

Lafourche Parish School Board

OFFICE OF SUPERINTENDENT
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Cameras in Special Education Classrooms/Settings Procedures Implementing La. R.S. 17:1948

I. Summary/Purpose

La. R.S. 17:1948 requires school districts and open-enrollment public charter schools, to place, operate, and maintain video cameras with audio recording capability in certain Self-contained Classrooms and Other Special Education Settings for students with disabilities, upon the request of a parent or legal guardian, for the purpose of promoting student safety. The statute is intended to protect students who, because of a disability, may not be able to report mistreatment by district employees or other students. These procedures have been specifically developed for purposes of promoting student safety and complying with Louisiana law.

Definitions

Classroom – For purposes of these procedures and in accordance with La. R.S. 17:1948, either a “Self-contained Classroom” or “Other Special Education Setting” as defined herein below. “Classroom” shall not mean settings wherein students classified under Bulletin 1508 as Gifted or Talented, who do not also have a disability under Bulletin 1508, receive services.

Day – A school business day when a school campus or District administrative offices are open to the public.

(Designated) District Representative – An administrator designated by the Superintendent and responsible for coordinating the approval/denial of requests for installation and operation of camera equipment in compliance with La. R.S. 17:1948 and implementation of these Procedures.

Incident – An event or circumstance alleged to have occurred in a Self-contained Classroom or Other Special Education Setting under La. R.S. 17:1948 involving alleged “abuse” or “neglect” of a student by a staff member of the District, or alleged “sexual abuse” of a student by another student as outlined in the Louisiana Children’s Code or Louisiana Revised Statutes.

Incident Report/Complaint – Written notification to the District of an alleged incident that occurred in a Self-contained Classroom or Other Special Education Setting in which camera recording is implemented. An incident report must be initiated by completing and providing the District’s **Incident Report** form to the Director of Special Education

Parent or Legal Guardian– A parent or legal guardian (also referenced as “Eligible Requestor”) whose rights have not been terminated and whose child receives special education and related services in one or more Self-contained Classrooms or Other Special Education Settings in the District. “Parent” also means a student who receives special education and related services in one or more Self-contained Classrooms or Other Special Education Settings who is 18 years of age or older, unless the student has been determined incompetent or the student’s rights have been otherwise restricted by a court order.

Other Special Education Setting – For purposes of these procedures, *other special education setting* means a classroom on a separate school campus (i.e., a campus that serves only students receiving special education and related services, such as Louisiana School for the Deaf/Louisiana School for the Visually Impaired and some Louisiana Special School District Programs).

Self-contained Classroom – A classroom on a regular school campus (i.e., a campus that serves students in general education and students in special education), including a room attached to the classroom, in which the Requestor’s child and majority of other students in regular attendance are provided special education and related services for at least 50 percent of the instructional day. A resource room instructional arrangement does not meet the definition of a Self-contained Classroom, although students who attend resource rooms for part of the school day may also be educated in a Self-contained Classroom.

Video Camera – A video recording device with audio recording capabilities.

Video Equipment – One or more video cameras with audio recording capabilities and any related technology and equipment needed to place, operate, and maintain video cameras, and any technology and equipment needed to store and access video recordings in accordance with La. R.S. 17:1948.

II. Applicability

These procedures are applicable to Self-contained Classrooms or Other Special Education Settings in which the majority of students in regular attendance are provided special education and related services and 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. These procedures are 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.

III. **Procedures for Requesting Video/Audio Camera Installation**

A request by a Parent or legal guardian for installation and operation of video/audio camera in a Self-contained Classroom or Other Special Education Setting must be made by completing and submitting to the Director of Special Education a written Request for the installation of video and audio recording equipment (“Request for Camera Installation” – form A, including identification of the specific Self-contained Classroom or Other Special Education Setting for which the request is being made. The Principal will email/provide a copy of the Request to the Director of Special Education within one school day.

The completed request must be signed by the parent or legal guardian and must contain, at a minimum, the following information:

- (1) Full name and signature of requestor;
- (2) Status of requestor (i.e., parent or legal guardian);
- (3) Full name of student;
- (4) Identification of school campus and classroom/setting subject to the request; and
- (5) Date of submission of request to the Principal or Director of Special Education.

The request must be for installation of a camera at a school campus that has a Self-contained Classroom or other Special Education Setting as defined by State law and Board policy.

