

USE OF RECORDING EQUIPMENT AT SPECIAL EDUCATION MEETINGS

In the absence of evidence that it is necessary to help the parent(s) or guardian(s) understand their child's IEP or the IEP process, or to otherwise implement other parental rights under IDEIA, the Muhlenberg Board of Education prohibits audio or video taping of individualized education program (IEP) meetings and multidisciplinary team (MDT) meetings. The Board of Education shall allow recording equipment to be used at meetings regarding multidisciplinary team evaluations or re-evaluations or individualized education programs (IEPs) for students with a disability if the parent(s) or guardian(s) verifies that taping is necessary for any of the reasons stated above.

USE OF RECORDING EQUIPMENT AT SPECIAL EDUCATION MEETINGS

I. Audiotaping

A. Muhlenberg School District prohibits audio and/or video taping of MDT and IEP meetings with the exception of the circumstances below:

1. Rights and duties of parent(s) or guardian(s): Parent(s) or guardian(s) may video tape or audiotape an IEP meeting only if they:
  - a. Contend that the recording is necessary to ensure that the parent(s) or guardian(s) understand the IEP or the IEP process or to implement other parent rights guaranteed under IDEIA.
  - b. Give the District, within three (3) school days prior to the meeting, written notice of their intention and stating the reasons in which the taping is required to ensure that the parent(s) or guardian(s) understand the IEP or the IEP process or to implement other parent rights guaranteed under IDEIA.
  - c. Sign a statement asserting that:
    - (1) The recording will be for private use by them or their advocate.
    - (2) They will not allow anyone else to use or listen to the tape.
    - (3) They will not distribute copies of the tape to any other person.
  - d. The superintendent's decision granting or denying permission to record a MDT or IEP meeting shall be based on the validity of the parents written statement stating the reasons in which the taping is required to ensure that the parent(s) or guardian(s) understand the IEP or the IEP process or to implement other parent rights guaranteed under IDEIA.
  - e. Upon approval of this request by the Superintendent or his designee, the District will conduct the taping with its own equipment and tapes.
2. Rights and duties of the District:
  - a. The District has a right to make and keep the original video or audio tape recording and to make a copy for the parent.
  - b. The copy of the recording shall be given to the parents within 10 school days of the meeting that was recorded.
  - c. When MDT or IEP meetings are video or audio taped, a copy of the recording will be kept as part of the student's educational record and the recording will have the same measures of confidentiality as any other educational record under District Policy 3.3, Student Records.

3. Rights and duties of team members:

- a. If an IEP team member objects to being recorded, he or she will still be required to attend the meeting, but will have the option not to speak on tape.
- b. Any team member exercising this option may answer direct questions during the meeting through written notes, which will be read to the other team members by a representative of the District.
- c. When answering questions at the meeting in writing is not feasible due to time limitations, any team member exercising this option must answer questions from any team member, in writing within three (3) school days after the meeting is adjourned.

II. Exceptions

- A. If a parent(s) or guardian(s) needs to accommodate a disability or lack of English language fluency that might limit the ability to understand the proceedings, their rights with respect to the proceedings, or the content of the discussions, the District representative will consider whether to grant an exception to the recording restrictions contained in this policy.
- B. The District representative will consider whether to grant an exception to the recording restrictions contained in this policy in the absence of a person whom the parent(s) or guardian(s) wants to participate in the meeting, when rescheduling the meeting or participating through a telephone conference are not possible, recording of the meeting presents the only practicable means of participation for the absent person.
- C. If a team member has a disability recognized under Section 504 or a language barrier that would preclude understanding of, or meaningful participation in, the process, the District representative will consider whether to grant an exception to the recording restrictions contained in this policy. The District representative will require documentation of the existence of any such disability or language barrier.

III. Confidentiality

- A. If the District audio or video tapes a MDT or IEP meeting, it will keep the tape as part of the student's educational record and accord the tape the same measures of confidentiality as any other educational record under District Policy 3.3, Student Records.