The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

## DIGEST 2020 Regular Session

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<u>Proposed law</u> 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 upon the written request of a parent. Defines "classroom" as a self-contained classroom or other special education setting in which a majority of students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50% of the instructional day. 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 storage and disposal of recordings, which shall require that recordings be retained for at least one month from the date of the recording.
- (5) Procedures for protecting student privacy and determining to whom and under what circumstances the recordings 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 require redaction of recordings 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.
- (7) A provision that a parent's request for cameras shall only be granted for a classroom in which the parent's child is in regular attendance.

## Proposed law also provides:

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(1) That recordings made pursuant to <u>proposed law</u> 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 policies required by <u>proposed law</u>.

(2) That <u>proposed law</u> 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.

<u>Present law</u> 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. <u>Proposed law</u> provides that data recorded pursuant to <u>proposed law</u> shall not be considered "personally identifiable information".

<u>Proposed law</u> provides that the implementation of <u>proposed law</u> is subject to the appropriation of funds.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 44:4.1(B)(9); adds R.S. 17:1948 and 3996(B)(59))