

House File 2681

H-8211

1 Amend House File 2681 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 256.7, Code 2026, is amended by adding  
4 the following new subsection:

5 NEW SUBSECTION. 36. Grant a hearing on an appeal under  
6 section 279.89, subsection 18, within forty-five days of  
7 receiving the appeal.>

8 2. Page 1, line 4, after <installation> by inserting <and  
9 use>

10 3. Page 1, line 10, after <installation> by inserting <and  
11 use>

12 4. Page 1, by striking lines 15 through 22 and inserting:

13 <1. As used in this section, unless the context otherwise  
14 requires:

15 a. "*Incident*" means a raised suspicion by a teacher, aide,  
16 parent, or guardian of a student, of bullying, abuse, or  
17 neglect of a student or of harm to an employee of a school  
18 district by an employee of the school district or another  
19 student.

20 b. "*Self-contained classroom*" means a classroom or setting  
21 where students with individualized education programs or  
22 students with behavior intervention plans are educated  
23 separately from other students for the majority or entirety of  
24 the school day.

25 c. "*Special education*" means the same as defined in section  
26 256B.2.

27 2. A school district shall ensure placement of video cameras  
28 in self-contained classrooms in each attendance center. The  
29 video recording system, and any recording created by the video  
30 recording system, must be consistent with the requirements  
31 of any applicable state and federal privacy laws, including  
32 the federal Family Educational Rights and Privacy Act, U.S.C.  
33 §1232g, and any regulations promulgated pursuant to that Act.

34 3. Each attendance center of the school district shall  
35 operate and maintain a video camera in every self-contained

1 classroom that is part of that attendance center.

2 4. a. A video camera placed in a self-contained classroom  
3 must be capable of monitoring all areas of the self-contained  
4 classroom except as provided in paragraph "b".

5 b. A video camera placed in a self-contained classroom shall  
6 not monitor a restroom or any other area in the self-contained  
7 classroom where a student changes the student's clothes. If a  
8 student begins removing the student's clothing in an area of  
9 the classroom monitored by the video camera, school personnel  
10 shall take action to stop or limit the video recording,  
11 including temporarily disabling or redirecting the camera.

12 c. A video camera required by this section is not required  
13 to be in operation during the time in which students are not  
14 present in the self-contained classroom.

15 5. Before a school district initially places a video camera  
16 in a self-contained classroom pursuant to this section, the  
17 school district shall provide written notice of the placement  
18 to all of the following:

19 a. The parent or legal guardian of a student who is assigned  
20 to the self-contained classroom.

21 b. The school employees who are assigned to work with one or  
22 more students in the self-contained classroom.

23 6. The principal of the school or other school administrator  
24 whom the principal assigns as a designee shall be the custodian  
25 of the video camera, all recordings generated by the video  
26 camera, and access to those recordings pursuant to this  
27 section. Video recorded pursuant to this section shall be  
28 retained for at least ninety days after the date the video was  
29 recorded. The recording shall not be deleted or otherwise made  
30 irretrievable before this time period elapses.

31 7. If there is an interruption in the operation of the  
32 video camera for any reason, a written explanation shall be  
33 submitted to the school principal explaining the reason and  
34 length for which there was no recording. The explanation shall  
35 be maintained by the school principal for at least one year.

1 8. This section does not do any of the following:  
2 a. Waive any immunity from liability of a school district or  
3 employee of a school district.  
4 b. Create any liability for a cause of action against a  
5 school or school district or employee of a school or school  
6 district.  
7 c. Require the principal or other designated school  
8 administrator to review a recording absent an authorized  
9 request pursuant to this section or suspicion of an incident  
10 except as otherwise provided in subsection 11.  
11 9. A school or school district shall not use the video  
12 recorded under this section for any purpose other than the  
13 promotion and protection of the health, well-being, and safety  
14 of students receiving special education and related services in  
15 a self-contained classroom, and the protection of the health,  
16 well-being, and safety of staff members administering special  
17 education and related services in a self-contained classroom.  
18 10. Within seven days of receiving a request from a person  
19 described in this subsection to review a recording of an  
20 alleged incident that has been reported to a school or school  
21 district, a school or school district shall allow review of a  
22 recording by:  
23 a. A school or school district employee who is involved in  
24 an alleged incident that is documented by the recording and has  
25 been reported to the school or school district.  
26 b. A parent or legal guardian of a student who is involved  
27 in an alleged incident that is documented by the recording and  
28 has been reported to the public school or school district.  
29 c. An employee of a school or school district as part of  
30 an investigation into an alleged incident that is documented  
31 by the recording and has been reported to the school or school  
32 district.  
33 11. Within seven days of receiving a request to review a  
34 recording of an alleged incident that has been reported to a  
35 school or school district, a school or school district shall

