

## Special Programs

- Form 1. Request for the Installation of Video and Audio Recording Equipment Form**  
**Form 2. Written Response to a Request for the Installation of Video and Audio Recording Equipment Form**  
**Form 3. Notice of Installation of Video and Audio Recording Equipment Form**  
**Form 4. Incident Report Form**  
**Form 5. Response to Invalid Incident Report Form**  
**Form 6. Response to Incident Report Form**  
**Form 7. Written Notice of Discontinuation of Video and Audio Recording Equipment Form**  
**NOTICE**

## Dickinson ISD Procedures

1. Request is submitted to Principal (Form 1)
    - a. The Principal
      - i. Contacts Executive Director of Special Programs
      - ii. Signs & Scans Request form to Executive Director of Special Programs
    - b. The Executive Director of Special Programs:
      - i. Verifies the request meets state statutory requirements, and:
      - ii. If the request meets state statutory requirements, then:
        1. The Director of Special Programs:
          - a. Signs & scans request form to Deputy Superintendent for Educational Services.
            - i. Deputy Superintendent - ES reviews form and sends approval to Deputy Superintendent of Finance and Operations for implementation
          - b. Sends Response to Video/Audio Request (Form 2) to requestor, sends copy to Principal
        2. The Principal:
          - a. notifies the parents of other students within the classroom / setting (Form 3)
          - b. notifies relevant staff: posts the notice at the entryway to the classroom / setting
      - iii. If the request does not meet state statutory requirements, then:
        1. The Executive Director of Special Programs:
          - a. Sends Response to Video/Audio Request (Form 2) to requestor, sends copy to Principal
2. Incident Report is submitted to Principal (Form 4) within 48 hours of suspected time of occurrence
  - a. The Principal
    - i. Contacts Executive Director of Special Programs
    - ii. Signs & Scans Incident Report to Executive Director of Special Programs
    - iii. Completes and Sends Receipt of Incident Report (Form 5) to the person reporting the suspected incident
  - b. The Executive Director of Special Programs
    - i. Reviews the recordings as noted by the incident report
    - ii. Determines whether there is a substantiated incident as defined by TEC§29.022
    - iii. Notifies any other relevant DISD Staff
    - iv. Sends Response to Incident Report (Form 6) to the person reporting the suspected incident

A Parent, Principal, Assistant Principal, or Staff Member as defined by TEC §29.022 and/or the District Board of Trustees, may request that video and audio recording equipment be installed in a Self-contained Classroom or Other Special Education Setting that meets the requirements of TEC §29.022.

In order to make a request, complete the information below and submit this form to the designated District personnel below:

- A Parent/Staff Member or Assistant Principal should submit this form to the campus principal (or the principal’s designee).
- A Principal or the District Board of Trustees should submit this form to the Designated District Coordinator. The Board of Trustees should attach to this form a copy of the Board minutes authorizing the request for installation to be submitted.

For more information, see EHBAF (LEGAL) and (LOCAL).

1. Requestor’s information:

Name (*print*): \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Mailing address: \_\_\_\_\_

I am a:  Parent  Trustee  Principal  Assistant Principal  Staff Member

If a parent/guardian, child’s name: \_\_\_\_\_

2. Campus: \_\_\_\_\_

3. Specific classroom (*room number and teacher’s/related service provider’s name*) for which request is being made:

\_\_\_\_\_

To the best of my knowledge, this request meets the criteria in state law to require the District to conduct video and audio surveillance and recording upon request.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Office Use Only:**

Principal signature:		Date Received:		Date Scanned to Exec Dr SP:	
Exec Dr SP signature:		Date Received:		Date Scanned to Dep. Supt ES:	
Meets Statute Requirements:	<input type="checkbox"/> Yes <input type="checkbox"/> No: R1 R2	Response (Form 2) Mailed:		If yes, Principal Verifies:	<input type="checkbox"/> Parent notice sent <input type="checkbox"/> Staff notice sent <input type="checkbox"/> Sign posted
Dep. Supt. ES Signature:		Date Received:		Date Scanned to Dep. Supt OF:	
Notes:					

RE: Request for the Installation of Video and Audio Recording Equipment

Dear \_\_\_\_\_:

This is to confirm that I received your Request for the Installation of Video and Audio Recording Equipment on \_\_\_\_\_. The District reviewed your request and in accordance with Texas Education Code §29.022, your request [is approved / is denied].

Approved: The video and audio recording equipment will be installed in the specifically requested classroom/setting within a reasonable period of time without undue delay.

Denied because:

You do not qualify as a Parent, Staff Member or Trustee under TEC 29.022

The specific classroom you requested does not qualify as a Self-Contained Classroom or Other Special Education Setting under TEC 29.022]

A copy of the Dickinson ISD Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022 are enclosed.

