

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

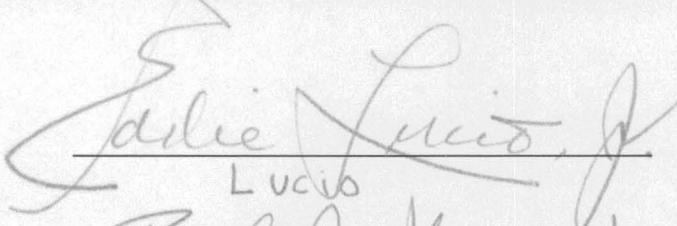
May 30, 2015  
Date

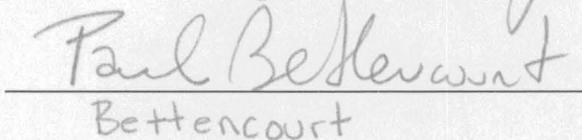
Honorable Dan Patrick  
President of the Senate

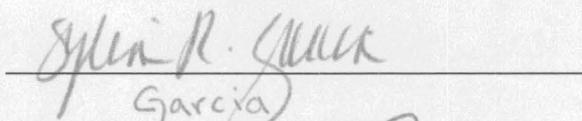
Honorable Joe Straus  
Speaker of the House of Representatives

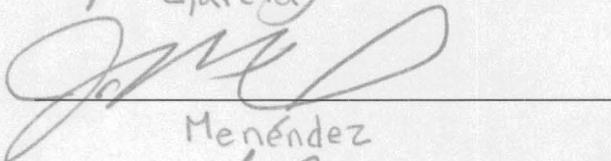
Sirs:

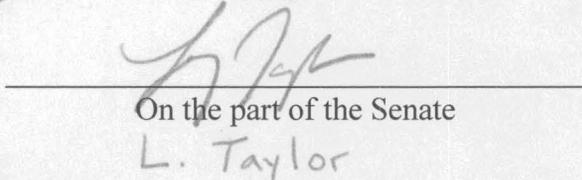
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 507 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

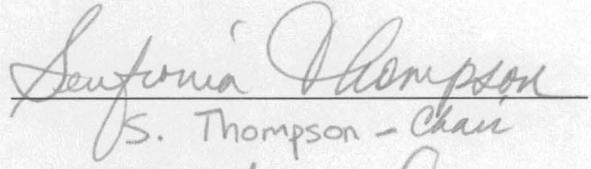
  
Lucio

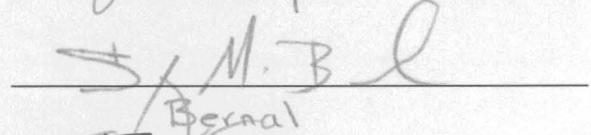
  
Bettencourt

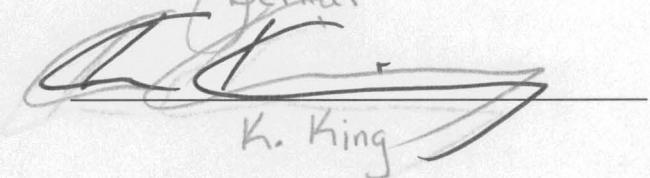
  
Garcia

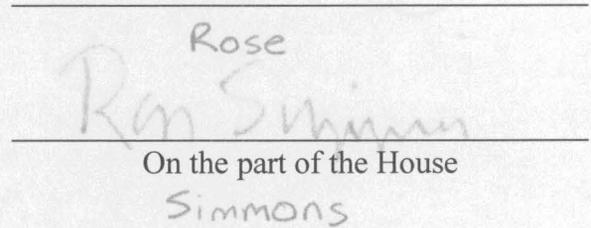
  
Menéndez

  
On the part of the Senate  
L. Taylor

  
S. Thompson - Chair

  
Bernal

  
K. King

  
Rose  
On the part of the House  
Simmons

**Note to Conference Committee Clerk:**

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

S.B. No. 507

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the placement and use of video cameras in  
3 self-contained classrooms or other settings providing special  
4 education services.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 26.009(b), Education Code, is amended to  
7 read as follows:

