

ST. MARTIN PARISH SCHOOL DISTRICT SPECIAL EDUCATION
AUDIO/VIDEO RECORDING

St. Martin Parish School Board will consider the installation and operation of audio/video equipment (i.e., video cameras with audio recording capabilities) 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 and subject to the availability of specific funding for such purpose.

- **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 Louisiana Revised Statutes §§ **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. R.S. § 17:1948 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 will be provided, as applicable, to affected parents/legal guardians and staff. Such notice of audio/video recording shall be posted at affected schools.

The 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

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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 will 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 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. R.S. § 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. R.S. § 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 Board will 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 will be released at the request of the student's parent or guardian in a legal proceeding.

The 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 Board's local grievance procedures (St. Martin Parish School Board policy).