A Parent/Legal Guardian may request installation of a video camera only 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. Video/audio recording is not required in every room that a student receiving special education might visit during the school day. Rather, the duty to record video/audio depends on whether the location meets La. R.S. 17:1948 criteria based on the student’s classroom of regular attendance.

A request for installation and operation of video/audio recording in a Self-contained Classroom(s) or Other Special Education Setting(s) must be renewed annually by an Eligible Requestor if operation of the video/audio equipment is desired for the subsequent school year.

IV. **District Procedures for Responding to Requests for Video/Audio Camera Installation**

1. All requests for Camera Installation in a Self-contained Special Education Classroom must be submitted in writing using the **Request for Camera Installation** form available from the District (Form A).
2. The Designated Representative will notify the requestor of receipt of the request using Optional Form B, Acknowledgement of Request for Camera Installation.
3. Following receipt of a signed **Request for Camera Installation** form, the District will determine if the request was made by an Eligible Requestor (parent or legal guardian of a student with a disability in regular attendance in the identified Self-contained Classroom under the authority of the School Board, or student of majority age with decision-making authority).

4. If the request was made by an Eligible Requestor, the District will determine if the requested location is subject to La. R.S. 17:1948.
5. Following validation of a request for camera installation and operation in an applicable classroom by an Eligible Requestor, the request will be routed to the District Safety and Land and Facilities Managers for assessment of installation needs.
6. The District Safety and Land and Facilities Managers will arrange for a walk-through assessment of the requested location within 10 days.
7. Following the assessment of the prospective installation location, the District Safety and Land and Facilities Managers will notify the Special Education Director of the anticipated installation-related costs, the number of cameras determined necessary to cover the area in accordance with La. R.S. 17:1948, and any anticipated monitoring, maintenance, storage, and other related costs. The Director of Special Education will review the cost estimate with the Business Department and determine the availability of specific funding needed to honor the request and report its findings.
8. Within (15) days from receipt of Form A (**Request for Camera Installation**) by an Eligible Requestor, the Director of Special Education will provide a written response to the requestor, either approving the request or stating the reason for denying the request. (Form C.)
9. The assessment, purchase , installation and operation of the video/audio recording equipment will generally take place within 45 School Business Days after the request is determined to be valid (unless an extension of time is needed to obtain additional information, secure equipment, arrange for installation, Acts of God, or other issues outside of district control that impede the process).
10. The video/audio recording equipment will not be activated until advanced written notice, of at least five (5) School Business Days, is provided to the parents/guardians of each student regularly attending the class, advising that video and audio recording will be conducted in the classroom or setting (Form D). In addition, a notice shall be posted for all campus staff and visitors via a posted notice identifying the area as subject to video and audio recording.
11. The video/audio recording will cover all areas of the classroom or setting, including an area of classroom or setting that may be used for calming or time-out.
12. The inside of a bathroom or area used for toileting or diapering a student or removing or changing a student's clothes may not be visually monitored, except for incidental coverage of a minor portion of the bathroom or changing area because of the layout of the classroom or setting.
13. The audio feature of the recording will cover all areas of the classroom or setting, calming/time-out areas, and bathroom or changing area.
14. Once the video/audio equipment is activated, the District will not allow regular or continual monitoring of the video/audio recordings.

15. The video/audio camera will be operated at all times while one or more students is present in the Self-contained Classroom or Other Special Education Setting.
16. The District will continue to operate and maintain the video/audio device(s) in the Self-contained Classroom or Other Special Education Setting for the remainder of the regular school year, or for the remainder of Extended School Year (“ESY”), as long as the classroom or setting continues to meet the definition of a Self-contained Classroom or Other Special Education Setting.
17. If the requestor withdraws the request in writing, or if the make-up of the classroom or setting changes such that the location no longer meets the definition of a Self-contained Classroom or Other Special Education Setting, the video/audio recording may be discontinued. Written notice of the discontinuation of video/audio monitoring (Form G), along with notice of the opportunity to request continued video and audio recording, will be provided to the parents of the students assigned to the Self-Contained Classroom or Other Special Education Setting and all campus staff prior to the discontinuation.
18. The video/audio recordings will be stored in a safe and secure manner whether stored on on-site or off-site servers or in cloud storage.
20. Recordings will be stored separately from the general school surveillance footage, so that only authorized users have access.
21. The District will retain the video/audio recordings for at least thirty (30) days after the video was recorded, and may retain recordings longer, if for example, a request for viewing is made as part of an allegation of abuse or neglect pursuant to State law and these procedures.

