

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
- Exhibit B: Response to Request for the Installation of Video and Audio Recording Equipment
- Exhibit C: Notice of Activation of Video and Audio Recording Equipment
- Exhibit D: Incident Report Form
- Exhibit E. Notice of Discontinuing Operation of Video and Audio Recording Equipment

EXHIBIT A - REQUEST FOR THE INSTALLATION OF  
VIDEO AND AUDIO RECORDING EQUIPMENT

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*Note:* A parent of a student whose admission, review, and dismissal (ARD) committee has determined the student's placement for the following school year will be in a classroom or setting for which video and audio recording may be requested may make a request by the date on which the current school year ends or the tenth school business day after the date of the placement by the ARD committee whichever comes later.

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A parent, principal, assistant principal, staff member, as defined by law, or the Board of Trustees, may request in writing that video and audio recording equipment be installed in a self-contained classroom or other special education setting that meets the requirements of state law for such video and audio monitoring.

In order to make a request, complete the information below and submit this form to the campus principal. The principal will submit a copy of the request to the administrator designated in EHBAF(LOCAL) with responsibility for coordinating the provision of video and audio recording equipment. For more information, see EHBAF(LEGAL) and (LOCAL).

1. Requestor's information:

*(Please print)*

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Phone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

If a parent, student's name: \_\_\_\_\_

Campus: \_\_\_\_\_

Classroom/setting (*room number or teacher's/related service provider's name*):

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To the best of my knowledge, this request meets the criteria in state law to require the District to conduct video and audio monitoring upon request.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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For Office Use Only

Principal's signature: \_\_\_\_\_

Date received: \_\_\_\_\_

Administrator's signature: \_\_\_\_\_

Date: \_\_\_\_\_

EXHIBIT B - RESPONSE TO REQUEST FOR THE INSTALLATION OF  
VIDEO AND AUDIO RECORDING EQUIPMENT

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*Note:* The District must provide a response to a request not later than the seventh school business day after receipt of the request.

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Dear \_\_\_\_\_,

In response to your request dated \_\_\_\_\_ (*date*) to install video and audio recording equipment in \_\_\_\_\_ (*specify classroom or instructional setting*), the District has determined the following:

- The request will be granted. The District will work as expeditiously as possible to install the equipment. However, several factors may affect timing of the installation, such as obtaining equipment that meets the legal requirements and District compliance with purchasing and contracting requirements. At this time, we anticipate the equipment will be operational by \_\_\_\_\_ (*adjust operation date as appropriate*).

*[Insert a date no later than the 45<sup>th</sup> business day, or the first school day after the 45<sup>th</sup>-business day if that day is not a school day, after the date of this letter. However, if the request is filed by a parent of a child that has been placed in an eligible classroom/setting for the following school year, insert a date no later than the tenth school day of the fall semester or the 45<sup>th</sup> business day or the first school day after the 45<sup>th</sup> business day, if that day is not a school day, after the date the request is made.]*

We will notify you if the District to seek Texas Education Agency (TEA) approval for an extension of time to begin operating the equipment.

As always, do not hesitate to contact me or other appropriate school staff if you are concerned about the safety of any student on our campus. If you suspect an incident may have occurred that violates a student's safety, please let me know right away.

- The request is denied because it does not meet the requirements of state law for video and audio monitoring of certain special education classrooms or other settings. Please contact me as soon as possible so we can work together to address any concerns you may have about student safety.

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Administrator's signature

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Date

EXHIBIT C - NOTICE OF ACTIVATION OF VIDEO AND  
AUDIO RECORDING EQUIPMENT

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**Note:** Before the District activates 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 each student attending class or engaging in school activities in the classroom or setting. For more information, see EHBAF(LEGAL) and (LOCAL).

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Date: \_\_\_\_\_

Campus: \_\_\_\_\_

is 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):

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A campus that places video and audio recording equipment in a classroom or other special education setting is required to operate the equipment for the remainder of the school year in which the campus received the request, as long as the classroom or setting continues to satisfy the requirements of state law for this type of surveillance and unless the requestor withdraws the request in writing.

Video cameras on a campus will be operated at all times during the instructional day when one or more students are present in a self-contained classroom or other special education setting in which video cameras are placed.

The inside of a bathroom or any area in the classroom or other special education setting in which a student's clothes are changed will not be visually monitored, except for incidental coverage of a minor portion or a bathroom or changing area because of the layout of the classroom or setting. Audio recording is required of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed.

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 three months, or longer as required by law.

Please contact the campus principal with any questions.

EXHIBIT D - INCIDENT REPORT FORM

This form is to be completed by a parent, on behalf of a parent, or by an employee to notify the school of an alleged incident that occurred in a self-contained classroom or other special education setting where audio and video equipment is operational.

Upon receipt of this incident report form, appropriate District staff will begin viewing the footage recorded on the date(s) described below to determine whether any incident(s) as described below were recorded. If the recording documents an alleged incident as defined by law, the District will release, on request, the recording for viewing by an employee or a parent of a student who is involved in the incident. Depending on the nature of the recorded incident, the District may also be required by law to release the recording for viewing to individuals described in EHBAF(LEGAL), including appropriate personnel or agents of the Department of Family and Protective Services and/or State Board for Educator Certification. For more information, see EHBAF(LEGAL) and (LOCAL).

**Contact Information:**

Name: \_\_\_\_\_

(Check one)

Parent or on behalf of parent

District employee

Home phone: \_\_\_\_\_

Mobile phone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Date(s) of alleged incident(s): \_\_\_\_\_

Time(s) of alleged incident(s): \_\_\_\_\_

Location(s) of alleged incident(s): \_\_\_\_\_

List any witness(es): \_\_\_\_\_

Describe the incident(s) as clearly as possible, including names of individuals involved and any District policy or law you think may have been violated. (*Attach additional pages if more space is needed.*)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I am requesting to view the applicable recording.

I hereby certify that the information I have provided is true, correct, and complete to the best of my knowledge and belief.

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Name (*print*): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Exhibit E - Notice of Discontinuing Operation of Video  
and Audio Recording Equipment

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*Note:* If for any reason a campus will discontinue operation of video and audio recording equipment during a school year, not later than the fifth business day before the date operation is discontinued, the principal or designee must notify the campus staff and parents of each student assigned to a self-contained classroom or other special education setting that operation of the equipment will not continue unless requested by a person eligible to make a request under Texas Education Code section 29.022(a-1). In addition, not later than the tenth school day before the end of each school year, the campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the equipment will not continue during the following school year unless an eligible person submits a new request. For more information, see EHBAF(LEGAL) and (LOCAL).

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*Date:* \_\_\_\_\_

*Campus:* \_\_\_\_\_

As required by law, this letter serves as notice that the campus will discontinue operation of video and audio recording equipment in the following location(s):

\_\_\_\_\_  
\_\_\_\_\_

Unless the District receives a request to continue operation of video and audio recording equipment in this location by a person eligible to make such a request under Texas Education Code section 29.022, the recording equipment will cease operating on \_\_\_\_\_ (date).

A campus that places video and audio recording equipment in a classroom or other special education setting is required to operate the equipment for the remainder of the school year in which the campus received the request, as long as the classroom or setting continues to satisfy the requirements of state law for this type of surveillance and unless the requestor withdraws the request in writing.

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

Please contact the campus principal with any questions.