SB 507 Stakeholder Meeting

TEA Staff: Gene Lenz, Maggie Baker (Legal), Amanda Bronson (Finance), Heather Reisman (Legal), Keith Swink, Laura Gaines (Charter Division)

Facilitator: Margie Sanford

Other Attendees: Janna Lilly TCASE, TASB, Don Schmidt (NISD), Lubbock ISD, Cypress-Fairbanks ISD, Holly Eaton (TCTA), Janet Horton (Attorney), Disability Rights, Kyle Picada (ARC of Texas), other various agencies, advocates, attorneys, and parents.

Maggie Baker started off with a brief overview of SB 507 and then the group began by breaking the bill into subsections with specific group activities.

Areas of discussion:

- “Request by a parent”—districts in writing...or is verbal sufficient...given to whom
- “Place and operate”—districts timeline for installation and functional operation
- “request by parent, trustee, or staff member”—add campus administrator
- “other special education setting”—calming rooms and ancillary spaces (attorneys, Disability Rights)

School Districts asked questions/expressed concerns:

- Do we stop recording during STAAR-ALT?
- Do we stop recording during teacher conferences?
- Districts desired clarification on when recording could be ceased.
- If we are waiting on RFPs will this impact timelines for “placing and operating?” How will this be looked upon? Could there be timelines developed based on different levels of district infrastructure?
- Keeping “viewer logs” and “giving notice when the video is being viewed”
- Procedures for requesting video surveillance
Developing notice for the campus personnel when a request has been made and identification that there will be video surveillance in the classroom.

Developing of who will have access to video cameras, recordings, and their roles/responsibilities.

Attorneys, advocates, parents:

- Maintenance logs that equipment is being taken care of.
- Procedures that parents have to go through to get copies.
- One attorney—“all districts should have to notify parents they can request cameras in the specific settings identified in SB 507.”
- Not in favor of “local policy/local decision” want more oversight.
- Clarification on what a “complaint” is that would release a recording for viewing.
- Requested districts give a “good faith” response to parents providing a timeline for implementation in writing.
- Clear recourse for families if district does not comply with the request within timeline.
- TEA establish procedures for investigating districts not adhering to requests. What happens when a district fails?

TEA clarification points to attendees:

- What are the projections districts are coming up with regarding timeline for installation and implementation? 4-6 week baseline appeared to be a consensus from district participants.
- Districts were asked what their projected cost would be for each camera or each classroom, installation, and storage fees. Districts were quick to explain it doesn’t end there due to the maintenance of equipment, personnel to provide support the technology, upgrading technology, etc.
- Larger districts had projected costs, but this was not relatable to smaller districts who won’t get economies of scale.
• Confidentiality of video recording (Maggie Baker-Attorney)-Confidentiality is a “complicated” matter.
• Districts need to gather further clarification on FERPA. Video maintained by district law enforcement is an exception to FERPA. There was a lengthy discussion regarding this item and TEA asked districts who currently maintains video for clarification.

Gene Lenz-SB 507 is a state law, so federal funds may not be used. Federal fiscal people said it was a Health & Safety issue not IDEA. Any student could be the student and shouldn’t be coded to SPED this should not impact MOE.

Advocates and attorneys were very vocal about…”How could this not be a FAPE issue?” A Special Education student is impacted by an injury in the classroom and access is denied then it is a FAPE issue. Attorney concerned that it limits “grievance policy” and “what about exhausting administrative remedies?”

Maggie Baker (TEA attorney)-Explained that between the first version in 2013 and the current 2015 version took out the ability for a parent to veto a camera being in a classroom when another parent requested it, because there would also be dissention.

**TEA discussed recommendations for districts developing policies and procedures relating to video surveillance (some specifics):**

Procedures for requesting video surveillance

Developing notice for the campus personnel when a request has been made and that there will be video surveillance in the classroom.

Statements of who will have access to video cameras, recordings, and their roles/responsibilities (sign-in logs).