AN ACT
RELATING TO EDUCATION - CHILDREN WITH DISABILITIES [SEE TITLE 16 CHAPTER 97 - THE RHODE ISLAND BOARD OF EDUCATION ACT]

Introduced By: Representative Justine A. Caldwell
Date Introduced: February 27, 2019
Referred To: House Judiciary
(by request)

It is enacted by the General Assembly as follows:

SECTION 1. Section 16-24-13 of the General Laws in Chapter 16-24 entitled "Children With Disabilities [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended to read as follows:


(a) Classes for children with disabilities as described in the regulations of the state board of regents for elementary and secondary education shall be provided for those children in all the state institutions and also in state operated and state supported facilities where children with disabilities reside subject to all regulations of the state board of regents for elementary and secondary education.

(b) All classrooms with an enrolled child with disabilities, who as a result of such disability the child is unable to communicate, shall provide and utilize video surveillance cameras and equipment throughout the classroom.

(c) Any local school district which is required to install video surveillance cameras and equipment in accordance with subsection (b) of this section, shall, at a minimum, provide for:

(1) Prior notice of the placement of video surveillance cameras to the parents or legal guardians of each student enrolled in such classrooms, and school officers, teachers, or employees
of the classrooms;

(2) The retention of videos recorded from video surveillance cameras placed pursuant to subsection (b) of this section for no less than six (6) months from the date of the recording;

(3) The coverage by video surveillance cameras of all areas of the classrooms, to the extent practical; and

(4) Procedures and requirements to protect the confidentiality of student records contained in video recorded from video surveillance cameras as promulgated by the board of education.

(d) This section does not waive any immunity from liability of a school district, school officers, teachers or employees, nor does it create any liability for a cause of action against a school district, school officers, teachers or employees.

(e) A video recording of a student made in accordance with this section is confidential and shall not be released or viewed except as follows:

(1) To a school district employee or a parent or legal guardian of a student who is involved in an incident documented by the recording for which a complaint has been reported to the school district, on request of the employee or parent or legal guardian of the student;

(2) To the department of children, youth and families as part of an on-going investigation;

(3) To a school resource officer, a school nurse, or school administrator trained in de-escalation and restraint techniques, in response to a complaint or an investigation of the school district, school personnel, or a complaint of abuse committed by a student;

(4) To the appropriate agency or state board of education as part of an on-going investigation; or

(5) By issuance of a subpoena by a court of competent jurisdiction.

(f) A school district may solicit and accept gifts, grants, and donations from any person for use in installing video surveillance cameras and equipment in classrooms for children with disabilities.

SECTION 2. This act shall take effect on September 1, 2019.

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This act would require the installation of video surveillance cameras and equipment in any classroom which has an enrolled child with a disability, who as a result of such disability is unable to communicate.

This act would take effect on September 1, 2019.