V. Confidentiality

- Audio/video recordings are confidential and may only be released for viewing to certain individuals as defined by Louisiana statute. Specifically, viewing of an audio/video recording of a Self-contained Classroom or Other Special Education Setting is subject to La. R.S. 17:1948 and other applicable State laws regarding student and employee information, and Board policies and procedures.
- Audio/video recordings under La. R.S. 17:1948 and these procedures are not personally identifiable information (PII) as defined in La. R.S. 17:3914. Audio/video recordings under Louisiana law and these procedures are not public records and therefore are not subject to public records requests. An individual may *not* view the recordings if prohibited from doing so by the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 C.F.R. Part 99), even if that individual would otherwise be eligible to view the recordings pursuant to Louisiana law and these procedures.

VI. Access to Recordings/Limitations on Viewing

Persons eligible to request access to video/audio recordings in connection with an alleged Incident shall be limited to the Superintendent or his designees, the parent or legal guardian of a recorded student (Eligible Requestor), and law enforcement officials, as part of an

investigation regarding suspected child abuse, neglect, sexual misconduct, or other violation of Louisiana or federal law.

Each request for viewing a recording must be submitted in writing by an Eligible Requestor to the Superintendent/designee. If a valid request to access an audio/video recording is approved, the Eligible Requestor will be notified and advised to schedule a viewing appointment. Recordings will be made available for review with prior approval, generally within ten (10) school business days of a valid request, between the hours of 9:00 a.m. and 3:00 p.m., Mondays through Thursdays, and in accordance with the school calendar. "Standing" (e.g., perpetual, ongoing) requests for viewing are not authorized under these procedures. Recordings will be made available for 30 days after receipt of a valid request in accordance with these procedures.

For the purposes of these procedures, "access" shall mean the right to view the audio/video recording(s) in accordance with School Board policy and the following:

- A District Representative must be present at all times during the viewing. Only the Special Education Director/Supervisor, a school administrator, Human Resource Director, or other individual designated by the Superintendent may act as the District Representative at the viewing. No person other than the Eligible Requestor, District Representative(s), and law enforcement officials may be present.
- Recording is strictly prohibited while viewing. The District Representative(s) will monitor for unauthorized recording of video or audio during the viewing. The District reserves the right to take responsive action to address violations of this recording prohibition.

Mandated Reporting. Any person who views a recording and who suspects the recording shows a violation of Louisiana or federal law is required to report the suspected violation to the appropriate law enforcement agency.

Prohibition on Copying. The opportunity to access audio/video recordings under the limited circumstances described herein does not equate to the opportunity to obtain a copy of the audio/video recording(s).

VII. Eligible Requestor Procedures for Making an Incident Report

Eligible Requestors may contact the Superintendent/Designated Representative to report an alleged incident and to request access to a video recording in connection with an alleged incident as defined herein. The Designated Representative shall provide the requestor with a copy of Form E (Incident Report Form). The Eligible Requestor making the Incident Report should be specific regarding the date, time, and location of the alleged incident, include any known witnesses, and describe the suspected incident as clearly as possible. Eligible Requestors shall submit the completed Incident Report (Form E) to the Designated Representative as soon as feasible, preferably within 48 hours after the person

becomes aware of an alleged incident. The Designated Representative shall provide a courtesy copy of the completed Form E to the Principal of the affected school as soon as practicable. If the Principal or a certified employee receives a report of an alleged Incident or a request to view a video recording, he or she should forward the report/request or other information to the Designated Representative within 24 hours.

NOTE: NOTHING IN THESE PROCEDURES ALTERS OR OTHERWISE AFFECTS A DISTRICT EMPLOYEE'S REPORTING, INVESTIGATION, OR RESPONSE OBLIGATIONS UNDER OTHER DISTRICT POLICIES AND PROCEDURES OR APPLICABLE LAW WITH RESPECT TO ALLEGATIONS OF ABUSE OR NEGLECT.

