

2019 -- H 5737

LC001323

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

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:

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

4 ~~16-24-13. Classes for children with disabilities in state residential facilities and~~  
5 ~~institutions.~~ Classes for children with disabilities in state residential facilities and  
6 institutions - Video surveillance cameras in classrooms.

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

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

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

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

1 of the classrooms;

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

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

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

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

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

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

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

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

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

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

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

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

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

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- 1           This act would require the installation of video surveillance cameras and equipment in  
2 any classroom which has an enrolled child with a disability, who as a result of such disability is  
3 unable to communicate.  
4           This act would take effect on September 1, 2019.

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