

26 | appropriate program of special instruction, facilities, and
 27 | services for exceptional students as prescribed by the State
 28 | Board of Education as acceptable. Each district program must:

29 | 1.a. Provide the necessary professional services for
 30 | diagnosis and evaluation of exceptional students. At least once
 31 | every 3 years, the district school board must submit to the
 32 | department its proposed procedures for the provision of special
 33 | instruction and services for exceptional students. Each district
 34 | school board shall include the staffing and scheduling
 35 | procedures for exceptional student education centers, special
 36 | day schools, or separate classes in the exceptional student
 37 | education policies and procedures. The exceptional student
 38 | education policies and procedures must include the following:

39 | (I) Procedures to notify parents of teacher assignments
 40 | within the first 10 school days of the school year or upon
 41 | student's entry to the school.

42 | (II) Procedures to notify parents of any changes in
 43 | teacher assignments before the change in a teacher assignment
 44 | occurs if such change is not due to a temporary or incidental
 45 | teacher absence.

46 | (III) Procedures to notify parents of any permanent
 47 | changes in physical classroom assignments before the change in a
 48 | classroom assignment occurs.

49 | (IV) Procedures to quarterly maintain records of the
 50 | student to staff ratio data for exceptional student education

51 centers, special day schools, or separate classes, including the
52 funding levels generated for each student's services in these
53 settings. The records shall be available to the department upon
54 request or as part of monitoring processes.

55 b. For students in exceptional student education centers,
56 special day schools, or separate classes, a student's schedule
57 may only be changed and a student's class may only be dissolved
58 or combined with other such classes in accordance with the
59 conditions set forth in State Board of Education rule.

60 c. The State Board shall adopt rules to implement this
61 subparagraph.

62 2. Provide the special instruction, classes, and services,
63 either within the district school system, in cooperation with
64 other district school systems, or through contractual
65 arrangements with approved private schools or community
66 facilities that meet standards established by the commissioner.

67 3. Annually provide information describing the Florida
68 School for the Deaf and the Blind and all other programs and
69 methods of instruction available to the parent of a sensory-
70 impaired student.

71 4. Provide instruction to homebound or hospitalized
72 students in accordance with this section and rules adopted by
73 the state board, which must establish, at a minimum, the
74 following:

75 a. Criteria for the eligibility of K-12 homebound or

76 hospitalized students for specially designed instruction.

77 b. Procedures for determining student eligibility.

78 c. A list of appropriate methods for providing instruction
79 to homebound or hospitalized students.

80 d. Requirements for providing instructional services for a
81 homebound or hospitalized student once the student is determined
82 to be eligible. Eligible students receiving treatment in a
83 children's specialty hospital licensed under part I of chapter
84 395 must be provided educational instruction from the school
85 district in which the hospital is located until the school
86 district in which the hospital is located enters into an
87 agreement with the school district in which the student resides.
88 The department shall develop a standard agreement for use by
89 school districts to provide seamless educational instruction to
90 students who transition between school districts while receiving
91 treatment in the children's specialty hospital.

92
93 No later than August 15, 2016, each school district in which a
94 children's specialty hospital licensed under part I of chapter
95 395 is located shall enter into an agreement with the hospital
96 which establishes a process by which the hospital must notify
97 the school district of students who may be eligible for
98 instruction consistent with this subparagraph and the timelines
99 for determining student eligibility and providing educational
100 instruction to eligible students.

101 Section 2. Section 1003.574, Florida Statutes, is amended
 102 to read:

103 1003.574 Video cameras in public school classrooms; ~~pilot~~
 104 ~~program. Beginning with the 2021-2022 school year, the Video~~
 105 ~~Cameras in Public School Classrooms Pilot Program is created for~~
 106 ~~a period of 3 school years.~~

107 (1) As used in this section, the term:

108 (a) "Incident" means an event, a circumstance, an act, or
 109 an omission that results in the abuse or neglect of a student
 110 by:

- 111 1. An employee of a public school or school district; or
- 112 2. Another student.

113 ~~(b) "School district" means the Broward County Public~~
 114 ~~Schools.~~

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

120 (2)(a) A school district shall provide a video camera to
 121 any school with a self-contained classroom upon the written
 122 request of a parent of a student in the classroom.

123 (b) Within 30 days after receipt of the request from a
 124 parent, a video camera shall be operational in each self-
 125 contained classroom in which the parent's student is in regular

126 attendance for the remainder of the school year, unless the
127 parent withdraws his or her request in writing.