VIII. District Procedures for Responding to an Incident Report

1. The Designated Representative shall review the report and provide a response to the requestor, approving the request or stating the reason for denying the request, within two (2) school business days (using Form F1- Notification Regarding Incident Report and Request to View Video Recording or F-2, Response to Invalid Incident Report)). If appropriate, the Designated Representative may need to contact the requestor to clarify his or her report and obtain additional information.
2. Based on the report and other information obtained from the requestor, if any, the Designated Representative shall make a preliminary determination of whether the requestor would be an Eligible Requestor, as set forth above, if the information provided by the requestor is true. If the Designated Representative determines that the individual would not be an Eligible Requestor (for example, a parent of a student who is not involved in an alleged Incident, other categories of District personnel not listed above, the news media, etc.), the Designated Representative may deny the request on the basis that the individual is not an Eligible Requestor. The Designated Representative shall note the date of denial of the request and notify the requestor that the request has been denied using Form F-2, (Response to Invalid Incident Report.)
3. If the request is denied because the individual is not an Eligible Requestor, the Designated Representative may still review the report and other information obtained from the requestor. Even if the report does not involve an alleged Incident, the Designated Representative and other authorized District personnel may view the video recording(s) in response to a report of an alleged Incident, an investigation of District personnel, or a report of alleged abuse committed by a student.
4. If the Designated Representative determines that the individual would be an Eligible Requestor if the information provided by the requestor is true, the report must allege an Incident and the alleged Incident must be documented by a video recording in the classroom in which the student is in regular attendance.
5. The Designated Representative must determine whether the report involves an alleged Incident that is documented by a video recording.
6. If an alleged incident of abuse, neglect, or sexual misconduct, as described herein, is reported, the Designated Representative will coordinate with one or more person(s) designated by the Superintendent to schedule a time and location for viewing the recording of the alleged incident within two (2) School Business Days from receipt of the Incident Report form, absent extenuating circumstances. The designated group will determine whether the recording contains evidence of abuse or neglect of a student by a staff member

of the District, or physical abuse or sexual abuse of a student by another student, as defined in the Louisiana Children's Code or Louisiana Revised Statutes. If evidence warrants, the appropriate District administrator shall initiate other steps as required by law and District policy.

7. Appropriate District administrator(s) will determine whether additional safety measures should be taken in the Self-contained Classroom or Other Special Education Setting pending a review of the relevant video/audio recording.
8. If the alleged incident described on the Incident Report form meets the definition of abuse or neglect of a student by a staff member of the District or sexual abuse of a student by another student as defined in the Louisiana Children's Code or Louisiana Revised Statutes, supported by video evidence, the District will provide written notice to the Eligible Requestor making the report within 2 school business days of the District's review.

The recording of the reported Incident will be available to the Eligible Requestor pursuant to written request.

9. If the alleged incident described on the Incident Report form cannot qualify as abuse or neglect of a student by a staff member of the District or sexual abuse of a student by another student as defined in the Louisiana Children's Code or Louisiana Revised Statutes, the District will provide written notice to the person making the report that the allegations on the Incident Report form do not set forth an alleged incident (i.e., abuse or neglect, or sexual misconduct as defined in Louisiana law and regulations) within three (3) school business days of the District's review.
10. The District will notify any non-reporting parent of a child in a Self-contained Classroom following receipt of a valid report of an Incident documented on a recording, within _____ school business days of the initial review of the video/audio recording(s). (Form H)

XI. Procedures for Approved Requests to View Video Recordings

If a Request to View Video Recordings is approved, Form F-1 directs the requestor to contact the Designated Representative to schedule a viewing appointment. Video recordings will be available at the school campus between the hours of 9:00 am and 3:00 pm, Mondays through Thursdays. If these times do not work for the requestor, the Designated Representative will make reasonable attempts to arrange a mutually acceptable time for the Eligible Requestor to view the approved video recording(s).

Prior to allowing the Eligible Requestor to view an approved video recording, the Designated Representative shall extract only the portion of the approved video recording documenting the alleged Incident and related events or circumstances and prepare the video recording for viewing by redacting confidential information, such as names or images of other students protected under FERPA and any protected state assessment information.

When an Eligible Requestor views a video recording, the following rules apply:

- The opportunity to view a video recording does not equate to the opportunity to receive a copy of the video recording(s). For purposes of these procedures, "access" shall mean the opportunity to view the video recording(s) in accordance with these procedures.
- A District Representative must be present at all times during the viewing.

