

CHAPTER 42 – ELECTRONIC MONITORING/SURVEILLANCE SYSTEM IN PROGRAM SITES

REVISION DATE: 05/01/2015

EFFECTIVE DATE: April 1, 2015

REFERENCES: [A.R.S. §12-2297](#), [A.R.S. §36-551.01](#)

PURPOSE: To distinguish the circumstances under which on-site and/or remote electronic monitoring may be conducted in programs and services funded by the Division. This policy applies to day program services, employment services and residential services. Electronic monitoring is not prohibited in common areas of programs where there is an identified need to ensure the health and safety of the member(s) during the delivery of service.

The following requirements must be met:

- A. Prior to installing or using surveillance and monitoring equipment, the Qualified Vendor must notify the District Network Manager and provide a copy of the policy/procedures/notices that demonstrate there are no violations of the rights of any member as set forth in A.R.S §36-551.01.
- B. Electronic surveillance and monitoring equipment and/or service may be used in residential settings in which residing members and their legal representatives, if applicable, request or consent to such surveillance and monitoring.
- C. Electronic surveillance and monitoring equipment and/or service may be used in common public settings including but not limited to workshops and employment programs.
- D. A sign must be posted in a conspicuous place in each common area that is under surveillance.
- E. The sign must indicate the days and hours of surveillance.
- F. Surveillance may only be conducted in areas that do not extend to the member's private space (e.g., bathroom, bedroom).
- G. Surveillance records (e.g., tapes) will be maintained in accordance with A.R.S. §12-2297 (Retention of Records) and must be produced upon request of the member or responsible person, the Division, law enforcement, protective agencies, and to other persons and entities entitled to access to public records under the law.