8 (b) An employee of a school district is not required to  
9 obtain the consent of a child's parent before the employee may make  
10 a videotape of a child or authorize the recording of a child's voice  
11 if the videotape or voice recording is to be used only for:

12 (1) purposes of safety, including the maintenance of  
13 order and discipline in common areas of the school or on school  
14 buses;

15 (2) a purpose related to a cocurricular or  
16 extracurricular activity;

17 (3) a purpose related to regular classroom  
18 instruction; [~~or~~]

19 (4) media coverage of the school; or

20 (5) a purpose related to the promotion of student  
21 safety under Section 29.022.

22 SECTION 2. Subchapter A, Chapter 29, Education Code, is  
23 amended by adding Section 29.022 to read as follows:

24 Sec. 29.022. VIDEO SURVEILLANCE OF SPECIAL EDUCATION

1 SETTINGS. (a) In order to promote student safety on request by a  
2 parent, trustee, or staff member, a school district or  
3 open-enrollment charter school shall provide equipment, including  
4 a video camera, to each school in the district or each charter  
5 school campus in which a student who receives special education  
6 services in a self-contained classroom or other special education  
7 setting is enrolled. Each school or campus that receives equipment  
8 shall place, operate, and maintain one or more video cameras in each  
9 self-contained classroom or other special education setting in  
10 which a majority of the students in regular attendance are:

11 (1) provided special education and related services;

12 and

13 (2) assigned to a self-contained classroom or other  
14 special education setting for at least 50 percent of the  
15 instructional day.

16 (b) A school or campus that places a video camera in a  
17 classroom or other special education setting in accordance with  
18 Subsection (a) shall operate and maintain the camera in the  
19 classroom or setting as long as the classroom or setting continues  
20 to satisfy the requirements under Subsection (a).

21 (c) Video cameras placed under this section must be capable  
22 of:

23 (1) covering all areas of the classroom or other  
24 special education setting, except that the inside of a bathroom or  
25 any area in the classroom or setting in which a student's clothes  
26 are changed may not be visually monitored; and

27 (2) recording audio from all areas of the classroom or

1 other special education setting.

2 (d) Before a school or campus places a video camera in a  
3 classroom or other special education setting under this section,  
4 the school or campus shall provide written notice of the placement  
5 to all school or campus staff and to the parents of a student  
6 receiving special education services in the classroom or setting.

7 (e) A school district or open-enrollment charter school  
8 shall retain video recorded from a camera placed under this section  
9 for at least six months after the date the video was recorded.

10 (f) A school district or open-enrollment charter school may  
11 solicit and accept gifts, grants, and donations from any person for  
12 use in placing video cameras in classrooms or other special  
13 education settings under this section.

14 (g) This section does not:

15 (1) waive any immunity from liability of a school  
16 district or open-enrollment charter school, or of district or  
17 school officers or employees; or

18 (2) create any liability for a cause of action against  
19 a school district or open-enrollment charter school or against  
20 district or school officers or employees.

21 (h) A school district or open-enrollment charter school may  
22 not:

23 (1) allow regular or continual monitoring of video  
24 recorded under this section; or

25 (2) use video recorded under this section for teacher  
26 evaluation or for any other purpose other than the promotion of  
27 safety of students receiving special education services in a

1 self-contained classroom or other special education setting.

2 (i) A video recording of a student made according to this  
3 section is confidential and may not be released or viewed except as  
4 provided by this subsection or Subsection (j). A school district or  
5 open-enrollment charter school shall release a recording for  
6 viewing by:

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

11 (2) appropriate Department of Family and Protective  
12 Services personnel as part of an investigation under Section  
13 261.406, Family Code;

14 (3) a peace officer, a school nurse, a district  
15 administrator trained in de-escalation and restraint techniques as  
16 provided by commissioner rule, or a human resources staff member  
17 designated by the board of trustees of the school district or the  
18 governing body of the open-enrollment charter school in response to  
19 a complaint or an investigation of district or school personnel or a  
20 complaint of abuse committed by a student; or

21 (4) appropriate agency or State Board for Educator  
22 Certification personnel or agents as part of an investigation.

