

1-1 By: Lucio S.B. No. 507
 1-2 (In the Senate - Filed February 9, 2015; February 11, 2015,
 1-3 read first time and referred to Committee on Education;
 1-4 May 4, 2015, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; May 4, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor of Galveston	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Garcia	X			
1-12 Huffines	X			
1-13 Kolkhorst			X	
1-14 Rodríguez			X	
1-15 Seliger			X	
1-16 Taylor of Collin	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the placement of video cameras in self-contained
 1-22 classrooms providing special education services.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 26.009(b), Education Code, is amended to
 1-25 read as follows:

1-26 (b) An employee of a school district is not required to
 1-27 obtain the consent of a child's parent before the employee may make
 1-28 a videotape of a child or authorize the recording of a child's voice
 1-29 if the videotape or voice recording is to be used only for:

1-30 (1) purposes of safety, including the maintenance of
 1-31 order and discipline in common areas of the school or on school
 1-32 buses;

1-33 (2) a purpose related to a cocurricular or
 1-34 extracurricular activity;

1-35 (3) a purpose related to regular classroom
 1-36 instruction; ~~or~~

1-37 (4) media coverage of the school; or

1-38 (5) a purpose related to the promotion of student
 1-39 safety under Section 29.022.

1-40 SECTION 2. Subchapter A, Chapter 29, Education Code, is
 1-41 amended by adding Section 29.022 to read as follows:

1-42 Sec. 29.022. VIDEO SURVEILLANCE OF CLASSROOMS. (a) In
 1-43 order to promote student safety on request by a parent, trustee, or
 1-44 staff member, a school district or open-enrollment charter school
 1-45 shall provide equipment, including a video camera, to each school
 1-46 in the district or each charter school campus in which a student
 1-47 receiving special education services in a self-contained classroom
 1-48 is enrolled. Each school or campus that receives equipment shall
 1-49 place and maintain the video camera in a self-contained classroom
 1-50 in which the only students in regular attendance:

1-51 (1) are eligible to take an alternative assessment
 1-52 instrument under Section 39.023(b) or would be eligible to take an
 1-53 alternative assessment instrument under Section 39.023(b) if the
 1-54 students were enrolled in a grade level for which an assessment
 1-55 instrument required under Section 39.023 is administered; and

1-56 (2) are nonverbal or have a limited ability to
 1-57 communicate as those terms are defined by the agency.

1-58 (b) Video cameras placed under this section must be capable
 1-59 of:

1-60 (1) covering all areas of the classroom, except that a
 1-61 bathroom or any area in the classroom in which a student's clothes

2-1 are changed may not be monitored; and

2-2 (2) recording audio from all areas of the classroom
2-3 covered as required by Subdivision (1).

2-4 (c) Before a school or campus places a video camera in a
2-5 classroom under this section, the school or campus shall provide
2-6 written notice of the placement to the parents of a student
2-7 receiving special education services in the classroom. For
2-8 purposes related to this section, but subject to Subsection (d),
2-9 parental consent is not required.

2-10 (d) A school district or open-enrollment charter school may
2-11 not place a video camera in the classroom of a student whose parent
2-12 sends to the district or school a written objection to the placement
2-13 of a camera not later than the 30th day after the date on which the
2-14 district or school sends the notice required under Subsection (c).

2-15 (e) A school district or open-enrollment charter school
2-16 shall retain video recorded from a camera placed under this section
2-17 for at least one year after the date the video was recorded.

2-18 (f) A school district or open-enrollment charter school may
2-19 solicit and accept gifts, grants, and donations from any person for
2-20 use in placing video cameras in classrooms under this section.

2-21 (g) This section does not:

2-22 (1) waive any immunity from liability of a school
2-23 district or open-enrollment charter school, or of district or
2-24 school officers or employees; or

2-25 (2) create any liability for a cause of action against
2-26 a school district or open-enrollment charter school or against
2-27 district or school officers or employees.

2-28 (h) A school district or open-enrollment charter school may
2-29 not:

2-30 (1) allow regular or continual monitoring of video
2-31 recorded under this section; or

2-32 (2) use video recorded under this section for teacher
2-33 evaluation or for any other purpose other than the promotion of
2-34 safety of students receiving special education services in a
2-35 self-contained classroom.

2-36 (i) A video recording of a student made according to this
2-37 section is confidential and may not be released or viewed except by
2-38 appropriate Department of Family and Protective Services personnel
2-39 as part of an investigation under Section 261.406, Family Code.
2-40 This subsection does not limit the access of a student's parent to a
2-41 record regarding the student under the Family Educational Rights
2-42 and Privacy Act of 1974 (20 U.S.C. Section 1232g) or other law.

2-43 SECTION 3. This Act applies beginning with the 2016-2017
2-44 school year.

2-45 SECTION 4. This Act takes effect immediately if it receives
2-46 a vote of two-thirds of all the members elected to each house, as
2-47 provided by Section 39, Article III, Texas Constitution. If this
2-48 Act does not receive the vote necessary for immediate effect, this
2-49 Act takes effect September 1, 2015.

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