



**House Education Policy Reported Substitute for
SB56**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL
TO BE ENTITLED
AN ACT

Relating to public K-12 schools; to add Section 16-39-13 to the Code of Alabama 1975; to require local boards of education to install, maintain, and operate video cameras in certain self-contained classrooms providing special education services, if the funding to do so is available; and to provide protections for the use of video recordings.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act may be known and cited as Tyler's Law.

Section 2. Section 16-39-13 is added to the Code of Alabama 1975, to read as follows:

§16-39-13.

(a) For the purposes of this section, the following words have the following meanings:

(1) SELF-CONTAINED CLASSROOM. A public K-12 classroom in which at least half of the students in regular attendance are provided special education services. This term includes any room attached to the classroom where special education services are provided and any calm down rooms, sensory rooms,

**House Education Policy Reported Substitute for
SB56**



29 and common areas.

30 (2) SPECIAL EDUCATION SERVICES. Educational instruction
31 and special services provided to students pursuant to Section
32 16-39-3.

33 (b) (1) In order to promote **classroom and** student
34 safety, each local board of education in the state, if the
35 funding is available, may provide, place, operate, and
36 maintain video cameras in each self-contained classroom under
37 the jurisdiction of the board in which at least half of the
38 students are provided special education services. If a
39 specific donation is made to a local board of education for
40 the purpose of placing and operating video cameras pursuant to
41 this section, then the local board of education shall install
42 video cameras as required by this section. If video cameras
43 are used in a classroom, the board of education shall provide
44 enough video cameras so that all areas of the self-contained
45 classroom may be recorded, to the extent that funding is
46 available to do so. The video cameras shall record audio and
47 video during school hours and at any time a student is present
48 in the self-contained classroom.

49 (2) A video camera placed in a self-contained classroom
50 may not monitor a restroom or any other area where a student
51 changes his or her clothes, except for incidental monitoring
52 of a minor portion of a restroom or changing area because of
53 the inherent layout of the self-contained classroom.

54 (3) Each local board of education shall provide written
55 notice of the placement of video cameras to each parent or
56 legal guardian of any student assigned to a self-contained



House Education Policy Reported Substitute for SB56

57 classroom where video cameras are installed.

58 (c) (1) All video and audio recordings of students made
59 pursuant to this section are confidential and shall not be
60 released or viewed, except as provided in subdivision (2) and
61 where the release or viewing is otherwise consistent with the
62 federal Family Educational Rights and Privacy Act of 1974
63 (FERPA) and state law.

64 (2) In the event an incident of alleged abuse, neglect,
65 harassment, or other inappropriate behavior has been reported
66 to the local superintendent of education or the principal of
67 the school, the video or audio recordings that document the
68 alleged abuse, neglect, harassment, or other inappropriate
69 behavior shall be provided to the following individuals upon
70 request:

71 a. Any employee who is involved in the alleged incident
72 of abuse, neglect, harassment, or other inappropriate
73 behavior.

74 b. Each parent or legal guardian of any student who is
75 involved in the alleged incident of abuse, neglect,
76 harassment, or other inappropriate behavior.

77 c. The employee or administrator designated by the
78 local superintendent of education to investigate the alleged
79 incident of abuse, neglect, harassment, or other inappropriate
80 behavior.

81 d. Appropriate law enforcement officers and state
82 agency officials who are investigating the report of an
83 alleged incident of abuse, neglect, harassment, or other
84 inappropriate behavior.



**House Education Policy Reported Substitute for
SB56**

85 e. Legal counsel representing any of the listed
86 individuals **or the local board of education.**

87 **f. An investigator retained by any of the listed**
88 **individuals or the local board of education.**

89 (3) A contractor or employee performing job duties
90 relating to the installation, operation, or maintenance of
91 video equipment or retention of video or audio recordings, who
92 incidentally views a video recording of an alleged incident of
93 abuse, **neglect, harassment, or other inappropriate behavior**
94 may not be found in violation of this section.

95 (d) The local board of education shall retain all audio
96 and video recordings for at least three months after the date
97 of recording, subject to the following:

98 (1) If the minimum three-month period overlaps with the
99 summer break occurring between the last day of one
100 instructional term and the first day of the next instructional
101 term, the minimum three-month period shall be extended by the
102 number of days occurring between the two instructional terms.

103 (2) If an alleged incident of abuse, **neglect,**
104 **harassment, or other inappropriate behavior** has been reported
105 to the **local superintendent of education** or school principal,
106 the video and audio recordings shall be retained until the
107 completion of all investigations, administrative proceedings,
108 and legal proceedings relating to the alleged incident of
109 abuse, **neglect, harassment, or other inappropriate behavior,**
110 including the exhaustion of all appeals.

111 (e) A video or audio recording made pursuant to this
112 section may not be used for any of the following:



House Education Policy Reported Substitute for SB56

113 (1) Routine teacher evaluations.

114 (2) Regular or continued monitoring of a classroom,
115 including through a live stream.

116 (3) Any purpose that does not conform to this section.

117 (f) (1) This section may not be interpreted to limit the
118 access of a student's parent or legal guardian to a video
119 recording viewable under FERPA, or any other law.

120 (2) The local board of education shall take necessary
121 precautions to conceal the identity of any student who appears
122 in a video or audio recording who is not personally involved
123 in the alleged incident of abuse, neglect, harassment, or
124 other inappropriate behavior, including, without limitation,
125 blurring the face of any uninvolved student.

126 Section 3. This act shall become effective on the
127 first day of the third month following its passage and
128 approval by the Governor, or its otherwise becoming law.

House Education Policy Reported Substitute for
SB56



129
130
131 Senate

132 Read for the first time and referred07-Mar-23
133 to the Senate committee on Education
134 Policy
135
136 Read for the second time and placed21-Mar-23
137 on the calendar:
138 1 amendment
139
140 Read for the third time and passed23-Mar-23
141 as amended
142 Yeas 30
143 Nays 1
144 Abstains 0
145
146
147
148
149

Patrick Harris,
Secretary.