

Education Advocacy Coalition

for Students with Disabilities

HOUSE WAYS AND MEANS COMMITTEE

HOUSE BILL 715: PUBLIC SCHOOLS—SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS— USE OF VIDEO RECORDING DEVICES

FEBRUARY 10, 2021

LETTER OF INFORMATION

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of more than 30 organizations and individuals concerned with education policy for students with disabilities in Maryland offers this letter of information regarding House Bill 715, which would require the installation of at least one video recording device in every self-contained special education classroom upon parent request. The issue of video cameras in schools is complex, and there are a number of factors to consider, including the following:

- 1) Federal law does not require or prohibit video cameras in classrooms. Three states have enacted video camera legislations: Texas, Georgia and West Virginia.
- 2) Technical issues such as the quality of video footage, interfering noise, lack of coverage of parts of the classroom because of camera placement and camera operator error;
- 3) Privacy issues such as whether video footage constitutes an educational record under the Federal Educational Rights and Privacy Act (FERPA) or the Individuals with Disabilities Education Act (IDEA); perceptions by teachers and other school staff about whether video recording conveys a lack of trust in them or protects them; and who can access the recordings;
- 4) Safety issues such as whether students and teachers are more safe when cameras are in place in classrooms or whether cameras create a false sense of safety;
- 5) Financial issues such as the cost of purchasing, installing, monitoring and maintaining cameras in schools and responding to requests to view footage;
- 6) Possibility that camera footage will allow parents to understand what has transpired when their children come home from school with unexplained injuries or changes in behavior;
- 7) Possibility that cameras only in self-contained special education classrooms will drive abusive behavior to non-monitored parts of a school such as hallways or unmonitored classrooms;
- 8) Possibility that parents will seek to have their children placed in separate special education classrooms in contravention of the IDEA's least restrictive environment requirements because only those classrooms have cameras;
- 9) Possibility that video footage will be used against students with disabilities by staff in delinquency or criminal proceedings arising from school-based behavioral incidents.
- 10) Possible reliance on video cameras as a long-term strategy for addressing how staff interact with students in the classroom as alternative to robust professional development for teachers and behavior support for students with challenging behavior.

Each of these issues requires thoughtful discussion. Looking to the experiences of Texas, Georgia and West Virginia should be helpful in answering some of these questions.

For more information please contact Leslie Seid Margolis, Chair, at lesliem@disabilityrightsmd.org or 410-370-5730 or EAC member Maureen van Stone at vanstone@kennedykrieger.org or 443-923-4416.

Respectfully submitted,

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