- No person other than the Eligible Requestor and the District Representative may be present during the viewing. If the Eligible Requestor brings a representative or other individual to the viewing appointment, those individuals must remain outside the room during the viewing, unless the other individual is the student's other Parent.

Recording is strictly prohibited during the viewing. The District Representative will monitor for unauthorized recording (e.g., by cell phone, etc.) during the viewing and shall immediately stop the viewing appointment if an Eligible Requestor attempts to record the video during the viewing appointment.

X. Prohibited Uses of Audio/Video Recordings

The following uses are prohibited:

- Regular or on-going monitoring of the audio/video recording.
- Teacher/staff evaluation or monitoring; and
- Any purpose other than promoting the safety of students receiving special education services in Self-contained Classrooms or Other Special Education Settings or as otherwise provided in these procedures.

XI. Training

Training regarding the provisions of La. R.S. 17:1948 and 17:3996(B)(65) and R.S. 44.4.1(B)(9) (as amended) shall be provided to any teacher or other school employee who provides services in a Classroom where audio/video cameras are installed.

XII. Access by Personnel for Operation and Maintenance Purposes

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.

XIII. Acquisition of Audio/Video Equipment; Location of Equipment

The Board will implement applicable State law, Board policy, and these procedures as specific funding becomes available for installation of audio/video recording in designated special education classrooms and settings. The Board is authorized to accept, administer, and make use of federal, State, and local funds, any public and private grants and donations, 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 these procedures. Individuals with Disabilities Education Act (IDEA) and State special education funds may not be used to implement these procedures.

Installed cameras must be in compliance with the National Fire Protection Association's Life Safety Code.

XIV. Retention/Disposal Requirements

State law requires the Board to retain 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 at the request of the student’s parent or legal guardian or in response to litigation. Recordings will be made available for 30 days after receipt of a valid request in accordance with these procedures.

Audio/video recordings shall be stored in a safe and secure manner whether on on-site or off-site servers or in cloud storage. Accepted methods will be used for proper disposal.

XV. Local Grievance/Complaint Procedures Alleging Violation of La. R.S. 17:1948.

The Eligible Requestor has the right to file a grievance/complaint if he or she believes the District erroneously denied his or her audio/video installation or viewing request in violation of R.S. 17:1948. To file a complaint alleging a violation of R.S. 17:1948, the individual must comply with the District’s grievance procedures or other dispute resolution channels in accordance with School Board Policies.

LDE Special Education Dispute Resolution mechanisms, including state complaint, mediation, and requests for special education due process hearings, are **not** appropriate channels for alleging a failure to comply with R.S. 17:1948 and do not apply to disputes arising under R.S. 17:1948 or these procedures.

XVI. No Admission of Fault or Liability

The approval of a request to access audio/video recordings shall in no way be construed as an admission of fault or liability.

XVII. Exclusions

The District has **no** obligation to provide Audio/Video Equipment to:

- a. A campus of another school district; or
- b. A non-public school.

XVIII. Notice to Public

Written notice will be provided to persons who enter a Classroom where an audio/video camera is installed and operational, including teachers and other school employees, students in the classroom, the students’ parents and legal guardians, and authorized visitors. Such notice may be posted in a prominent location, on visitor passes, or other locations.

XIX. Applicability to District Authorized Charter Schools

These procedures and the associated Board policies apply to charter schools specifically authorized by the School Board.

XX. Use of Audio/Video Recordings in Disciplinary Actions

An audio/video recording believed to document a possible violation of the law or District or campus policy or rules may be used as part of a disciplinary action against District personnel and contractees.

XXI. District Contact Information

To make a camera installation request, request forms, or for additional information regarding these procedures, please contact:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Address:

Phone:

Email Address:

Lafourche 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.

I. 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.

II. PURPOSE

In accordance with Louisiana Revised Statutes §§ 17:1948, 17:3996(B)(65), 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.

III. GENERAL

The Superintendent shall establish administrative procedures to implement this policy as required by law. The Superintendent shall designate an administrator (Director of Special Education) 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 the remainder of the school year in which the request was made.

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

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) (Director of Special Education(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.

