

1 A bill to be entitled
2 An act relating to exceptional students and video
3 cameras in public schools; amending s. 1003.57, F.S.;
4 prohibiting district school superintendents and
5 principals from increasing the total number of
6 students in certain classes by more than a specified
7 percentage; creating s. 1003.5741, F.S.; providing
8 definitions; requiring a video camera be placed in
9 certain public school classrooms, including certain
10 charter school classrooms; providing requirements for
11 such video cameras; requiring a written explanation if
12 the operation of such cameras is interrupted;
13 requiring such explanation to be maintained for a
14 specified time period; requiring a school or charter
15 school to provide written notice of the placement of a
16 video camera to certain persons; providing
17 requirements for retaining and deleting video
18 recordings; providing prohibitions for the use of such
19 video cameras and recordings; providing that a school
20 or charter school principal is the custodian of such
21 video cameras and recordings; providing requirements
22 for such principals and video recordings; providing
23 requirements relating to student and school employee
24 privacy; providing requirements for the viewing of
25 such video recordings; providing an appeal process for

26 actions of a school, school district, or charter
27 school; providing that incidental viewings of video
28 recordings by specified persons are not a violation of
29 certain provisions; providing construction; requiring
30 the Department of Education to collect specified
31 information; authorizing the State Board of Education
32 to adopt rules; providing an effective date.
33

34 Be It Enacted by the Legislature of the State of Florida:
35

36 **Section 1. Paragraph (e) of subsection (1) of section**
37 **1003.57, Florida Statutes, is amended to read:**

38 1003.57 Exceptional students instruction.—

39 (1)

40 (e) In providing for the education of exceptional
41 students, the district school superintendent, principals, and
42 teachers shall utilize the regular school facilities and adapt
43 them to the needs of exceptional students to the maximum extent
44 appropriate. To the extent appropriate, students with
45 disabilities, including those students in public or private
46 institutions or other facilities, shall be educated with
47 students who are not disabled. Segregation of exceptional
48 students shall occur only if the nature or severity of the
49 exceptionality is such that education in regular classes with
50 the use of supplementary aids and services cannot be achieved

51 satisfactorily. During the school year, a district school
52 superintendent or principal may not impact the special
53 instruction or services being provided to an exceptional student
54 in a separate class by increasing the total number of students
55 in the class by more than 50 percent.

56 **Section 2. Section 1003.5741, Florida Statutes, is created**
57 **to read:**

58 1003.5741 Video cameras in certain public school
59 classrooms.—

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

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

64 1. An employee of a public school, school district, or
65 charter school; or

66 2. Another student.

67 (b) "Self-contained classroom" means a classroom at a
68 public school or a charter school in which at least one student
69 in regular attendance is nonverbal and is provided special
70 education services and is assigned to one or more such
71 classrooms for at least 50 percent of the instructional day.

72 (c) "Video recorded" or "video recording" includes any
73 accompanying audio recorded by a video camera.

74 (2) A school district must provide a video camera to each
75 school with a self-contained classroom. A charter school must

76 provide a video camera to each self-contained classroom.

77 (3) (a) A video camera placed in a self-contained classroom
78 must be capable of all of the following:

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

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

85 (b) A video camera placed in a self-contained classroom
86 may not monitor a restroom or any other area in the self-
87 contained classroom in which a student changes his or her
88 clothes, except for the entryway, exitway, or hallway outside a
89 restroom or other area in which a student changes his or her
90 clothes because of the layout of the self-contained classroom.

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

94 (d) If there is an interruption in the operation of the
95 video camera for any reason, an explanation must be submitted in
96 writing to the school or charter school principal and, if
97 applicable, the district school board which explains the reason
98 for and duration of the interruption. The written explanation
99 must be maintained at the charter school or district school
100 board office for at least 1 year.

101 (4) Before a school or charter school initially places a
102 video camera in a self-contained classroom pursuant to this
103 section, the school or charter school shall provide written
104 notice of the placement of such video camera to all of the
105 following:

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

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

110 (c) The school district, if applicable.

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

114 (5) A school or charter school shall:

115 (a) Retain video recorded from a video camera placed
116 pursuant to this section for at least 3 months after the date
117 the video was recorded, after which the recording shall be
118 deleted or otherwise made irretrievable; or

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

123 (6) A school, school district, or charter school may not:

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

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

130 (7) The school or charter school principal is the
131 custodian of a video camera operated pursuant to this section,
132 all recordings generated by that video camera, and access to
133 such recordings.

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

136 (b) A school, school district, or charter school shall:
137 1. Conceal the identity of each student and school
138 employee who appears in a video recording but is not involved in
139 the alleged incident documented by the video recording, which
140 the school allows to be viewed under subsection (8), including,
141 without limitation, blurring the face of the uninvolved student
142 or school employee. However, the face of a school employee
143 involved in the incident may not have his or her face blurred.

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

146 (8) (a) Within 7 days after receiving a request to view a
147 video recording a school, school district, or charter school
148 must have the video recording pertinent to the incident prepared
149 for viewing and shall allow the following persons to view a
150 video recording made under this section:

151 1. A school, school district, or charter school employee
152 who is involved in an alleged incident that is documented by the
153 video recording as part of the investigative process;

154 2. A parent of a student who is involved in an alleged
155 incident that is documented by the video recording and has been
156 reported to the school, school district, or charter school;

157 3. A school, school district, or charter school employee
158 as part of an investigation into an alleged incident that is
159 documented by the video recording and has been reported to the
160 school, school district, or charter school;

161 4. A law enforcement officer as part of an investigation
162 into an alleged incident that is documented by the video
163 recording and has been reported to the law enforcement agency;
164 or

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

167 (b) A person who requests to view a recording shall make
168 himself or herself available for viewing the recording within 30
169 days after being notified by the school, school district, or
170 charter school that the person's request has been granted.

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

174 (9) (a) A person may appeal to the State Board of Education
175 an action by a school, school district, or charter school which

176 the person alleges to be in violation of this section.

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

179 (10) A school, school district, or charter school does not
180 violate subsection (7) if a contractor or other employee of the
181 school, school district, or charter school incidentally views a
182 video recording made under this section in connection with the
183 performance of his or her duties related to the following:

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

186 (b) The retention of video recordings.

187 (11) This section does not:

188 (a) Limit the access of the parent of a student, under the
189 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
190 1232g, or any other law, to a video recording regarding his or
191 her student.

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

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

199 (d) Apply to self-contained classrooms in which the only
200 students receiving special education services are those who have

201 | been deemed gifted.

202 | (12) The department shall collect information relating to
203 | the installation and maintenance of video cameras under this
204 | section.

205 | (13) The State Board of Education may adopt rules to
206 | implement this section.

207 | **Section 3.** This act shall take effect July 1, 2025.