23 (j) If a person described by Subsection (i)(3) or (4) who  
24 views the video recording believes that the recording documents a  
25 possible violation under Subchapter E, Chapter 261, Family Code,  
26 the person shall notify the Department of Family and Protective  
27 Services for investigation in accordance with Section 261.406,

1 Family Code. If any person described by Subsection (i)(2), (3), or  
2 (4) who views the recording believes that the recording documents a  
3 possible violation of district or school policy, the person may  
4 allow access to the recording to appropriate legal and human  
5 resources personnel. A recording believed to document a possible  
6 violation of district or school policy may be used as part of a  
7 disciplinary action against district or school personnel and shall  
8 be released at the request of the student's parent or guardian in a  
9 legal proceeding. This subsection does not limit the access of a  
10 student's parent to a record regarding the student under the Family  
11 Educational Rights and Privacy Act of 1974 (20 U.S.C. Section  
12 1232g) or other law.

13 (k) The commissioner may adopt rules to implement and  
14 administer this section, including rules regarding the special  
15 education settings to which this section applies.

16 SECTION 3. Subchapter E, Chapter 42, Education Code, is  
17 amended by adding Section 42.2528 to read as follows:

18 Sec. 42.2528. EXCESS FUNDS FOR VIDEO SURVEILLANCE OF  
19 SPECIAL EDUCATION SETTINGS. (a) Notwithstanding any other  
20 provision of law, if the commissioner determines that the amount  
21 appropriated for the purposes of the Foundation School Program  
22 exceeds the amount to which school districts are entitled under  
23 this chapter, the commissioner by rule shall establish a grant  
24 program through which excess funds are awarded as grants for the  
25 purchase of video equipment, or for the reimbursement of costs for  
26 previously purchased video equipment, used for monitoring special  
27 education classrooms or other special education settings required

1 under Section 29.022.

2 (b) In awarding grants under this section, the commissioner  
3 shall give highest priority to districts with maintenance and  
4 operations tax rates at the greatest rates permitted by law. The  
5 commissioner shall also give priority to:

6 (1) districts with maintenance and operations tax  
7 rates at least equal to the state maximum compressed tax rate, as  
8 defined by Section 42.101(a), and lowest amounts of maintenance and  
9 operations tax revenue per weighted student; and

10 (2) districts with debt service tax rates near or  
11 equal to the greatest rates permitted by law.

12 (c) The commissioner may adopt rules to implement and  
13 administer this section.

14 SECTION 4. (a) Subject to the availability of funds, the  
15 commissioner of education shall distribute grant funds in  
16 accordance with Section 42.2528, Education Code, as added by this  
17 Act, beginning with the 2015-2016 school year.

18 (b) The change in law made by Section 29.022, Education  
19 Code, as added by this Act, applies beginning with the 2016-2017  
20 school year.

21 SECTION 5. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2015.

**Senate Bill 507**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

SECTION 1. Section 26.009(b), Education Code, is amended.

SECTION 1. Same as Senate version.

SECTION 1. Same as Senate version.

SECTION 2. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.022 to read as follows:

SECTION 2. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.022 to read as follows:

SECTION 2. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.022 to read as follows:

Sec. 29.022. VIDEO SURVEILLANCE OF **CLASSROOMS**.

Sec. 29.022. VIDEO SURVEILLANCE OF **SPECIAL EDUCATION SETTINGS**.

Sec. 29.022. VIDEO SURVEILLANCE OF **SPECIAL EDUCATION SETTINGS**.

