

CHAPTER 3.0 – SCHOOL ADMINISTRATION

Recording Non-Public Meetings with Employees of the District

3.23

1. Introduction. Video recording, audio recording and court reporting of any non-public meeting with an employee of the District on school grounds is prohibited.
2. Exceptions. The School Board is committed to providing parents/legal guardians with the opportunity to meaningfully participate in the process of identifying, evaluating, and programming for students with disabilities. Therefore, audio recording, defined as using any device or object to record voices and sounds that may be reproduced or reviewed, may be allowed in the following specified circumstances:
 - a. the student's parent/legal guardian has a disability;
 - b. the student's parent/legal guardian has a language barrier; or,
 - c. the student's parent/legal guardian has an impairment which prevents them from understanding or participating in the Individual Educational Plan (IEP) or Section 504 of the Rehabilitation Act of 1973 (Section 504) process.
3. Requests to Record an IEP or Section 504 Team Meeting. A parent/legal guardian who needs to record an IEP or Section 504 team meeting for one of the specified circumstances above must submit a written request to the Principal no less than three (3) days in advance of the scheduled IEP or Section 504 team meeting. The written notice may be delivered to the student's Principal in-person or via-electronic mail.

The written notice must include, at a minimum, the following:

- a. The name of the parent/legal guardian's child and school;
- b. The date of the IEP or Section 504 team meeting; and,
- c. The reason why the parent/legal guardian needs to record the IEP or Section 504 team meeting.

If a parent/legal guardian and the District agree to schedule an IEP or Section 504 Plan team meeting to convene with less than ten (10) days' notice, a parent/legal guardian seeking to audio record the meeting must give notice to the Principal the day before the scheduled meeting.

A parent/legal guardian who fails to provide timely notice is prohibited from audio recording the IEP or Section 504 team meeting unless the parent/legal guardian has an impairment which prevents them from understanding or participating in the IEP or Section 504 process.

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4. Approval/Denial of Requests to Record an IEP or Section 504 Team Meeting. The Principal or their designee shall notify the parent/legal guardian in writing as to whether the request is approved or denied. Notification will be provided at least one (1) day prior to the scheduled meeting for meetings scheduled with more than ten (10) days' notice. For meetings scheduled with less than ten (10) days' notice, notification will be provided the day after the parent/legal guardian submits a written notice to the Principal.
- a. If the request is approved, the parent/legal guardian is responsible for obtaining and operating their own audio equipment. The District will also audio record the meeting and maintain a copy of the recording as an educational record of the student.
 - b. If the request is denied, the Principal or their designee shall specify the reasons for the denial in writing.

When appropriate, the Principal or their designee may determine that the request to audio record an IEP or Section 504 team meeting is a request for a reasonable accommodation under the Americans with Disabilities Act, *as amended*. In such circumstances, the Principal or their designee may determine that providing a different or alternative accommodation in lieu of audio recording is reasonable.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

**Section 504 of the Rehabilitation Act of 1973
The Individuals with Disabilities Education Act
34 C.F.R. §104.36
34 C.F.R. §§300.322; 300.501
F.S. §1003.57
F.A.C. Rule 6A-6.03311**

HISTORY:

Adopted: 05/10/22