

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Student Academic Success
2 Subcommittee

3 Representative Tramont offered the following:
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Section 1003.574, Florida Statutes, is amended**
8 **to read:**

9 1003.574 Video cameras in public school classrooms; ~~pilot~~
10 ~~program. Beginning with the 2021-2022 school year, the Video~~
11 ~~Cameras in Public School Classrooms Pilot Program is created for~~
12 ~~a period of 3 school years.~~

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

14 (a) "Incident" means an event, a circumstance, an act, or
15 an omission that results in the abuse or neglect of a student
16 by:

Amendment No. 1

- 17 1. An employee of a public school or school district; or
18 2. Another student.

19 ~~(b) "School district" means the Broward County Public~~
20 ~~Schools.~~

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

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

29 (b)(a) A school district shall provide a video camera to
30 any school with a self-contained classroom upon the written
31 request of a parent of a student in the classroom.

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

37 (3) If the student who is the subject of the initial
38 request is no longer in attendance in the classroom and a school
39 discontinues operation of a video camera during a school year,
40 no later than the 5th school day before the date the operation
41 of the video camera is discontinued, the school must notify the

Amendment No. 1

42 parents of each student in regular attendance in the classroom
43 that operation of the video camera will cease unless the
44 continued use of the camera is requested by a parent. No later
45 than the 10th school day before the end of each school year, the
46 school must notify the parents of each student in regular
47 attendance in the classroom that operation of the video camera
48 will not continue during the following school year unless a
49 written request is submitted by a parent for the next school
50 year.

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

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

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

59 (b) A video camera placed in a self-contained classroom
60 may not monitor a restroom or any other area in the self-
61 contained classroom where a student changes his or her clothes,
62 except for the entryway, exitway, or hallway outside a restroom
63 or other area where a student changes his or her clothes because
64 of the layout of the self-contained classroom.

Amendment No. 1

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

68 (d) If there is an interruption in the operation of the
69 video camera for any reason, an explanation must be submitted in
70 writing to the school principal and the district school board
71 which explains the reason for and duration of the interruption.
72 The written explanation must be maintained at the district
73 school board office for at least 1 year.

74 (5) Before a school initially places a video camera in a
75 self-contained classroom pursuant to this section, the school
76 shall provide written notice of the placement of such video
77 camera to all of the following:

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

80 (b) Each student who is assigned to the self-contained
81 classroom.

82 (c) The school district.

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

85 (6) A school shall:

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

Amendment No. 1

90 (b) Retain the recording until the conclusion of any
91 investigation or any administrative or legal proceedings that
92 result from the recording have been completed, including,
93 without limitation, the exhaustion of all appeals.

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

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

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

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

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

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

108 (b) A school or school district shall:

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

Amendment No. 1

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

116 (9) (a) Within 7 days after receiving a request to view a
117 video recording, a school or school district shall allow the
118 following individuals to view a video recording with its
119 accompanying audio made under this section:

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

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

126 3. A school or school district employee as part of an
127 investigation into an alleged incident that is documented by the
128 video recording and has been reported to the school or school
129 district;

130 4. A law enforcement officer as part of an investigation
131 into an alleged incident that is documented by the video
132 recording and has been reported to the law enforcement agency;
133 or

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

136 (b) A person who requests to view a recording must ~~shall~~
137 make himself or herself available for viewing the recording

Amendment No. 1

138 within 30 days after being notified by the school or school
139 district that the person's request has been granted.

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

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

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

148 (11) A school or school district does not violate
149 subsection (8) if a contractor or other employee of the school
150 or school district incidentally views a video recording made
151 under this section in connection with the performance of his or
152 her duties related to either of the following:

153 (a) The installation, operation, or maintenance of video
154 equipment; or

155 (b) The retention of video recordings.

156 (12) This section does not:

157 (a) Limit the access of the parent of a student, under the
158 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
159 1232g, or any other law, to a video recording regarding his or
160 her student.

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

Amendment No. 1

163 (c) Create any liability for a cause of action against a
164 school or school district or an employee of a school or school
165 district carrying out the duties and responsibilities required
166 by this section.

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

170 (13) The department shall collect information relating to
171 the installation and maintenance of video cameras under this
172 section.

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

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

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178

T I T L E A M E N D M E N T

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Remove everything before the enacting clause and insert:

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A bill to be entitled

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An act relating to exceptional students and video

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cameras in public schools; amending s. 1003.574, F.S.;

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deleting references to the Video Cameras in Public

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School Classrooms Pilot Program; deleting an obsolete

185

definition; requiring a district school board to vote

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to establish a policy to provide video cameras in

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self-contained classrooms upon the request of a

Amendment No. 1

188 | parent; prohibiting a school or school district from
189 | concealing the identity of an employee in a video
190 | recording; providing that a video recording made
191 | available after a request must include accompanying
192 | audio; providing an effective date.