

RECORDING OF IEP AND SECTION 504 MEETINGS

342.11 (New)

It is the goal of the Board of Education to conduct meetings held pursuant to the Individuals with Disabilities Education Improvement Act and Section 504 of the Rehabilitation Act of 1973, as well as other meetings between district employees, parents/guardians, and students, that promote a free and open exchange of information between the participants in order to successfully identify student educational needs and the selection of the appropriate educational services. The Board believes that a discussion format that leads to a cooperative effort between meeting participants fosters positive outcomes that are in the best interest of the student and builds trust between district employees and parents/guardians. Accordingly, the Board adopts the following policy and procedures with regard to the audio and visual taping of IEP and Section 504 meetings.

Accordingly, the use of audio, visual, and other recording devices at IEP and Section 504 meetings, as well as other meetings between district employees and parents/guardians, shall be prohibited.

Exceptions to this prohibition may be made when a parent/guardian, student, or employee is a qualified person with a disability under Section 504 or has a language barrier that prevents his or her access to or meaningful participation at such meetings and recording of such meeting is selected as a reasonable accommodation to ensure equal access and participation at the meetings.

In accordance with its obligation under Section 504, the School District administrators shall consider a student/parent/guardian request to record IEP or Section 504 student meetings by using the following procedures:

1. The student/parent/guardian requesting to record meetings (“Requestor”) shall provide written notice to the building administrator that he or she requests permission to record the meeting.
2. A request to record a meeting shall be made at least two weeks prior to a meeting.
3. The Requestor shall state the reason for the request. The administrator shall deny any requests based on reasons inconsistent with this policy.
4. The Requestor shall provide documentation from a qualified professional sufficient for the administrator to determine that the Requestor (1) is a qualified person with a disability; or (2) has a language barrier, that qualifies him or her for a reasonable

accommodation of the meeting format to ensure his or her participation at the meeting. A qualified person with a disability is one who has a mental or physical impairment that substantially limits his or her ability to perform a major life activity.

5. The administrator, with the assistance of the District's Section 504 Coordinator or other designee, shall schedule and conduct an interactive meeting with the Requestor to discuss the Requestor's eligibility for an accommodation of the meeting format and explore alternatives for a reasonable accommodation of the meeting format based on the Requestor's disability or linguistic characteristics.
6. Insufficient or no documentation of the Requestor's eligibility for a reasonable accommodation of the meeting format shall result in a denial of the request to record the meeting(s).
7. Confidentiality. If the School District audio or video records the meeting, it will maintain the recording as part of the student's educational record and accord the recording the same measure of confidentiality as any other educational record pursuant to the Family Educational Rights and Privacy Act (FERPA) and Wisconsin Statute section 118.125 and any other applicable state or federal statute.

Legal References: Individuals with Disabilities Education Improvement Act (IDEA)
Section 504 of the Rehabilitation Act of 1973 (as amended)
Americans with Disabilities Act
Family Educational Rights and Privacy Act
Wis. Stat. 118.125

Cross References: 342.1 Programs for Students with Disabilities
411 Equal Educational Opportunities

Date of Adoption: May 2016