

26 ~~Schools.~~

27 (b)-(e) "Self-contained classroom" means a classroom at a
28 public school in which a majority of the students in regular
29 attendance are provided special education services and are
30 assigned to one or more such classrooms for at least 50 percent
31 of the instructional day.

32 (2)(a) Each district's school board shall vote to
33 establish a policy to provide video cameras in self-contained
34 classrooms if requested by a parent under paragraph (b).

35 (b)-(a) If a district school board votes to implement a
36 policy to provide cameras in self-contained classrooms, the A
37 school district shall provide a video camera to any school with
38 a self-contained classroom upon the written request of a parent
39 of a student in the classroom.

40 (c)-(b) Within 30 days after receipt of the request from a
41 parent, a video camera must ~~shall~~ be operational in each self-
42 contained classroom in which the parent's student is in regular
43 attendance for the remainder of the school year, unless the
44 parent withdraws his or her request in writing.

45 (3) If the student who is the subject of the initial
46 request is no longer in attendance in the classroom and a school
47 discontinues operation of a video camera during a school year,
48 no later than the 5th school day before the date the operation
49 of the video camera is discontinued, the school must notify the
50 parents of each student in regular attendance in the classroom

51 that operation of the video camera will cease unless the
52 continued use of the camera is requested by a parent. No later
53 than the 10th school day before the end of each school year, the
54 school must notify the parents of each student in regular
55 attendance in the classroom that operation of the video camera
56 will not continue during the following school year unless a
57 written request is submitted by a parent for the next school
58 year.

59 (4)(a) A video camera placed in a self-contained classroom
60 must be capable of all of the following:

61 1. Monitoring all areas of the self-contained classroom,
62 including, without limitation, any room attached to the self-
63 contained classroom which is used for other purposes.

64 2. Recording audio from all areas of the self-contained
65 classroom, including, without limitation, any room attached to
66 the self-contained classroom which is used for other purposes.

67 (b) A video camera placed in a self-contained classroom
68 may not monitor a restroom or any other area in the self-
69 contained classroom where a student changes his or her clothes,
70 except for the entryway, exitway, or hallway outside a restroom
71 or other area where a student changes his or her clothes because
72 of the layout of the self-contained classroom.

73 (c) A video camera placed in a self-contained classroom is
74 not required to be in operation when students are not present in
75 the self-contained classroom.

76 (d) If there is an interruption in the operation of the
 77 video camera for any reason, an explanation must be submitted in
 78 writing to the school principal and the district school board
 79 which explains the reason for and duration of the interruption.
 80 The written explanation must be maintained at the district
 81 school board office for at least 1 year.

82 (5) Before a school initially places a video camera in a
 83 self-contained classroom pursuant to this section, the school
 84 shall provide written notice of the placement of such video
 85 camera to all of the following:

86 (a) The parent of each student who is assigned to the
 87 self-contained classroom.

88 (b) Each student who is assigned to the self-contained
 89 classroom.

90 (c) The school district.

91 (d) Each school employee who is assigned to work with one
 92 or more students in the self-contained classroom.

93 (6) A school shall:

94 (a) Retain video recorded from a video camera placed
 95 pursuant to this section for at least 3 months after the date
 96 the video was recorded, after which the recording must ~~shall~~ be
 97 deleted or otherwise made irretrievable ~~unretrievable~~; or

98 (b) Retain the recording until the conclusion of any
 99 investigation or any administrative or legal proceedings that
 100 result from the recording have been completed, including,

101 without limitation, the exhaustion of all appeals.

102 (7) A school or school district may not:

103 (a) Allow regular, continuous, or continual monitoring of
104 video recorded under this section; or

105 (b) Use video recorded under this section for teacher
106 evaluations or any purpose other than for ensuring the health,
107 safety, and well-being of students receiving special education
108 services in a self-contained classroom.

109 (8) The principal of the school is the custodian of a
110 video camera operated pursuant to this section, all recordings
111 generated by that video camera, and access to such recordings.

112 (a) The release or viewing of any video recording under
113 this section must comply with s. 1002.22.

114 (b) A school or school district shall:

115 1. Conceal the identity of any student who appears in a
116 video recording, but is not involved in the alleged incident
117 documented by the video recording, which the school allows to be
118 viewed under subsection (9), including, without limitation,
119 blurring the face of the uninvolved student.

120 2. Protect the confidentiality of all student records
121 contained in a video recording in accordance with s. 1002.22.

122 (9)(a) Within 7 days after receiving a request to view a
123 video recording, a school or school district shall allow the
124 following individuals to view a video recording made under this
125 section:

126 1. A school or school district employee who is involved in
 127 an alleged incident that is documented by the video recording as
 128 part of the investigative process;

129 2. A parent of a student who is involved in an alleged
 130 incident that is documented by the video recording and has been
 131 reported to the school or school district;

132 3. A school or school district employee as part of an
 133 investigation into an alleged incident that is documented by the
 134 video recording and has been reported to the school or school
 135 district;

136 4. A law enforcement officer as part of an investigation
 137 into an alleged incident that is documented by the video
 138 recording and has been reported to the law enforcement agency;
 139 or

140 5. The Department of Children and Families as part of a
 141 child abuse or neglect investigation.

142 (b) A person who requests to view a recording must ~~shall~~
 143 make himself or herself available for viewing the recording
 144 within 30 days after being notified by the school or school
 145 district that the person's request has been granted.

146 (c) A person who views the recording and suspects that
 147 child abuse has occurred must report the suspected child abuse
 148 to the Department of Children and Families.

149 (10) (a) Any individual may appeal to the State Board of
 150 Education an action by a school or school district which the

151 individual alleges to be in violation of this section.

152 (b) The state board shall grant a hearing on an appeal
 153 under this subsection within 45 days after receiving the appeal.

154 (11) A school or school district does not violate
 155 subsection (8) if a contractor or other employee of the school
 156 or school district incidentally views a video recording made
 157 under this section in connection with the performance of his or
 158 her duties related to either of the following:

159 (a) The installation, operation, or maintenance of video
 160 equipment; or

161 (b) The retention of video recordings.

162 (12) This section does not:

163 (a) Limit the access of the parent of a student, under the
 164 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
 165 1232g, or any other law, to a video recording regarding his or
 166 her student.

167 (b) Waive any immunity from liability of a school district
 168 or an employee of a school district.

169 (c) Create any liability for a cause of action against a
 170 school or school district or an employee of a school or school
 171 district carrying out the duties and responsibilities required
 172 by this section.

173 (d) Apply to self-contained classrooms in which the only
 174 students receiving special education services are those who have
 175 been deemed gifted.

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176 (13) The department shall collect information relating to
177 the installation and maintenance of video cameras under this
178 section.

179 (14) The State Board of Education may adopt rules to
180 implement this section.

181 Section 2. This act shall take effect July 1, 2024.