A copy of the Dickinson ISD Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022 is attached and provides information on how to appeal this decision if the request has been denied. If you have further questions or need additional information, please let me know.

Sincerely,

Laurie Rodriguez  
Executive Director of Special Programs  
Dickinson ISD

Enclosure: Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022

Cc: Campus principal w/o enclosure

Special Programs

Date: \_\_\_\_\_

**RE: PARENT NOTICE --- INSTALLATION OF VIDEO AND AUDIO RECORDING EQUIPMENT**

Dear \_\_\_\_\_:

Before the District activates video and audio recording equipment in a Self-contained Classroom or Other Special Education Setting in accordance with Texas Education Code 29.022, the District is required to provide at least 5 School Business Days written notice to all staff assigned to the applicable campus and to the parents of the students receiving special education services, or engaging in school activities, in the classroom or setting. For more information, see EHBAF (LEGAL) and (LOCAL).

As required by Texas Education Code §29.022, this letter serves as notice that \_\_\_\_\_ campus has received a request to install and operate video and audio recording equipment in the following classroom(s):

\_\_\_\_\_  
\_\_\_\_\_

You are receiving this notice as a parent of a student receiving special education services, or engaging in school activities, in the classroom(s) described above. The video/audio camera will be operated at all times during the instructional day when one or more students are in the self-contained classroom or setting. The equipment may also be operational at times when students are not in the classroom. Regular or continual monitoring of these recordings is prohibited. The District will maintain the footage from these recordings for at least three months, as required by law.

A copy of the Dickinson ISD Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022 is attached and provides more detailed information.

Please contact the campus principal with any questions.

Sincerely,

Principal  
\_\_\_\_\_ Campus

Dickinson ISD

Enclosure: Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022

Cc: Special Education Director w/o enclosure

Special Programs

Date: \_\_\_\_\_

A person may notify the District of an Alleged Incident ("abuse" or "neglect", as defined in the Texas Family Code) occurring in a Self-contained Classroom or Other Special Education Setting where video/audio surveillance is in effect by completing an Incident Report form and providing it to the campus principal. The person making the Incident Report should be as specific as possible regarding the date, time, and location of the suspected abuse or neglect, should include any witnesses, and should describe the suspected abuse or neglect as clearly as possible. The Incident Report should be provided to the campus principal as soon as possible, and if at all possible within **48 hours** after the reporter becomes aware of a suspected incident.

**Contact Information:**

Name: \_\_\_\_\_

Home phone: \_\_\_\_\_ Mobile phone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Mailing address: \_\_\_\_\_

**Description of Incident:**

Date(s) of alleged abuse or neglect: \_\_\_\_\_

Time(s) of alleged abuse or neglect: \_\_\_\_\_

Location(s) of alleged abuse or neglect: \_\_\_\_\_

List any witness(es): \_\_\_\_\_

Describe the abuse or neglect as clearly as possible, including names of individuals involved and any District policy or law you think may have been violated. (Attach additional pages if more space is needed.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- I am requesting to view the applicable recording.
- I am a Parent of: \_\_\_\_\_
- I am a District employee involved in the alleged incident.
- I am Texas Department of Family and Protective Services personnel.
- I am Texas Education Agency or State Board for Educator Certification employee or agent.
- I am a Police officer; school nurse; administrator trained in de-escalation and restraint techniques; or Human resources staff member designated by the board of trustees.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Special Programs

Date: \_\_\_\_\_

If an Alleged Incident, as defined herein, is reported, absent extenuating circumstances, within seven (7) School Business Days from receipt of the Incident Report Form, the campus principal or authorized designee will coordinate with one or more eligible person(s) as set forth below to schedule a time and location for them to view the recording of the Alleged Incident to determine whether the recording contains evidence of abuse or neglect, as defined in the Texas Family Code, of a student by a staff member of the District, or physical abuse or sexual abuse, as defined in the Texas Family Code, of a student by another student. If so, the appropriate District administrator shall initiate other steps as required by law, District policy, or local procedures.

If the incident reported does not qualify as an Alleged Incident, as defined in TEC 29.022, the District will provide written notice to the person making the report that the allegations do not meet the definition of an Alleged Incident.

**RE: RESPONSE TO INVALID INCIDENT REPORT**

Dear \_\_\_\_\_:

In connection with the Incident Report you submitted on \_\_\_\_\_, and pursuant to Texas Education Code §29.022, Dickinson ISD reviewed your Incident Report and determined that the report did not contain an allegation of an Alleged Incident, as defined by TEC §29.022. Consequently, viewing of the recordings will not be conducted.

A copy of the Dickinson ISD Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022 is attached and provides information on how to appeal this decision. If you have further questions or need additional information, please let me know.