RAY BERNARD, President

JAROD W. MARTIN, Superintendent

Lafourche Parish School Board

OFFICE OF SUPERINTENDENT

P.O. BOX 879

THIBODAUX, LOUISIANA 70302-0879

PHONE: 985-446-5631

FAX: 985-446-0801

REQUEST FOR CAMERA INSTALLATION FOR THE 2022-2023 SCHOOL YEAR

Upon receipt of a written request of a parent or legal guardian of an eligible student with a disability, the Lafourche Parish School Board (LPSB) will provide audio/video equipment (i.e. video cameras with audio recording capabilities) to its affected school campuses in accordance with State law and Administrative Procedures established by the Superintendent, subject to the availability of specific funding for such purpose. Audio/video recording is solely for the purpose of promoting student safety. Regular or continual monitoring of audio/video recordings is prohibited. Audio/video recordings are confidential and may only be accessed or viewed by certain individuals under very limited circumstances as defined by law and School Board policy and procedures. **An approved request for audio/video recording is only valid for the current school year. Operation of the requested audio/video camera(s) will not continue during the following school year unless the person eligible to make a request for the next school year submits a new request.**

“Eligible Student with a Disability” means:

- a student identified with a disability under Louisiana Department of Education (LDE) Bulletin 1508 who receives special education in a self-contained classroom or other special education setting on a school campus of the School Board 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. The term is not applicable to special education classrooms or settings where the only students with exceptionalities receiving special education and related services are those identified as gifted or talented (under 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 herein. The term also does not include students in a resource classroom/instructional arrangement as described in LDE Bulletin 1706.

“Parent” means:

- a person, including a legal guardian, whose child receives special education and related services (not gifted/talented only) for at least 50% of the instructional day in the Self-Contained Classroom or Other Special Education Setting; **or**
- a student who receives special education and related services for at least 50% of the instructional day in a Self-Contained Classroom or Other Special Education Setting and is 18 years of age or older, unless the student has been determined to be incompetent or the student’s rights have been otherwise restricted by a court order.

“Principal” means:

- the principal of the school campus at which the Self-Contained Classroom or Other Special Education Setting is located.

“Director of Special Education” means:

- The individual the District has identified as the administrator with responsibility for coordinating procedures in compliance with La. R.S. 17:1948.

To request video recording pursuant to La. R.S. 17:1948, please complete the form contained on the next page. The District will review the request for eligibility and inform you of its decision.

RAY BERNARD, President

JAROD W. MARTIN, Superintendent

Lafourche Parish School Board

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P.O. BOX 879
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PHONE: 985-446-5631
FAX: 985-446-0801

REQUEST FOR CAMERA INSTALLATION

Requester's Printed Name: _____

Address: _____

City/State/Zip: _____

Contact Information:

Home Phone: _____ **Cell Phone:** _____ **Office Phone:** _____

Email Address: (List the email address that you authorize for use in response to this request).

According to the above definitions, I (we) qualify as:

Parent(s)

Legal Guardian(s)

Adult Student

Please provide the following information regarding your request:

Student Name: _____ **DOB:** _____

School Name: _____ **Grade:** _____

Classroom/Setting where camera is requested (Classroom/Room # or Special Education Teacher's Name):

Parent/Guardian Signature: _____ **Date of Request:** _____

Please return the completed form to: _____ *at*

You will be contacted regarding the status of your request within () school business days after

receipt of this form by the Director of Special Education. Incomplete requests will be returned without further action.

***** *For*

Office Use Only:

Principal Signature: _____

Date Received: _____ Self-Contained

Classroom ID: _____

Does classroom contain changing area/bathroom: _____

RAY BERNARD, President

JAROD W. MARTIN, Superintendent

Lafourche Parish School Board

OFFICE OF SUPERINTENDENT
P.O. BOX 879
THIBODAUX, LOUISIANA 70302-0879
PHONE: 985-446-5631
FAX: 985-446-0801

-

Acknowledgement of Request for Camera Installation FOR THE 2022-2023 SCHOOL YEAR

Requester's Printed Name: _____

Address: _____

City/State/Zip: _____

Contact Information:

Home Phone: _____ Cell Phone: _____ Office Phone: _____

Email Address: _____

Name of Student: _____ Student ID #: _____

School Name: _____ Grade: _____

This is to acknowledge receipt of your request for installation of audio/video monitoring equipment in your child's special education classroom.

