

SENATE BILL 2701

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to special education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 10, Part 1, is amended by adding the following as a new section:

(a)

(1) An LEA or public charter school shall, at the request of the parent of a student enrolled in the LEA or public charter school, install and maintain a video camera surveillance system in each special education classroom operated by the LEA or public charter school to promote student safety.

(2) Subject to subsection (b), an LEA or public charter school shall use the video camera surveillance system installed in a special education classroom to continuously monitor students, teachers, and staff in the special education classroom while special education or related services are being provided to students in the special education classroom.

(b) An LEA or public charter school shall not use a video camera surveillance system to continuously monitor students, teachers, and staff in a special education classroom unless the parent of each student assigned to receive special education or related services in the special education classroom, and who may be monitored using the system, consents, in writing, to the parent's student being continuously monitored using the system while the parent's student is receiving special education or related services in the special education classroom.

(c) Photographs or video footage collected from a video camera surveillance system installed in a special education classroom by an LEA or public charter school pursuant to this section must only be viewed by the parent of a student who is featured in the photograph or recording and only to the extent that such viewing complies with the requirements of § 10-7-504, the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g), or any other relevant or applicable state or federal privacy law.

(d) Each local board of education and public charter school governing body shall adopt a policy to effectuate this section. The policy must establish the duration for which an LEA or public charter school must maintain photographs or video footage collected from a video camera surveillance system installed in a special education classroom.

(e) As used in this section:

(1) "Parent" means the parent, guardian, person who has custody of the child, or individual who has caregiving authority under § 49-6-3001;

(2) "Special education classroom" means a self-contained classroom or special education setting in which a majority of the students in regular attendance are provided special education and related services for at least fifty percent (50%) of the instructional day; and

(3) "Student" means a student in any of the grades pre-kindergarten through twelve (pre-K-12) who receives special education and related services.

SECTION 2. For purposes of developing and adopting policies, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it, and applies to the 2024-2025 school year and each school year thereafter.