

2019 Regular Session

HOUSE BILL NO. 283

BY REPRESENTATIVE WRIGHT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EDUCATION/SPECIAL: Requires the use of video cameras in classrooms where special education services are provided to certain students with exceptionalities

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(9) and to enact R.S. 17:1948 and 3996(B)(54), relative  
3 to students with exceptionalities; to require public school governing authorities to  
4 provide for cameras in classrooms and other education settings where certain  
5 students with exceptionalities receive special education and related services; to  
6 require the adoption of policies relative to cameras; to provide a limitation relative  
7 to public records; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:1948 and 3996(B)(54) are hereby enacted to read as follows:

10 §1948. Cameras; students with exceptionalities

11 A. The governing authority of each public elementary and secondary school  
12 shall provide, pursuant to policies it shall adopt for such purpose, for the installation  
13 and operation of cameras that record both video and audio in classrooms and other  
14 educational settings where certain students with exceptionalities receive special  
15 education and related services. Such policies, at a minimum, shall provide for the  
16 following:

17 (1) The location and placement of cameras, including a prohibition against  
18 the recording of the interior of a restroom or any other area in which a student's  
19 clothing may be changed or removed.



1 §3996. Charter schools; exemptions; requirements

2 \* \* \*

3 B. Notwithstanding any state law, rule, or regulation to the contrary and  
4 except as may be otherwise specifically provided for in an approved charter, a  
5 charter school established and operated in accordance with the provisions of this  
6 Chapter and its approved charter and the school's officers and employees shall be  
7 exempt from all statutory mandates or other statutory requirements that are  
8 applicable to public schools and to public school officers and employees except for  
9 the following laws otherwise applicable to public schools with the same grades:

10 \* \* \*

11 (54) Cameras in special education classrooms, R.S. 17:1948.

12 \* \* \*

13 Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows:

14 §4.1. Exceptions

15 \* \* \*

16 B. The legislature further recognizes that there exist exceptions, exemptions,  
17 and limitations to the laws pertaining to public records throughout the revised  
18 statutes and codes of this state. Therefore, the following exceptions, exemptions, and  
19 limitations are hereby continued in effect by incorporation into this Chapter by  
20 citation:

21 \* \* \*

22 (9) R.S. 17:7.2, 46, 47, 81.9, 391.4, 500.2, 1175, 1202, 1237, 1252, ~~1952,~~  
23 1948, 1989.7, 2047, 2048.31, 3099, 3100.8, 3136, 3390, 3773, 3884

24 \* \* \*

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 283 Original

2019 Regular Session

Wright

**Abstract:** Requires video cameras in classrooms and other educational settings where certain students with exceptionalities receive special education and related services.

Proposed law requires the governing authority of each public school, including charter schools, to provide, pursuant to policies it adopts for such purpose, for the installation and operation of cameras that record both video and audio in classrooms and other educational settings where students with exceptionalities receive special education and related services. Requires such policies, at a minimum, to provide for the following:

- (1) The location and placement of cameras, including a prohibition against recording restroom interiors or other areas in which clothing may be changed or removed.
- (2) A requirement that written notice of the cameras be provided to teachers and other school employees, students, parents, and authorized visitors.
- (3) A requirement that any teacher or other school employee who provides services in such a classroom or educational setting receive training concerning proposed law.
- (4) Provisions relative to the duration of the retention of the audio and video data recorded on the cameras and procedures for data storage and disposal, which shall require that data be retained for at least one year from the date of the recording.
- (5) Procedures for protecting student privacy and determining to whom and under what circumstances the data may be disclosed. Such policies shall provide for viewing only by the superintendent or his designee and by the parent of a recorded student upon the parent's request; require redaction of footage of students other than the parent's child; and require any person who views a recording showing what he believes could be a violation of law to report it to law enforcement.
- (6) A requirement that cameras comply with national fire safety standards.

Proposed law also provides:

- (1) That proposed law shall not apply to classrooms and other special education settings where the only students with exceptionalities who are receiving special education and related services are those who have been deemed to be gifted or talented and who have not been identified as also having a disability.
- (2) That recordings made pursuant to proposed law shall be confidential and shall not be public records but may be viewed by the superintendent or his designee, by parents, or by law enforcement as provided in the policy required by proposed law.

Present law prohibits school officials and employees from sharing a student's "personally identifiable information", defined, in part, as information about an individual that can be used to identify, contact, or locate him. Proposed law provides that data recorded pursuant to proposed law shall not be considered "personally identifiable information".

(Amends R.S. 44:4.1(B)(9); Adds R.S. 17:1948 and 3996(B)(54))