(a) In order to promote student safety on request by a parent, trustee, or staff member, a school district or open-enrollment charter school shall provide equipment, including a video camera, to **each school** in the district or **each charter school campus** in which a student **receiving** special education services in a **self-contained classroom** is enrolled. Each school or campus that receives equipment shall place, operate, and maintain one or more video cameras in **each self-contained classroom** in which a majority of the students in regular attendance are:

(a) In order to promote student safety on request by a parent, trustee, or staff member, a school district or open-enrollment charter school shall provide equipment, including a video camera, to **a school** in the district or **a charter school campus** in which a student **who receives** special education services in a **special education setting operated by the district or charter school for at least 50 percent of the instructional day** is enrolled. Each school or campus that receives equipment shall place, operate, and maintain one or more video cameras in **a special education setting** in which a majority of the students in regular attendance are: [FA2(1)-(2)]

(a) In order to promote student safety on request by a parent, trustee, or staff member, a school district or open-enrollment charter school shall provide equipment, including a video camera, to **each school** in the district or **each charter school campus** in which a student **who receives** special education services in a **self-contained classroom or other special education setting** is enrolled. Each school or campus that receives equipment shall place, operate, and maintain one or more video cameras in **each self-contained classroom or other special education setting** in which a majority of the students in regular attendance are:

(1) provided special education and related services; and  
(2) assigned to a **self-contained classroom** for at least 50 percent of the instructional day.

(1) provided special education and related services; and  
(2) assigned to a **special education setting** for at least 50 percent of the instructional day. [FA2(3)]

(1) provided special education and related services; and  
(2) assigned to a **self-contained classroom or other special education setting** for at least 50 percent of the instructional day.

(b) A school or campus that places a video camera in a **classroom** in accordance with Subsection (a) shall operate and maintain the camera in the **classroom** as long as the **classroom** continues to satisfy the requirements under Subsection (a).

(b) A school or campus that places a video camera in a **special education setting** in accordance with Subsection (a) shall operate and maintain the camera in the **special education setting** as long as the **special education setting** continues to satisfy the requirements under Subsection (a). [FA2(4)]

(b) A school or campus that places a video camera in a **classroom or other special education setting** in accordance with Subsection (a) shall operate and maintain the camera in **the classroom or setting** as long as the **classroom or setting** continues to satisfy the requirements under Subsection (a).

(c) Video cameras placed under this section must be capable of:

(c) Video cameras placed under this section must be capable of:

(c) Video cameras placed under this section must be capable of:

(1) covering all areas of the **classroom**, except that a bathroom or any area in the **classroom** in which a student's

(1) covering all areas of the **special education setting**, except that a bathroom or any area in the **special education setting** in

(1) covering all areas of the **classroom or other special education setting**, except that **the inside of** a bathroom or any

**Senate Bill 507**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

clothes are changed may not be visually monitored; and

(2) recording audio from all areas of the *classroom*.

(d) Before a school or campus places a video camera in a *classroom* under this section, the school or campus shall provide written notice of the placement to the parents of a student receiving special education services in the *classroom*.

(e) A school district or open-enrollment charter school shall retain video recorded from a camera placed under this section for at least *six months* after the date the video was recorded.

(f) A school district or open-enrollment charter school may solicit and accept gifts, grants, and donations from any person for use in placing video cameras in *classrooms* under this section.

(g) This section does not:

(1) waive any immunity from liability of a school district or open-enrollment charter school, or of district or school officers or employees; or

(2) create any liability for a cause of action against a school district or open-enrollment charter school or against district or school officers or employees.

(h) A school district or open-enrollment charter school may

which a student's clothes are changed may not be visually monitored; and [FA2(4)]

(2) recording audio from all areas of the *special education setting*. [FA2(4)]

(d) Before a school or campus places a video camera in a *special education setting* under this section, the school or campus shall provide written notice of the placement *to all school or campus staff and* to the parents of a student receiving special education services in the *special education setting*. [FA2(4)-(5)]

(e) A school district or open-enrollment charter school shall retain video recorded from a camera placed under this section for at least *three months* after the date the video was recorded. [FA2(6)]

(f) A school district or open-enrollment charter school may solicit and accept gifts, grants, and donations from any person for use in placing video cameras in *a special education setting* under this section. [FA2(7)]

(g) Same as Senate version.

