**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3216**

**STATUS INFORMATION**

General Bill

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Currently residing in the House Committee on **Education and Public Works**

Summary: Mandatory recording of public school instruction

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Education and Public Works**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3216_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59‑1‑485 SO AS TO PROVIDE ALL K‑12 PUBLIC SCHOOLS SHALL RECORD ALL CLASSROOM INSTRUCTION, TO PROVIDE FOR THE RETENTION AND DISCLOSURE OF RECORDINGS, TO PROVIDE CONSENT AND PRIVACY REQUIREMENTS, TO PROVIDE RELATED REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE REPORTING REQUIREMENTS OF SCHOOLS, AND TO PROHIBIT THE COMMERCIAL USE OF RECORDINGS, AMONG OTHER THINGS.

Whereas, the South Carolina General Assembly finds that public access to classroom instruction recordings can enhance transparency, foster accountability, enable parental engagement, and ensure adherence to educational standards; and

Whereas, the South Carolina General Assembly also recognizes the need to address privacy concerns and protect the rights of students and educators; and

Whereas, the South Carolina General Assembly finds it necessary and appropriate to ensure transparency and accountability in K‑12 public education by requiring the recording of all classroom instruction and making these recordings available as public records, subject to certain privacy limitations. Now, therefore:

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 5, Chapter 1, Title 59 of the S.C. Code is amended by adding:

 Section 59‑1‑485. (A)(1) All K‑12 public schools shall record all classroom instruction including, but not limited to, teacher lectures, guest lectures, classroom discussions, and other instructional activities, whether conducted in‑person or virtually. A recording including video and audio must be made, but in the temporary absence of properly functioning video recording technology an audio recording may be made.

 (2) Schools are responsible for providing and maintaining the necessary equipment for recording and ensuring the secure storage of recordings.

 (3) Schools must notify students and their guardians about the recording of classroom instruction upon enrollment. Explicit written consent is required from students aged eighteen years or older, and from the parents or guardians of students under eighteen years of age, before the student may be video recorded. Schools must retain records of this written consent for five years after the date on which consent was granted.

 (4) Recordings must be accessible to the public in compliance with the South Carolina Freedom of Information Act for a period of five years after recording is made.

 (B)(1) Schools must implement procedures to redact or anonymize recordings to protect the privacy of students and educators. This includes blurring faces or voices and removing personal identifiers.

 (2) Recordings containing sensitive or confidential content, excluding personnel matters, may be exempt from public disclosure but must still be recorded and stored for internal review.

 (3) A review process must be established to address concerns about privacy and content sensitivity before making recordings publicly available.

 (C) The State Department of Education shall:

 (1) oversee compliance with the provisions of this section and provide guidance and support to schools; and

 (2) promulgate regulations to carry out the purposes of this section.

 (D) Schools must submit annual reports to the overseeing authority detailing compliance, challenges, and any incidents involving privacy concerns. A school must notify the department within twenty‑four hours after any interruption in its recording or storage capacity, and the department shall maintain a record of such incidents.

 (E) Schools failing to comply with recording requirements or FOIA provisions may face penalties, including fines or administrative action.

 (F) The commercial use of recordings made pursuant to this section is prohibited. A person who uses recordings made pursuant to this section in violation of this subsection is guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding one hundred dollars or by imprisonment for not more than thirty days, or both, in the discretion of the court, for each offense.

SECTION 2. This act takes effect on July 1, 2026.

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