

By the Committee on Education Pre-K - 12; and Senator Calatayud

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A bill to be entitled

An act relating to education; amending s. 1003.574, F.S.; deleting references to the Video Cameras in Public School Classrooms Pilot Program; deleting an obsolete definition; authorizing certain parents to submit a written request to the school principal for installation and operation of a video camera in a self-contained classroom; requiring a district school board, within a specified timeframe, to adopt a policy establishing a process for school personnel to consider and respond to such requests; providing minimum requirements for such policy; limiting the number of requests a parent may submit per student per school year, subject to an exception; requiring that a video camera be operational within a specified timeframe after approval of a request under the policy; prohibiting a school or school district from concealing the identity of an employee in a video recording; providing that a video recording made available after a request must include accompanying audio; providing an effective date.

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

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

1003.574 Video cameras in public school classrooms; ~~pilot program. Beginning with the 2021-2022 school year, the Video Cameras in Public School Classrooms Pilot Program is created for~~

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~~a period of 3 school years.~~

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

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

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

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

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

(2)(a) A parent of a student who is in regular attendance in a self-contained classroom may submit a written request to the school principal or the principal's designee for the installation and operation of a video camera in that self-contained ~~school district shall provide a video camera to any school with a self-contained classroom upon the written request of a parent of a student in the classroom.~~

(b) The district school board shall adopt a policy establishing a process for school personnel to consider and respond to requests submitted under paragraph (a). If the district school board has not adopted a policy under this paragraph, it shall do so at the next regularly scheduled meeting, but no later than 60 days after receipt by the school district of the first request submitted under paragraph (a) ~~Within 30 days after receipt of the request from a parent, a~~

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~~video camera shall be operational in each self-contained classroom in which the parent's student is in regular attendance for the remainder of the school year, unless the parent withdraws his or her request in writing.~~

(c) The policy required under paragraph (b) must, at a minimum, do all of the following:

1. Establish a reasonable submission window for requests to be consolidated for consideration and response.

2. Establish criteria for the approval or denial of a request.

3. Designate the school or district personnel responsible for receiving, reviewing, and responding to requests.

4. Require written notice to the parent acknowledging receipt of the request.

5. Allow the parent to submit supporting information and documentation in support of the request.

6. Require a written determination approving or denying the request and providing the basis for the determination.

7. Establish a timeframe for issuing the written determination after the close of the submission window required under subparagraph 1.

8. Provide a process for escalation or review of a denial.

9. Require compliance with the notice requirements in subsection (5) before a school initially places a video camera in a self-contained classroom.

(d) A parent may not submit more than one request under this subsection per student per school year, except upon a material change in circumstances as defined in the district school board policy.

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88       (e) If a request is approved under the policy, a video  
89 camera must be operational in the self-contained classroom  
90 within 30 days after the date of the written determination  
91 approving the request and must remain operational for the  
92 remainder of the school year, unless the parent withdraws the  
93 request in writing.

94       (3) If the student who is the subject of the initial  
95 request is no longer in attendance in the classroom and a school  
96 discontinues operation of a video camera during a school year,  
97 no later than the 5th school day before the date the operation  
98 of the video camera is discontinued, the school must notify the  
99 parents of each student in regular attendance in the classroom  
100 that operation of the video camera will cease unless the  
101 continued use of the camera is requested by a parent. No later  
102 than the 10th school day before the end of each school year, the  
103 school must notify the parents of each student in regular  
104 attendance in the classroom that operation of the video camera  
105 will not continue during the following school year unless a  
106 written request is submitted by a parent for the next school  
107 year.

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

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

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

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

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

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

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

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

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

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

(c) The school district.

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

(6) A school shall:

(a) Retain video recorded from a video camera placed pursuant to this section for at least 3 months after the date the video was recorded, after which the recording must ~~shall~~ be

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deleted or otherwise made irretrievable ~~unretrievable~~; or

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

(7) A school or school district may not:

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

(b) Use video recorded under this section for teacher evaluations or any purpose other than for ensuring the health, safety, and well-being of students receiving special education services in a self-contained classroom, which constitutes security or surveillance of buildings or grounds under s. 1014.04(1)(i)4.; or

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

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

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

(b) A school or school district shall:

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

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

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

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

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

185 3. A school or school district employee as part of an  
186 investigation into an alleged incident that is documented by the  
187 video recording and has been reported to the school or school  
188 district;

189 4. A law enforcement officer as part of an investigation  
190 into an alleged incident that is documented by the video  
191 recording and has been reported to the law enforcement agency;  
192 or

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

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

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

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

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individual alleges to be in violation of this section.

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

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

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

(b) The retention of video recordings.

(12) This section does not:

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

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

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

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

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

(14) The State Board of Education may adopt rules to



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233 implement this section.

234 Section 2. This act shall take effect July 1, 2026.