(h) A school district or open-enrollment charter school may

area in the *classroom or setting* in which a student's clothes are changed may not be visually monitored; and

(2) recording audio from all areas of the *classroom or other special education setting*.

(d) Before a school or campus places a video camera in a *classroom or other special education setting* under this section, the school or campus shall provide written notice of the placement to *all school or campus staff and* to the parents of a student receiving special education services in *the classroom or setting*.

(e) Same as Senate version.

(f) A school district or open-enrollment charter school may solicit and accept gifts, grants, and donations from any person for use in placing video cameras in *classrooms or other special education settings* under this section.

(g) Same as Senate version.

(h) A school district or open-enrollment charter school may

**Senate Bill 507**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

not:

(1) allow regular or continual monitoring of video recorded under this section; or

(2) use video recorded under this section for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services in a ***self-contained classroom***.

(i) A video recording of a student made according to this section is confidential and may not be released or viewed except as provided by this subsection or Subsection (j). A school district or open-enrollment charter school shall release a recording for viewing by:

(1) appropriate Department of Family and Protective Services personnel as part of an investigation under Section 261.406, Family Code; or

(2) a peace officer, a school nurse, or a human resources staff member designated by the board of trustees of the school district or the governing body of the open-enrollment charter school in response to a complaint or an investigation of district or school personnel or a complaint of abuse committed by a student.

not:

(1) allow regular or continual monitoring of video recorded under this section; or

(2) use video recorded under this section for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services in a ***special education setting***. [FA2(8)]

(i) A video recording of a student made according to this section is confidential and may not be released or viewed except as provided by this subsection or Subsection (j). A school district or open-enrollment charter school shall release a recording for viewing by:

(1) appropriate Department of Family and Protective Services personnel as part of an investigation under Section 261.406, Family Code; [FA2(9)]

(2) a peace officer, ***a district administrator trained in de-escalation and restraint techniques as provided by commissioner rule***, a school nurse, or a human resources staff member designated by the board of trustees of the school district or the governing body of the open-enrollment charter school in response to a complaint or an investigation of district or school personnel or a complaint of abuse committed by a student; or [FA2(10)-(11)]

(3) ***appropriate agency or State Board for Educator Certification personnel or agents as part of an investigation***. [FA2(11)]

not:

(1) allow regular or continual monitoring of video recorded under this section; or

(2) use video recorded under this section for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services in a ***self-contained classroom or other special education setting***.

(i) A video recording of a student made according to this section is confidential and may not be released or viewed except as provided by this subsection or Subsection (j). A school district or open-enrollment charter school shall release a recording for viewing by:

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

(2) appropriate Department of Family and Protective Services personnel as part of an investigation under Section 261.406, Family Code;

(3) a peace officer, ***a school nurse, a district administrator trained in de-escalation and restraint techniques as provided by commissioner rule***, or a human resources staff member designated by the board of trustees of the school district or the governing body of the open-enrollment charter school in response to a complaint or an investigation of district or school personnel or a complaint of abuse committed by a student; or

***(4) appropriate agency or State Board for Educator Certification personnel or agents as part of an investigation.***

**Senate Bill 507**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

(j) If the person viewing the video recording determines that the recording documents a violation under Subchapter E, Chapter 261, Family Code, the person shall notify the Department of Family and Protective Services for investigation in accordance with Section 261.406, Family Code. If the person viewing the recording determines that the recording documents a violation of district or school policy, the person may allow access to the recording to appropriate legal and human resources personnel. A recording **determined** to document a violation of district or school policy may be used as part of a disciplinary action against district or school personnel and shall be released at the request of the student's parent or guardian in a legal proceeding. This subsection does not limit the access of a student's parent to a record regarding the student under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) or other law.

*No equivalent provision.*

(k) The commissioner **may** adopt rules to implement and administer this section.