1 allow review of a recording and comply with all subsequent  
2 requests for review or release of the recording by any of the  
3 following:

4     *a.* A law enforcement officer or employee of the department  
5 of health and human services, as part of an investigation into  
6 an incident that is documented by the recording and has been  
7 reported to the law enforcement agency or department; provided,  
8 that if a release of the recording is requested pursuant  
9 to this subsection, the law enforcement agency department  
10 receiving a copy of the recording shall maintain strict  
11 confidentiality of the recording and not further release the  
12 recording without authorization from the school district.

13     *b.* A judge, counsel, or other legal entity that is charged  
14 with deciding or representing either the school board,  
15 students, or employees in any matters related to legal issues  
16 arising from an incident; provided, that the recording may  
17 only be released pursuant to an appropriate protective order  
18 or under seal.

19     12. *a.* Except as provided in subsections 10 and 11, a  
20 recording made under this section is confidential and shall not  
21 be released or reviewed by anyone except the school principal,  
22 other school administration designee, or school district  
23 designee if the school principal or other school administration  
24 designee is unable to review the video recording pursuant to  
25 this subsection.

26     *b.* It is not a violation of this subsection if a contractor  
27 or other employee of a school or school district incidentally  
28 reviews a recording under this section if the contractor or  
29 employee of a school or school district is performing job  
30 duties related to the installation, operation, or maintenance  
31 of video equipment, or retention of video recordings.

32     13. If a person requests to review a recording under  
33 subsection 10 or 11, the school shall retain the recording from  
34 the date of the request until the later of the following:

35     *a.* The date the person reviews the recording or sixty

1 days after the school notifies the person who requested the  
2 recording that the recording is available.

3 *b.* The completion of any investigation and any  
4 administrative or legal proceedings that result from the  
5 recording, including the exhaustion of all appeals.

6 14. If an incident is discovered while initially reviewing  
7 a recording that requires a report to be made under section  
8 232.70, that report shall be made by the reviewer pursuant to  
9 that section within twenty-four hours of viewing the incident.

10 15. When a recording is under review as part of the  
11 investigation of an alleged incident, and the recording reveals  
12 a student violating a disciplinary code or rule of the school,  
13 which violation is not related to the alleged incident for  
14 which the review is occurring, and which violation is not  
15 already the subject of a disciplinary action against the  
16 student, the student is not subject to disciplinary action by  
17 the school for such unrelated violation unless it reveals a  
18 separate incident as defined in this section.

19 16. This section applies solely to cameras installed  
20 pursuant to this section and does not limit the access of a  
21 student's parent or legal guardian to a recording reviewable  
22 under the federal Family Educational Rights and Privacy Act, 20  
23 U.S.C. §1232g, or any other law.

24 17. A school or school district shall do all of the  
25 following:

26 *a.* Take necessary precautions to conceal the identity of a  
27 student who appears in a video recording but is not involved  
28 in the alleged incident documented by the video recording for  
29 which the school district allows viewing under subsection 12,  
30 including blurring the face of the unrelated student.

31 *b.* Provide procedures to protect the confidentiality of  
32 student records contained in a recording in accordance with the  
33 federal Family Educational Rights and Privacy Act, 20 U.S.C.  
34 §1232g, or any other law.

35 18. Any aggrieved person may appeal to the state board of

1 education an action by a school or school district that the  
2 person believes to be in violation of this section.>

3 5. By renumbering as necessary.

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BODEN of Warren