

SB56 ENROLLED



1 OQ2UMW-3
2 By Senators Orr, Coleman-Madison, Scofield, Hatcher, Jones,
3 Albritton, Melson, Waggoner, Allen, Barfoot, Butler, Elliott,
4 Weaver, Sessions, Williams, Chesteen, Figures, Kelley,
5 Singleton
6 RFD: Education Policy
7 First Read: 07-Mar-23
8 2023 Regular Session



SB56 Enrolled

1 Enrolled, An Act,

2

3

4 Relating to public K-12 schools; to add Section
5 16-39-13 to the Code of Alabama 1975; to require local boards
6 of education to install, maintain, and operate video cameras
7 in certain self-contained classrooms providing special
8 education services, if the funding to do so is available; and
9 to provide protections for the use of video recordings.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

15 §16-39-13.

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

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

24 (2) SPECIAL EDUCATION SERVICES. Educational instruction
25 and special services provided to students pursuant to Section
26 16-39-3.

27 (b) (1) In order to promote classroom and student
28 safety, each local board of education in the state, if the



SB56 Enrolled

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

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

48 (3) Each local board of education shall provide written
49 notice of the placement of video cameras to each parent or
50 legal guardian of any student assigned to a self-contained
51 classroom where video cameras are installed.

52 (c) (1) All video and audio recordings of students made
53 pursuant to this section are confidential and shall not be
54 released or viewed, except as provided in subdivision (2) and
55 where the release or viewing is otherwise consistent with the
56 federal Family Educational Rights and Privacy Act of 1974



SB56 Enrolled

57 (FERPA) and state law.

58 (2) In the event an incident of alleged abuse, neglect,
59 harassment, or other inappropriate behavior has been reported
60 to the local superintendent of education or the principal of
61 the school, the video or audio recordings that document the
62 alleged abuse, neglect, harassment, or other inappropriate
63 behavior shall be provided to the following individuals upon
64 request:

65 a. Any employee who is involved in the alleged incident
66 of abuse, neglect, harassment, or other inappropriate
67 behavior.

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

71 c. The employee or administrator designated by the
72 local superintendent of education to investigate the alleged
73 incident of abuse, neglect, harassment, or other inappropriate
74 behavior.

75 d. Appropriate law enforcement officers and state
76 agency officials who are investigating the report of an
77 alleged incident of abuse, neglect, harassment, or other
78 inappropriate behavior.

79 e. Legal counsel representing any of the listed
80 individuals or the local board of education.

81 f. An investigator retained by any of the listed
82 individuals or the local board of education.

83 (3) A contractor or employee performing job duties
84 relating to the installation, operation, or maintenance of



SB56 Enrolled

85 video equipment or retention of video or audio recordings, who
86 incidentally views a video recording of an alleged incident of
87 abuse, neglect, harassment, or other inappropriate behavior
88 may not be found in violation of this section.

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

92 (1) If the minimum three-month period overlaps with the
93 summer break occurring between the last day of one
94 instructional term and the first day of the next instructional
95 term, the minimum three-month period shall be extended by the
96 number of days occurring between the two instructional terms.

97 (2) If an alleged incident of abuse, neglect,
98 harassment, or other inappropriate behavior has been reported
99 to the local superintendent of education or school principal,
100 the video and audio recordings shall be retained until the
101 completion of all investigations, administrative proceedings,
102 and legal proceedings relating to the alleged incident of
103 abuse, neglect, harassment, or other inappropriate behavior,
104 including the exhaustion of all appeals.

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

107 (1) Routine teacher evaluations.

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

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

111 (f) (1) This section may not be interpreted to limit the
112 access of a student's parent or legal guardian to a video



SB56 Enrolled

113 recording viewable under FERPA, or any other law.

114 (2) The local board of education shall take necessary
115 precautions to conceal the identity of any student who appears
116 in a video or audio recording who is not personally involved
117 in the alleged incident of abuse, neglect, harassment, or
118 other inappropriate behavior, including, without limitation,
119 blurring the face of any uninvolved student.

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



SB56 Enrolled

123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB56

Senate 23-Mar-23

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 31-May-23

Senate concurred in House amendment 31-May-23

By: Senator Orr