(j) If a person described by Subsection (i)(2) or (3) who views the video recording believes that the recording documents a **possible** violation under Subchapter E, Chapter 261, Family Code, the person shall notify the Department of Family and Protective Services for investigation in accordance with Section 261.406, Family Code. If any person described by Subsection (i) who views the recording believes that the recording documents a **possible** violation of district or school policy, the person may allow access to the recording to appropriate legal and human resources personnel. A recording **believed** to document a **possible** violation of district or school policy may be used as part of a disciplinary action against district or school personnel and shall be released at the request of the student's parent or guardian in a legal proceeding. A parent or guardian of a student involved in an incident for which a complaint has been reported to the school district shall be permitted to view recordings related to the incident. This subsection does not limit the access of a student's parent to a record regarding the student under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) or other law. [FA1(1);FA2(12)]

( ) From funds appropriated for that purpose, the commissioner may reimburse a school district or open-enrollment charter school that installs video cameras under this section before the 2017-2018 school year for the cost of the installation. [FA2(13)]

( ) The commissioner **shall** adopt rules to implement and administer this section, **including rules regarding the special education settings to which this section applies.** [FA2(14)]

(j) If a person described by Subsection (i)(3) or (4) who views the video recording believes that the recording documents a **possible** violation under Subchapter E, Chapter 261, Family Code, the person shall notify the Department of Family and Protective Services for investigation in accordance with Section 261.406, Family Code. If any person described by Subsection (i)(2), (3), or (4) who views the recording believes that the recording documents a **possible** violation of district or school policy, the person may allow access to the recording to appropriate legal and human resources personnel. A recording **believed** to document a **possible** violation of district or school policy may be used as part of a disciplinary action against district or school personnel and shall be released at the request of the student's parent or guardian in a legal proceeding. This subsection does not limit the access of a student's parent to a record regarding the student under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) or other law.

Same as Senate version.

(k) The commissioner **may** adopt rules to implement and administer this section, **including rules regarding the special education settings to which this section applies.**

**Senate Bill 507**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

*No equivalent provision.*

SECTION 3. Subchapter E, Chapter 42, Education Code, is amended by adding Section 42.2528 to read as follows:

Sec. 42.2528. EXCESS FUNDS FOR SPECIAL EDUCATION CLASSROOM VIDEO SURVEILLANCE. (a) Notwithstanding any other provision of law, if the commissioner determines that the amount appropriated for the purposes of the Foundation School Program exceeds the amount to which school districts are entitled under this chapter, the commissioner by rule shall establish a grant program through which excess funds are awarded as grants for the purchase of video equipment *for monitoring special education classrooms required under Section 29.022*, including reimbursement for equipment already purchased.

(b) In awarding grants under this section, the commissioner shall give priority to districts at the maximum maintenance and operations tax rate permitted under law and to districts with maintenance and operations tax rates at least equal to the state maximum compressed tax rate, as defined by Section 42.101(a), and lowest amounts of maintenance and operation tax revenue per weighted student.

(c) The commissioner may adopt rules to implement and administer this section. [FA1(2)]

SECTION 3. *(a) Subject to the availability of funds, the commissioner of education shall distribute grant funds in accordance with Section 42.2528, Education Code, as added by this Act, beginning with the 2015-2016 school year.*

(b) The change in law made by Section 29.022, Education

SECTION 3. Subchapter E, Chapter 42, Education Code, is amended by adding Section 42.2528 to read as follows:

Sec. 42.2528. EXCESS FUNDS FOR VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS.

(a) Notwithstanding any other provision of law, if the commissioner determines that the amount appropriated for the purposes of the Foundation School Program exceeds the amount to which school districts are entitled under this chapter, the commissioner by rule shall establish a grant program through which excess funds are awarded as grants for the purchase of video equipment, or for the reimbursement of costs for previously purchased video equipment, *used for monitoring special education classrooms or other special education settings required under Section 29.022*.

