1	INTERIM STUDY PROPOSAL 2017-038							
2	State of Arkansas As Engrossed: H3/14/17 H3/23/17							
3	91st General Assembly A Bill							
4	Regular Session, 2017HOUSE BILL 2117							
5								
6	By: Representative Sorvillo							
7	Filed with: House Committee on Education							
8	pursuant to A.C.A. §10-3-217.							
9	For An Act To Be Entitled							
10	AN ACT TO REQUIRE CAMERAS IN CERTAIN CLASSROOMS UPON							
11	REQUEST; AND FOR OTHER PURPOSES.							
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13								
14	Subtitle							
15	TO REQUIRE CAMERAS IN CERTAIN CLASSROOMS							
16	UPON REQUEST.							
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19	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:							
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21	SECTION 1. Arkansas Code Title 6, Chapter 41, Subchapter 1, is amended							
22	to add an additional section to read as follows:							
23	6-41-105. Cameras in classrooms.							
24	(a)(l) As used in this section, "nonverbal student" means a student							
25	<u>with:</u>							
26	(A) Significant cognitive disabilities who is unable to							
27	<u>speak; or</u>							
28	(B) A physical impairment that prohibits speech.							
29	(2) "Nonverbal student" does not include a student who can							
30	<u>communicate:</u>							
31	(A) In writing;							
32	(B) By using technology; or							
33	(C) By using sign language.							
34	(b) A public school district with a three-quarter average daily							
35	membership of at least twenty thousand (20,000) students shall provide a							

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1	video camera to a public school for use in a classroom that contains a						
2	nonverbal student upon request of a:						
3	(1) Parent or legal guardian of a nonverbal student who is						
4	assigned to the classroom;						
5	(2) Member of the board of directors of the public school						
6	district; or						
7	(3) School employee.						
8	(c) A public school that receives a video camera under subsection (b)						
9	of this section shall operate and maintain the video camera in the classroom						
10	for which the video camera was requested for as long as the request under						
11	subsection (b) is made.						
12	(d) A video camera placed in a classroom shall be capable of:						
13	(1) Covering all areas of the classroom except for:						
14	(A) A restroom; or						
15	(B) Any other area in the classroom in which a student's						
16	clothes are changed; and						
17	(2) Recording audio from all areas of the classroom.						
18	(e) Before a public school places a video camera in a classroom, the						
19	public school shall provide written notice of the placement to:						
20	(1) All employees of the public school; and						
21	(2) The parent or legal guardian of a student who is assigned to						
22	the classroom.						
23	(f) A public school shall retain video recorded from a camera placed						
24	under this section for at least six (6) months after the date the video was						
25	recorded.						
26	(g) This section does not:						
27	(1) Waive any immunity from liability of a public school						
28	district or employee of a public school district; or						
29	(2) Create any liability for a cause of action against a public						
30	school district or employee of a public school district.						
31	(h) A public school district shall not:						
32	(1) Allow regular or continual monitoring of video recorded						
33	under this section; or						
34	(2) Use video recorded under this section for:						
35	(A) Teacher evaluations; or						

1	(B) Any other purpose other than the promotion of the							
2	safety of students receiving special education services in the classroom.							
3	(i) Except as provided under subsection (j) of this section, a video							
4	recording of a student made under this section is confidential and shall not							
5	be released or viewed.							
6	(j) A public school district shall release a recording for viewing by:							
7	(1) A public school employee or a parent or legal guardian of a							
8	student who is involved in an incident involving the abuse of the student							
9	that is documented by the recording for which a complaint has been reported							
10	to the public school district;							
11	(2) An employee of a public school district as part of an							
12	investigation into an incident involving the abuse of a student documented by							
13	the recording for which a complaint has been reported to the public school							
14	<u>district;</u>							
15	(3) Appropriate personnel as part of an ethics investigation							
16	under § 6-17-428 of an incident involving the abuse of a student documented							
17	by the recording for which an ethics complaint has been reported to the							
18	Professional Licensure Standards Board;							
19	(4) Appropriate personnel as part of an investigation under the							
20	Child Maltreatment Act, § 12-18-101 et seq., of an incident involving the							
21	abuse of a student documented by the recording for which a complaint has been							
22	reported under the Child Maltreatment Act, § 12-18-101 et seq.; or							
23	(5) A law enforcement officer as part of an investigation into							
24	an incident involving the abuse of a student documented by the recording for							
25	which a complaint has been reported to a local law enforcement agency.							
26	(k) This section does not limit the access of a student's parent or							
27	legal guardian to a record regarding the student under the Family Educational							
28	Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, or other law.							
29	(1) A public school district shall take necessary precautions to							
30	conceal the identity of a student who appears in a recording but is not							
31	involved in the incident documented by the recording for which the public							
32	school releases a recording for viewing under subsection (j) of this section,							
33	including without limitation blurring the face of the uninvolved student.							
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35	/s/Sorvillo							
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2	Referred	by the Arkar	nsas Ho	ouse of	Representatives	
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