128 (3) If the student who is the subject of the initial
129 request is no longer in attendance in the classroom and a school
130 discontinues operation of a video camera during a school year,
131 no later than the 5th school day before the date the operation
132 of the video camera is discontinued, the school must notify the
133 parents of each student in regular attendance in the classroom
134 that operation of the video camera will cease unless the
135 continued use of the camera is requested by a parent. No later
136 than the 10th school day before the end of each school year, the
137 school must notify the parents of each student in regular
138 attendance in the classroom that operation of the video camera
139 will not continue during the following school year unless a
140 written request is submitted by a parent for the next school
141 year.

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

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

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

150 (b) A video camera placed in a self-contained classroom

151 may not monitor a restroom or any other area in the self-
152 contained classroom where a student changes his or her clothes,
153 except for the entryway, exitway, or hallway outside a restroom
154 or other area where a student changes his or her clothes because
155 of the layout of the self-contained classroom.

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

159 (d) If there is an interruption in the operation of the
160 video camera for any reason, an explanation must be submitted in
161 writing to the school principal and the district school board
162 which explains the reason for and duration of the interruption.
163 The written explanation must be maintained at the district
164 school board office for at least 1 year.

165 (5) Before a school initially places a video camera in a
166 self-contained classroom pursuant to this section, the school
167 shall provide written notice of the placement of such video
168 camera to all of the following:

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

171 (b) Each student who is assigned to the self-contained
172 classroom.

173 (c) The school district.

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

176 (6) A school shall:

177 (a) Retain video recorded from a video camera placed
 178 pursuant to this section for at least 3 months after the date
 179 the video was recorded, after which the recording shall be
 180 deleted or otherwise made unretrievable; or

181 (b) Retain the recording until the conclusion of any
 182 investigation or any administrative or legal proceedings that
 183 result from the recording have been completed, including,
 184 without limitation, the exhaustion of all appeals.

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

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

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

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

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

197 (b) A school or school district shall:

198 1. Conceal the identity of any student who appears in a
 199 video recording, but is not involved in the alleged incident
 200 documented by the video recording, which the school allows to be

201 | viewed under subsection (9), including, without limitation,
 202 | blurring the face of the uninvolved student.

203 | 2. Protect the confidentiality of all student records
 204 | contained in a video recording in accordance with s. 1002.22.

205 | (9)(a) Within 7 days after receiving a request to view a
 206 | video recording, a school or school district shall allow the
 207 | following individuals to view a video recording made under this
 208 | section:

209 | 1. A school or school district employee who is involved in
 210 | an alleged incident that is documented by the video recording as
 211 | part of the investigative process;

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

215 | 3. A school or school district employee as part of an
 216 | investigation into an alleged incident that is documented by the
 217 | video recording and has been reported to the school or school
 218 | district;

219 | 4. A law enforcement officer as part of an investigation
 220 | into an alleged incident that is documented by the video
 221 | recording and has been reported to the law enforcement agency;
 222 | or

223 | 5. The Department of Children and Families as part of a
 224 | child abuse or neglect investigation.

225 | (b) A person who requests to view a recording shall make

226 himself or herself available for viewing the recording within 30
227 days after being notified by the school or school district that
228 the person's request has been granted.

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

232 (10) (a) Any individual may appeal to the State Board of
233 Education an action by a school or school district which the
234 individual alleges to be in violation of this section.

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

237 (11) A school or school district does not violate
238 subsection (8) if a contractor or other employee of the school
239 or school district incidentally views a video recording made
240 under this section in connection with the performance of his or
241 her duties related to either of the following:

242 (a) The installation, operation, or maintenance of video
243 equipment; or

244 (b) The retention of video recordings.

245 (12) This section does not:

246 (a) Limit the access of the parent of a student, under the
247 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
248 1232g, or any other law, to a video recording regarding his or
249 her student.

250 (b) Waive any immunity from liability of a school district

251 | or an employee of a school district.

252 | (c) Create any liability for a cause of action against a
 253 | school or school district or an employee of a school or school
 254 | district carrying out the duties and responsibilities required
 255 | by this section.

256 | (d) Apply to self-contained classrooms in which the only
 257 | students receiving special education services are those who have
 258 | been deemed gifted.

259 | (13) The department shall collect information relating to
 260 | the installation and maintenance of video cameras under this
 261 | section.

262 | (14) The State Board of Education shall ~~may~~ adopt rules to
 263 | implement this section.

264 | Section 3. This act shall take effect July 1, 2024.