(b) In awarding grants under this section, the commissioner shall give *highest* priority to districts with maintenance and operations tax rates at the greatest rates permitted by law. *The commissioner shall also give priority to:*

(1) districts with maintenance and operations tax rates at least equal to the state maximum compressed tax rate, as defined by Section 42.101(a), and lowest amounts of maintenance and operations tax revenue per weighted student; *and*

(2) *districts with debt service tax rates near or equal to the greatest rates permitted by law.*

(c) The commissioner may adopt rules to implement and administer this section.

SECTION 4. Same as Senate version.

SECTION \_\_. The change in law made by Section 29.022,

**Senate Bill 507**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

Code, as added by this Act, applies beginning with the **2016-2017** school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

HOUSE VERSION (IE)

Education Code, as added by this Act, applies beginning with the **2017-2018** school year. [FA2(15)]

SECTION 4. Same as Senate version.

CONFERENCE

SECTION 5. Same as Senate version.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 30, 2015**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB507 by Lucio (Relating to the placement and use of video cameras in self-contained classrooms or other settings providing special education services.), **Conference Committee Report**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
--

The bill would require school districts and charter schools, on the request of a parent, board trustee, or staff member, to provide equipment including video cameras in self-contained classrooms or other special education settings in which certain students received special services. Each campus that received equipment would be required to place, operate, and maintain the video camera in each self-contained classroom or other special education setting in which the majority of students in regular attendance were provided special education and related services; and were assigned to a special education setting for at least 50 percent of the instructional day. Cameras must record audio and be capable of covering all areas of the classroom or setting with the exception of bathrooms or areas in which a student's clothes were changed.

The bill would require school districts and charter schools to provide parents and staff with written notice that video monitoring cameras were to be installed prior to installation, but would not require the district to secure parental consent. The bill would prohibit a district or charter school from placing a camera in the classroom or special education setting of a student whose parent had sent a written objection to the district or charter school within 30 days of notification.

The bill would require a school district or charter school to keep the recorded video for at least six months after it was recorded, and would prohibit regular or continual monitoring of video recorded under this section by a district or charter school.

A school district or charter school would be allowed to solicit and accept gifts, grants, and donations to use for placing video cameras in classrooms or special education settings.

The bill would provide that if the commissioner determined that the amount appropriated for the Foundation School Program (FSP) exceeded the amount that districts were entitled to under Texas Education Code, Chapter 42, the commissioner would be required to establish a grant program by rule to award grants for the purchase and reimbursement of video equipment used to surveil special education settings.

The bill would require the Commissioner of Education to adopt rules to implement the provisions of the bill.

The bill would apply beginning with the 2017 - 2018 school year.

No significant fiscal impact is estimated for the Texas Education Agency to comply with the provisions of the bill.

### **Local Government Impact**

The Texas Education Agency (TEA) is not able to report the number of classrooms or special education settings that are used solely for the students described by the bill. However, there are approximately 86,425 students with disabilities being served in self-contained settings in fiscal year 2014. Assuming a request was received for camera installation at each applicable campus and that at least one camera was required for every five students, a minimum of 17,285 cameras would be required to be made available for installation statewide. The estimated minimum cost to purchase an inexpensive camera with limited-quality video or audio is \$150 per camera, or \$2.6 million total. There would be additional costs for installation and maintenance of the cameras.

There would be additional costs for equipment to store the video and keep it secure as well. Districts could also incur costs to purchase masking software in case video became subject to public information requests.

Actual costs would vary depending on whether a request for camera installation was received, how many classrooms or special education settings were required to be monitored, how many students met the bill's criteria, the number of cameras to be purchased, and whether schools chose to install and maintain the cameras or outsource the installation and maintenance. Local costs would be decreased to the extent that any excess FSP funds are used to reimburse districts for qualifying expenses.

**Source Agencies:** 701 Central Education Agency, 530 Family and Protective Services, Department of

**LBB Staff:** UP, JBi, AM

**Certification of Compliance with  
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order under Rule 13.

I certify that a copy of the conference committee report on #SB507 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

Seufonia Thompson  
(name)

May 30, 2015  
(date)