



Benjamin Franklin Elementary/Middle Mathematics and Science School

ACT 479 Policy: Cameras in Special Education Classrooms

Purpose/Applicability

As required by Louisiana Revised Statute 17:1948 and Act 479, the policy is intended to promote student safety and protect the rights of students with disabilities. This policy applies only to special education classrooms as defined by statute. All cameras must meet the National Fire Protection Association's Life Safety Code.

Definitions

Classroom: For the purposes of La. R.S. 17:1948, a "Classroom" refers to either a "Self-Contained Classroom" or an "Other Special Education Setting" as described below. This term does not include environments where students identified as Gifted or Talented under Bulletin 1508—who do not also have a disability under Bulletin 1508—receive services.

Designated District Representative: A "Designated District Representative" is an administrator appointed by the Chief Executive Officer (CEO) who is responsible for managing the installation and/or operation of camera equipment, ensuring compliance with La. R.S. 17:1948, and overseeing the implementation of these procedures.

Parent or Legal Guardian: A "Parent or Legal Guardian" is an individual whose parental 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 within the District. The term "Parent" also includes a student who is 18 years of age or older and receives special education and related services in these settings, unless the student has been declared incompetent or their rights have been otherwise limited by a court order.

Self-Contained Classroom : A "Self-Contained Classroom" is a classroom located on a regular school campus (serving both general education and special education students), including any room attached to the classroom, where the majority of other regularly attending students receive special education and related services for at least 50 percent of the instructional day.

Student Privacy and Access to Recordings: All video or audio recordings produced or maintained by Benjamin Franklin Elementary/Middle Mathematics and Science School are confidential student records. Viewing or listening to these recordings is restricted to the CEO or the CEO's designee. Upon written request, the parent or legal guardian of a student who appears in a recording may review the portion depicting that student. No other disclosure, duplication, or distribution of recordings is permitted unless required by law or court order.



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Mandated Reporting: Any person who views a recording made pursuant to La. R.S. 17:1948 and who suspects that the recording shows a violation of Louisiana or federal law is required to report the suspected violation to the appropriate law enforcement agency.

Location and Placement of Audio/Video Cameras

Cameras shall be affixed to a stationary location to provide a clear, unobstructed, and comprehensive view of the classroom area in which instruction, therapy, or other educational services are routinely provided. No camera may be installed in, nor may its field of view include any restroom, locker room, changing area, or any other space in which a student or staff member has a reasonable expectation of privacy. If a self-contained classroom contains a restroom, changing alcove, or other partitioned area for personal hygiene or medical care, the camera angle shall be adjusted, and privacy shields shall be employed if necessary, to ensure that no audio or video recording occurs in that portion of the room.

Notification of Cameras

Written notice must be provided to all individuals entering a classroom with an installed camera, including teachers, other school employees, enrolled students, the students' parents or legal guardians, and any authorized visitors.

Training

Benjamin Franklin Elementary/Middle Mathematics and Science School shall ensure that any teacher or other school employee assigned to a classroom equipped with audio and/or video recording equipment receives training on all applicable legal, regulatory, and policy requirements governing the operation, confidentiality, and access to such recordings. This training shall be provided prior to the employees' assignment in the classroom and repeated as necessary to maintain compliance with current laws, regulations, and Benjamin Franklin Elementary/Middle Mathematics and Science School policy.

Recording Retention, Storage, and Disposal

All audio and video recordings shall be retained, stored, and disposed of in compliance with state law. Recordings must be stored securely to prevent unauthorized access, tampering, or disclosure. Each recording shall be kept for a minimum of one month from the date of creation, after which it will be permanently deleted or destroyed unless a request for viewing or preservation is pending under applicable procedures. Benjamin Franklin Elementary/Middle Mathematics and Science School will ensure that all retention, storage, and disposal practices protect the confidentiality and privacy of students and staff.



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Access to Recordings and Limitations on Viewing

A video or audio recording may be viewed only by the parent or legal guardian of a student, the School's Chief Executive Officer or Executive Director or their designee, or law enforcement officials acting within the scope of an official investigation of suspected child abuse, neglect, sexual misconduct, or other violations of state or federal law.

Procedures for Requesting to View Recordings

To request to view a video or audio recording an eligible person must submit a written request to the Chief Executive Officer or the Chief Executive Officer's designee. Requests may only be made in connection with a specific alleged incident or concern involving their student. Benjamin Franklin Elementary/Middle Mathematics and Science School will review the request and, if approved, will arrange for the parent or legal guardian to review the portion of the recording depicting their child in a secure setting. Requests that are not related to a specific incident may be denied. No other disclosure, duplication, or distribution of recordings is permitted unless required by law or court order and approved in writing by the CEO.

For any additional information or clarification concerning these procedures, please direct all inquiries to:

Tradonya Domingue
Executive Director of Student Services
1116 Jefferson Ave
New Orleans, La 70115
tdomingue@loenola.us