOL BOARD PROPERTY**

The Lincoln Parish School Board shall authorize the use of School Board owned and/or installed video and audio cameras on any School Board property, buildings, or facilities and/or vehicles in an effort to ensure the health, safety, and welfare of all staff, students, and visitors to the school, and to safeguard Board facilities and equipment.

The School Board shall notify employees, students, and/or visitors through appropriate methods that video monitoring/surveillance may occur on School Board property, in buildings and facilities, as well as campuses, parking lots, and school grounds belonging to, leased, or used by the School Board, or on any vehicle owned, leased, or used to transport students or for conduction of School Board business, or at any school sponsored event, activity, or function.

Notification shall also include the erection of clearly marked, written signs, prominently displayed near the main entrance of school buildings, School Board property and facilities.

### **INSTALLATION AND OPERATION OF EQUIPMENT**

Video and audio cameras may be installed in identified public areas where monitoring/surveillance is deemed necessary as determined by the Superintendent or his/her designee, but placement shall not be allowed where students, employees, or the public has a reasonable expectation of privacy, such as inside locker rooms and adult and student restrooms.

Monitor/surveillance equipment installed in outdoor areas shall monitor only those areas designated and shall not be directed to look through windows of adjacent buildings or onto adjacent property, whenever possible. Video monitors (reception equipment) shall be located in strictly controlled access areas. Only authorized and designated personnel shall have access to the reception equipment and area and monitors shall not be located as to permit public viewing.

The use of video and audio monitoring/surveillance equipment on school grounds shall be supervised and controlled by the building administrator and/or his/her designee, in conjunction with the Superintendent and/or his/her designee. Video recordings made at the schools or other facilities shall be maintained by the building administrator. Video monitoring/surveillance equipment shall be operated on a twenty-four (24) hour, seven (7) day a week basis.

Staff personnel permitted access to the video and audio monitoring/surveillance system and equipment shall be required to follow all operational regulations and procedures developed in accordance with this policy. Staff and students shall be prohibited from unauthorized use, tampering with, or otherwise interfering with the placement or

operations of the video and audio monitoring/surveillance equipment and system and shall be subject to appropriate disciplinary action including termination or expulsion.

The School Board shall provide reasonable safeguards, including but not limited to, password protection, network security, and control of physical access to protect the monitor/surveillance systems from vandals and unauthorized users. Proper training shall be provided for authorized users.

### **VIDEO RECORDINGS**

Recordings made through the School Board's video/audio monitoring/surveillance system shall be confidential. The video recordings may only be viewed by the Superintendent and/or his/her designees. In the event a video recording reveals activity the Superintendent believes violates School Board policies or state or federal law, the Superintendent may turn over such video recordings to applicable law enforcement authorities. If an individual or individuals on such video recording are students or staff of the district, they shall be subject to appropriate disciplinary action.

Video recordings shall be retained by the School Board for no more than ninety (90) days, provided that the recordings may be kept for a longer period if the recordings reveal activity the Superintendent believes violates Board policies or state or federal law. Video recordings not retained for more than ninety (90) days shall have their images erased or taped over. The Superintendent or his/her designee shall take additional steps as deemed appropriate to prevent unauthorized persons from accessing the recordings.

Video recordings (tapes or other storage devices) shall be stored in a secure, locked location in a controlled access area at the school or facility where maintained that will also protect the recordings from damage by fire or water. Each storage device shall be dated and labeled, whenever possible. Access to storage devices shall be limited to authorized, designated personnel only. A log shall be maintained that provides details of all access to, and use (viewing) of any recorded material.

Video recordings may become a part of a student's educational record or employee's personnel file. The School Board shall comply with all applicable state and federal laws and Board policies related to the recording's maintenance and retention.

Video recordings may be copied, distributed to, and viewed by public safety agencies, School Board safety and security personnel, the parish District Attorney, and/or appropriate law enforcement personnel, when approved by the Superintendent or his/her designee, or when subpoenaed for any court proceedings. Video recordings shall not be viewed by, copied, or released to any other person or agencies not referenced above except when specifically authorized by the Superintendent.

**ACCESS TO PERSONAL INFORMATION**

Generally, video and audio recordings made through the School Board's video monitoring/surveillance system shall not be considered public record. Access however, to personal information contained in any recordings may be granted in whole or in part to an individual upon submission of a properly executed subpoena.

New policy: November 1, 2022

Ref: La. Rev. Stat. Ann. '17:81. Board Minutes, 11-1-22.