Received by the Superintendent/District Representative on: _____(DATE)

Your request must meet the requirements of Louisiana law and School Board Policy. You will be notified once your request has been approved. Approved requests for audio/video monitoring of special education classrooms will be processed in accordance with applicable state law and School Board policy, including but not limited to a walk-through assessment of the premises and determination of structural/installation needs; an assessment of available funds; solicitation of qualified equipment, installers, and maintenance resources; and prior notice to affected individuals regarding use of the devices.

Designated Representative

Date: _____

RAY BERNARD, President

JAROD W. MARTIN, Superintendent

Lafourche Parish School Board

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Request for Audio/Video Recording—Eligibility Decision FOR THE 2022-2023 SCHOOL YEAR

Requester's Printed Name: _____

Address: _____

City/State/Zip: _____

Contact Information:

Home Phone: _____ Cell Phone: _____ Office Phone: _____

Email Address: _____

Name of Student: _____ Student ID #: _____

School Name: _____ Grade: _____

This is to inform you that your request for installation of audio/video recording equipment in your child's special education classroom **was approved**. Installation will proceed in accordance with State law and School Board Policy.

Thank you for your patience as we processed your request. We conducted a walk-through of the premises to determine structural/installation needs; solicited qualified equipment and installers; assessed anticipated costs and availability of funds; and will schedule dates and times for installation in a manner that minimizes disruption to classroom activities.

Prior notice to affected individuals and training of staff is required before cameras can begin to operate. The school principal will notify you of the date when the cameras will be activated.

_____ Date: _____

[Designated Representative]

Lafourche Parish School Board

OFFICE OF SUPERINTENDENT
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FAX: 985-446-0801

Notice of Installation & Operation of Audio/Video Recording Equipment

Date: _____

Before the _____ School Board installs and begins operation of audio/video recording equipment in a self-contained classroom or other special education setting as permitted under La. R.S. 17:1948, the Board is required to provide written notice to all staff assigned to the applicable classroom and to the parents of the students in regular attendance in the classroom or setting.

As required by law, this letter serves as notice that the School Board has approved a request to install and begin operation of audio/video recording equipment as follows:

Anticipated Date of Camera Activation: _____

School Name: _____

Classroom(s):

The sole purpose of audio/video recording authorized by La. R.S. 17:1948 is to promote the safety of students receiving special education services. The audio/video recordings may not be used for any other purpose. Regular or continual monitoring of these recordings is prohibited.

The School Board will maintain the footage from these recordings for at least one (1) month, as required by law.

Please contact the School District's Designated Representative with any questions.

Name: _____

Title: _____

Phone Number: _____

Lafourche Parish School Board

OFFICE OF SUPERINTENDENT

P.O. BOX 879

THIBODAUX, LOUISIANA 70302-0879

PHONE: 985-446-5631

FAX: 985-446-0801

INCIDENT REPORT AND REQUEST TO VIEW VIDEO RECORDING

Date: _____

Incident reports should be filed with the Designated Representative as soon as feasible after the individual submitting the report suspects the alleged incident. Incident reports should be submitted within 48 hours after the event or circumstance giving rise to the allegation.

Requester's Name: _____

Requester's email address: _____

Requester's phone number: _____

I am a parent/legal guardian of a student involved in an alleged Incident believed to be documented by a video recording.

Student's name: _____

Student's school: _____

My report pertains to an event or circumstance involving alleged (please check all that apply):

- _____ Abuse of a student by a District employee
- _____ Neglect of a student by a District employee
- _____ Physical Abuse of a student by another student
- _____ Sexual Abuse of a student by another student
- _____ Other: _____

Location of the self-contained classroom or other special education setting where the alleged Incident occurred:

Date and time of the alleged Incident (please be specific and identify the date and time within a 48-hour window, if possible):

Please describe with specificity the nature of your report, including the events or circumstances giving rise to your report and the name of any _____ staff member/employee or student that may be involved in the alleged incident (please attach additional pages if necessary):

FOR DISTRICT USE ONLY

Date Completed Form E Received _____

Received By: _____

To be completed by Designated Representative:

Designated Representative Signature:

Date of Approval/Denial

Lafourche Parish School Board

OFFICE OF SUPERINTENDENT
P.O. BOX 879
THIBODAUX, LOUISIANA 70302-0879
PHONE: 985-446-5631
FAX: 985-446-0801

RESPONSE TO INCIDENT REPORT AND REQUEST TO REVIEW AUDIO/VIDEO RECORDING

Date: _____

Dear _____:

In connection with the Incident Report you submitted on _____, and pursuant to La. R.S. 17:1948 and _____ School Board Policy and Procedures, we reviewed your Incident Report and determined that:

You are an Eligible Requestor (parent or legal guardian of a student in a Self-Contained Classroom or Other Special Education setting).

