
DIGEST

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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))