The purpose of these procedures is to establish guidelines for the District’s response to requests for the installation of video surveillance in Special Education classrooms and settings. Section 29.022 of the Texas Education Code requires that school districts provide video surveillance at the request of parents, staff, and/or board of trustee members in order to promote student safety. For additional information, see BISD Local Board Policy EHBAF.

**DEFINITIONS**

For the purposes of the administrative procedures herein, the following terms have the following meanings:

1. Parent means a person described by TEC §26.002, whose child receives special education and related services for at least 50 percent of the instructional day in the self-contained classroom or other special education setting. Students over the age of 18 meet the definition of “parent”, unless they have been determined to be incompetent or have had their rights restricted by a court order.

2. Staff member means a teacher, related service provider, paraprofessional, or educational aide assigned to work in the self-contained classroom or other special education setting. Staff member also includes any other employee of BISD.

3. Self-Contained classroom means a classroom on a regular school campus in which a majority of the students in regular attendance are provided special education and related services and have one of the instructional arrangements described in TAC §103.1301 (b)(5).

4. Other special education setting means a classroom on a separate campus that serves only students who receive special education and related services, in which a majority of the students in regular attendance have the instructional arrangements described in TAC §103.1301(b)(6).

5. Incident means an event or circumstance that involves alleged “abuse” or “neglect” as described in Texas Family Code, §261.001 of a student by an employee or alleged “physical abuse” or “sexual abuse” as described by Texas Family Code, §261.410 of a student by another student that allegedly occurred in a special education setting under video surveillance.

**PROCESS FOR REQUESTING VIDEO SURVEILLANCE**

Parents, Staff Members and Board of Trustee Members may request that video surveillance be installed in settings that meet the definition of a Self-Contained Classroom by submitting a request to BISD officials. The following procedures apply:
1. Parents, Staff, or Board of Trustee Members must submit a written request form (see exhibit A) to the Principal of the school where the classroom subject to the request is located or to the Director of Special Programs and Services.

2. The Campus Principal will submit the received request form to the Director of Special Programs and Services, Deputy Superintendent, and Coordinator of Technology within 48 hours of receiving the request.

3. The Director of Special Programs and Services, Deputy Superintendent, and Coordinator of Technology will review the request for video surveillance and determine if the request meets the requirements set forth in Commissioner’s Rule 103.1301. A decisive response will be provided to the requestor within 30 days of receipt of the request.

4. If the request for video surveillance is granted, BISD will place video surveillance in the applicable classrooms/ settings within a reasonable time period, based on the nature of the request.

5. Prior to the installation of video surveillance, BISD will provide notice to all campus staff and parents of students who access the monitored setting. Notification of video surveillance will be posted outside classrooms that have installed cameras.

PROCESS FOR REPORTING INCIDENTS IN MONITORED CLASSROOMS

Individuals may submit an Incident Report Form (Exhibit C) to report an incident that meets the definition of abuse or neglect and allegedly occurred in a Self-Contained Classroom. The following procedures apply:

1. An Incident Report Form must be submitted to the Campus Principal assigned to the campus where the alleged incident occurred.

2. The Principal will submit the request to the Director of Special Programs and Deputy Superintendent within 48 hours of receiving the Incident Report Form.

3. An investigation of the incident will be conducted by the Principal and/or District official within 10 school days of receiving the Incident Report Form, absent extenuating circumstances.

4. As part of the investigation process, video surveillance may be viewed by a peace officer, school nurse, human resources staff member, and/or an administrator trained in de-escalation and restraint techniques.

5. Video Surveillance may be viewed by a staff member, District employee or parent of a student that is involved in an incident that is documented by a video recording for which a complaint has been reported.

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COMPLAINTS

Complaints alleging the District’s failure to comply with TEC, §29.022 or TAC, §103.1301 may be filed using the District’s local grievance procedures described in FNG (LOCAL).