The report contained an allegation of an **Incident** (abuse, neglect, sexual misconduct as defined by the Louisiana Children’s Code and School Board procedures).

The report alleged an Incident that occurred in a Self-Contained Classroom or Other Special Education setting subject to La. R.S. 17:1948.

You requested the opportunity to view the recording of the alleged Incident you reported.

As a result, **we have commenced an investigation of your allegations.**

If you requested the opportunity to view the recording of the alleged incident, we are granting your request for a viewing of the recording.

Please contact me at _____ to schedule the viewing appointment. Video recordings will be made available at _____, located at

_____ between the hours of 9:00 am and 3:00 pm, Mondays through Thursdays. If these times do not work for you, we will make reasonable attempts to arrange for a mutually acceptable time for you to view the specific video recording(s).

A copy of the _____ School Board’s *Cameras in Special Education Classrooms/Settings Procedures Implementing La. R.S. 17:1948* available from _____. If you have questions or need additional information, feel free to contact me at: _____

Sincerely,

Designated Representative

Lafourche Parish School Board

OFFICE OF SUPERINTENDENT
P.O. BOX 879
THIBODAUX, LOUISIANA 70302-0879
PHONE: 985-446-5631
FAX: 985-446-0801

Response To Incident Report and Denial of Request to Review Video Recording

Date _____

Dear _____:

In connection with the Incident Report you submitted on _____, and pursuant to La. R.S. 17:1948 and _____ School Board Policy and Procedures, we reviewed your Incident Report and determined that:

You are not an Eligible Requestor (parent or legal guardian of a student in a Self-Contained Classroom or Other Special Education setting).

The report did not contain an allegation of an **Incident** (abuse, neglect, sexual misconduct as defined by the Louisiana Children's Code and School Board procedures).

The classroom identified does not meet the definition of Self-Contained Classroom or Other Special Education setting as set forth in La. R.S. 17:1948 and School Board policy.

As a result, we are respectfully denying your request for a viewing of the recording.

If you have questions or need additional information, feel free to contact me at:

Sincerely,

Designated Representative

Lafourche Parish School Board

OFFICE OF SUPERINTENDENT
P.O. BOX 879
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NOTICE OF DISCONTINUATION OF VIDEO/AUDIO MONITORING

[Insert Date]

To Whom It May Concern:

_____ School Board procedures requires a school with a video camera in a self-contained classroom or other special education setting in accordance with La. R.S. 17:1948 to operate and maintain the video camera, as long as the classroom continues to satisfy the requirements of State law, for the remainder of the school year in which the request for video monitoring was received, unless the requester withdraws the request in writing.

In accordance with School Board policy and procedures, the purpose of this notice is to inform you that operation of the video camera(s) in the location(s) listed below will be discontinued in five (5) school days and will not resume unless a person eligible to make a request for video monitoring under La. R.S. 17:1948 submits a new request. Please contact my office to obtain a copy of Form A if you wish to request continuation or resumption of video monitoring in your child's self-contained classroom.

School: _____

Room #	Teacher	Program

Please contact me or the Principal, [insert name of principal], with any questions or concerns.

Designated Representative
Ph:
Email:

Lafourche Parish School Board

OFFICE OF SUPERINTENDENT
P.O. BOX 879
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Notice of Incident Report to Non-Reporting Parent/Guardians

Date: _____

This is a follow-up to our phone communication on _____, advising you that we have received a report alleging abuse, neglect, or sexual misconduct in your child's classroom where video cameras are installed in accordance with La. R.S. 17:1948. Please be assured that we take such reports seriously and are investigating the allegations, including the assistance of law enforcement officials as appropriate.

The sole purpose of audio/video recording authorized by La. R.S. 17:1948 is to promote the safety of students receiving special education services. The audio/video recordings may not be used for any other purpose. Eligible Requestors may request to review a recording when a valid incident has been reported. A request to review a recording must be made in writing to this office.

Please contact me if you have any questions.

Name: _____

Title: _____

Phone Number: _____