Sincerely,

Laurie Rodriguez  
Executive Director of Special Programs  
Dickinson ISD

Enclosure: Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022

Cc: Campus principal w/o enclosure

If an Alleged Incident, as defined herein, is reported, absent extenuating circumstances, within seven (7) School Business Days from receipt of the Incident Report, the campus principal or authorized designee will coordinate with at least one eligible person to schedule a time and location for them to view the recording of the Alleged Incident and shall initiate other steps as required by law, District policy, or local procedures.

Following the initial review of the video/audio recording by the District's eligible persons, the District will notify the Parent who made the Incident Report as to whether the recording documented abuse or neglect, as defined in the Texas Family Code, of a student by a staff member of the District, or physical abuse or sexual abuse, as defined in the Texas Family Code, of a student by another student within three (3) School Business Days.

Additionally, right of access to video/audio recording will be permitted when the recording meets the definition of an educational record pursuant to the Family Educational Rights and Privacy Act.

**RE:      RESPONSE TO INCIDENT REPORT**

Dear \_\_\_\_\_:

In connection with the Incident Report you submitted on \_\_\_\_\_, and pursuant to Texas Education Code §29.022, Dickinson ISD has conducted an initial review of the recording and the appropriate District employees have determined

- The recording documents abuse or neglect, as defined in the Texas Family Code, of a student by a staff member of the District, or physical abuse or sexual abuse, as defined in the Texas Family Code, of a student by another student, and is available for your viewing upon making an appointment
- While the recording did not document abuse or neglect, as defined in the Texas Family Code, of a student by a staff member of the District, or physical abuse or sexual abuse, as defined in the Texas Family Code, of a student by another student, it did document a significant act involving the student, such that the recording is an educational record pursuant to the Family Educational Rights and Privacy Act (FERPA) and is available for your viewing upon making an appointment

-or-

- As the recording does not depict abuse or neglect, as defined in the Texas Family Code, of a student by a staff member of the District, physical abuse or sexual abuse, as defined in the Texas Family Code, of a student by another student, or a significant act involving the student such that the recording is not an educational record pursuant to FERPA, access to view the recording will not be provided.

A copy of the Dickinson ISD Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022 is attached and provides information on how to appeal this decision if your request is denied. If you have further questions or need additional information, please let me know.

Sincerely,

Laurie Rodriguez  
Executive Director of Special Programs  
Dickinson ISD

Enclosure: Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022

Cc: Campus Principal w/o enclosure



Special Programs

Date: \_\_\_\_\_

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. At least 5 school days prior to the discontinuation, written notice that the recordings will not continue, unless a request is made by a person eligible to make a request, must be provided to the parents of the students receiving special education services in the classroom or setting.

Additionally, at least ten (10) school days before the end of each school year, the school or campus shall notify the parents of each student in regular attendance in the classroom that operation of the video camera will not continue during the following school year, unless a person eligible to make a request for the next school year submits a new request.

**RE: Written Notice of Discontinuation of Video and Audio Recording Equipment**

Dear \_\_\_\_\_:

**[For notice of discontinuation during the school year due to change of class make-up]**

In accordance with Texas Education Code §29.022 and Dickinson ISD's Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022, the video/audio recording of your child's classroom, [identification of classroom], will be discontinued on [date], as the make-up of this classroom or setting no longer meets the definition of a Self-contained Classroom or Other Special Education Setting under Texas Education Code §29.022.

**[For notice of discontinuation during the school year due to withdrawal of request in writing]**

In accordance with Texas Education Code §29.022 and Dickinson ISD's Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022, the video/audio recording of your child's classroom, [identification of classroom], will not continue unless requested by a person eligible to make a request under TEC §29.022. The video/audio recording is currently scheduled to be discontinued on [date], as the requestor withdrew the request for video/audio recording in writing.

**[For notice of discontinuation at the end of each school year]**

In accordance with Texas Education Code §29.022 and Dickinson ISD's Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022, the video/audio recording equipment in your child's classroom, [identification of classroom], will not continue in the \_\_\_\_ - \_\_\_\_ school year, unless a new request is made by a person eligible to make a request under TEC §29.022.

If you have questions or need additional information, please let me know.

A copy of the [District]'s Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022 are enclosed.

Sincerely,

Laurie Rodriguez  
Executive Director of Special Programs  
Dickinson ISD

Enclosure: Operating Guidelines for Video Surveillance of Special Education Settings Implementing TEC §29.022

Cc: Campus Principal w/o enclosure

# NOTICE

Pursuant to Texas Education Code §29.022, this classroom or setting is subject to ongoing video and audio surveillance that is not regularly live monitored.

This notice, which is to be posted at the entrance to the classroom or setting, meets the advanced written notice for staff as required by Texas Education Code §29.022