

Senate Bill 507

Cameras in the Classroom



TCASE presentation on Cameras in the Classroom

- The next few slides are a summary of the presentation given by Chris Schulz, Richards, Lindsay & Martin, LLP
- Please note this is not considered legal advice
- Please consult your district's or charter's attorney for guidance

Summary

SB 507 goes into effect right now but do not need be installed until the 2016-17 school year. Some LEAs are doing it now due to parents already requesting them.

Summary

The obligation to install cameras is only created when a parent, trustee, or staff member makes a request to the district for cameras in the classroom. For us in and around major cities, we might find it prudent to start planning for installation now, as parent advocates and attorneys are more active in our areas of the state. Regardless, an LEA is only required to install cameras once a request is made from a parent, trustee, or staff member.

Summary

The cameras must be capable of covering all areas of the classroom or setting. In addition, the cameras must be capable of recording audio from all areas of the classroom or setting. The LEA also needs a way to store the data for at least six months after it was recorded.

Summary

The district must install cameras in every self-contained classroom or setting in which a majority of the students in regular attendance are

- (1) provided special education and related services; and
- (2) assigned to a self-contained classroom or other special education setting for at least 50 percent of the instructional day. The cameras must be operational for as long as the classroom or setting meets those requirements.

Summary

The law requires that the school or campus provide written notice of the placement of cameras to

- (1) all school or campus staff, and to
- (2) the parents of a student receiving special education services in the classroom or setting.

Summary

Also you cannot visually monitor a bathroom. If the bathroom meets the requirements of the law then you only need to audiotape.

Summary - Who Can Review?

Complaint Release Provision - the superintendent, principal, special education director or teachers do not have unrestricted access.

- There is a complaint reported to the district
- Regarding a student involved in an incident
- Document by the recording - (if a,b, and c are met then...)
- The information may only be released to a school employee or parent/guardian of the student
- Upon the request of the school employee or parent or guardian. Parents/teachers can only review if there is a pending complaint.

Summary - Who Else Can Review?

Specific Person Provision

- A peace officer
- School nurse
- A district administrator trained in de-escalation and restraint techniques as provided by commissioner rule; or
- A human resources staff member designated by the board of trustees (The information may only be released based upon a response to a complaint or investigation of the district or school personnel or a complaint of abuse committed by a student.
- Also a DFPS Release Provision allows the Department of Family and Protective Services personnel as part of investigation may review
- Also a SBEC Release Provision can be released to an appropriate agency or state Board of Education Certification personnel as part of an investigation.

Summary

Images captured on security videotapes that are maintained by the school's law enforcement unit are not considered education records under FERPA.

Schools that do not have a designated law enforcement unit might consider designating an employee to serve as the "law enforcement unit" in order to maintain the camera and determine the appropriate circumstance to disclose the videos.

Summary

You must store the video for at least 6 months.

You may not regularly monitor the recordings and cannot use the recordings for teacher evaluations or other purpose other than the promotion of safety of students receiving special education services in a self-contained setting.