

By Senator Calatayud

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1 A bill to be entitled
2 An act relating to video cameras in public school
3 classrooms; amending s. 1003.574, F.S.; deleting
4 references to the Video Cameras in Public School
5 Classrooms Pilot Program; deleting an obsolete
6 definition; requiring a district school board to vote
7 to establish a policy to provide video cameras in
8 self-contained classrooms upon the request of a
9 parent; prohibiting a school or school district from
10 concealing the identity of an employee in a video
11 recording; providing that a video recording made
12 available after a request must include accompanying
13 audio; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Section 1003.574, Florida Statutes, is amended
18 to read:

19 1003.574 Video cameras in public school classrooms; ~~pilot~~
20 ~~program. Beginning with the 2021-2022 school year, the Video~~
21 ~~Cameras in Public School Classrooms Pilot Program is created for~~
22 ~~a period of 3 school years.~~

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

24 (a) "Incident" means an event, a circumstance, an act, or
25 an omission that results in the abuse or neglect of a student
26 by:

- 27 1. An employee of a public school or school district; or
28 2. Another student.

29 ~~(b) "School district" means the Broward County Public~~

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30 ~~Schools.~~

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

36 (2)(a) Each district school board shall vote to establish a
37 policy to provide video cameras in self-contained classrooms
38 upon the request of a parent under paragraph (b).

39 ~~(b)(a)~~ A school district shall provide a video camera to
40 any school with a self-contained classroom upon the written
41 request of a parent of a student in the classroom.

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

47 (3) If the student who is the subject of the initial
48 request is no longer in attendance in the classroom and a school
49 discontinues operation of a video camera during a school year,
50 no later than the 5th school day before the date the operation
51 of the video camera is discontinued, the school must notify the
52 parents of each student in regular attendance in the classroom
53 that operation of the video camera will cease unless the
54 continued use of the camera is requested by a parent. No later
55 than the 10th school day before the end of each school year, the
56 school must notify the parents of each student in regular
57 attendance in the classroom that operation of the video camera
58 will not continue during the following school year unless a

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59 written request is submitted by a parent for the next school
60 year.

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

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

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

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

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

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

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

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

90 (b) Each student who is assigned to the self-contained
91 classroom.

92 (c) The school district.

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

95 (6) A school shall:

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

100 (b) Retain the recording until the conclusion of any
101 investigation or any administrative or legal proceedings that
102 result from the recording have been completed, including,
103 without limitation, the exhaustion of all appeals.

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

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

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

111 (c) Conceal the identity of a school or school district
112 employee who appears in a video recording.

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

116 (a) The release or viewing of any video recording under

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117 this section must comply with s. 1002.22.

118 (b) A school or school district shall:

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

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

126 (9) (a) Within 7 days after receiving a request to view a
127 video recording, a school or school district shall allow the
128 following individuals to view a video recording and accompanying
129 audio made under this section:

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

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

136 3. A school or school district employee as part of an
137 investigation into an alleged incident that is documented by the
138 video recording and has been reported to the school or school
139 district;

140 4. A law enforcement officer as part of an investigation
141 into an alleged incident that is documented by the video
142 recording and has been reported to the law enforcement agency;
143 or

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

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

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

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

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

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

163 (a) The installation, operation, or maintenance of video
164 equipment; or

165 (b) The retention of video recordings.

166 (12) This section does not:

167 (a) Limit the access of the parent of a student, under the
168 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
169 1232g, or any other law, to a video recording regarding his or
170 her student.

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

173 (c) Create any liability for a cause of action against a
174 school or school district or an employee of a school or school

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175 district carrying out the duties and responsibilities required
176 by this section.

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

180 (13) The department shall collect information relating to
181 the installation and maintenance of video cameras under this
182 section.

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

185 Section 2. This act shall take effect July 1, 2025.