



## HB1292 PUBLIC SCHOOLS - SPECIAL EDUCATION CLASSROOMS - USE OF VIDEO RECORDING DEVICES

February 26, 2020

WAYS AND MEANS COMMITTEE

### OPPOSE

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Anne Arundel County Public Schools (AACPS) opposes **HB1292 Public Schools - Special Education Classrooms - Use of Video Recording Devices**. This bill requires each county board of education to, beginning with the 2020-2021 school year, install at least one video recording device in each public school classroom in which a majority of the regularly attending students are provided special education instruction. The legislation is very prescriptive in how the video recordings will occur, storage of the recordings, and access to the recordings among other mandates.

AACPS opposes this legislation due to concerns about the universal scope of the mandate to include video cameras in all special education classrooms, the privacy of the students recorded in the continuous classroom surveillance, the potential for the stigmatization of special education students, unfunded costs for installation and monitoring the cameras, and the administrative costs of retaining, redacting, and responding to requests to view the video.

Local boards of education place a very high priority on ensuring that students receive high quality special education programs and instruction to meet the unique needs of every student with a disability. States are mandated to provide a wide array of special education services in compliance with the federal Individuals with Disabilities Education Act (IDEA) and federal and State regulations. IDEA requires that eligible disabled students receive special education and related services if they are between the ages of 3 and 21, meet the definition of one or more of the categories of disabilities specified in IDEA, and are in need of special education and related services as a result of the disability. The special education services mandated and governed by IDEA must meet the legal standard of providing a free appropriate public education and do so in the least restrictive environment.

The federal Family Educational Rights and Privacy Act (FERPA) generally prohibits the disclosure by schools that receive federal education funding of personally identifiable information from a student's education records, unless the educational institution has obtained signed and dated written consent from a parent or eligible student or one of FERPA's exceptions applies. A 2018 National School Boards Association briefing report suggests that a video recording may constitute a student record.

Anne Arundel County Public Schools' costs associated with purchasing video equipment alone are estimated at no less than \$1.5 million.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on HB1292.