

HB0226/363928/1

BY: Ways and Means Committee

AMENDMENTS TO HOUSE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– **Use of**”; in line 3, strike “**Devices**” and substitute “**Pilot Program**”; in lines 4 and 5, strike “requiring each county board of education, beginning in a certain school year, to install” and substitute “establishing the Self-Contained Special Education Classroom Video Recording Pilot Program; providing for the administration of, funding for, and participation in the Pilot Program; requiring certain public schools to allow the installation of”; in line 5, strike “each” and substitute “one”; in line 6, after “classroom” insert “in the school”; in line 8, strike “school administration” and substitute “principal of a school participating in the Pilot Program”; in line 10, strike “a school administrator or other” and substitute “an”; in line 12, strike “each county board” and substitute “certain county boards of education”; in lines 15 and 16, strike “make a certain determination” and substitute “report on the evaluation to the Governor and the General Assembly”; and strike beginning with “use” in line 16 down through “classrooms” in line 17 and substitute “Self-Contained Special Education Classroom Video Recording Pilot Program”.

AMENDMENT NO. 2

On page 2, in line 12, strike “**EXCLUSION AREA**” and substitute “**PILOT PROGRAM**”; strike beginning with the first “A” in line 12 down through “**SELF-CONTROL**” in line 14 and substitute “**THE SELF-CONTAINED SPECIAL EDUCATION CLASSROOM VIDEO RECORDING PILOT PROGRAM**”; in line 16, after “**WHICH**” insert “**ALL OF**”; in line 17, strike “**PROVIDED SPECIAL EDUCATION INSTRUCTION**” and substitute “**IN THAT CLASSROOM**”; and strike beginning with the comma in line 18 down through “**UNDERSTOOD**” in line 20.

On pages 2 and 3, strike beginning with “**EACH**” in line 26 on page 2 down through “**SYSTEM.**” in line 4 on page 3 and substitute “**(I) THERE IS A SELF-**

CONTAINED SPECIAL EDUCATION CLASSROOM VIDEO RECORDING PILOT PROGRAM IN THE DEPARTMENT.

(II) THE PILOT PROGRAM SHALL BE ADMINISTERED BY THE DIVISION.

(III) THE DIVISION SHALL SELECT FIVE LOCAL SCHOOL SYSTEMS IN THE STATE WITH ATTENTION TO GEOGRAPHIC DIVERSITY AND WHERE, IN THE JUDGMENT OF THE DIVISION, VIDEO MONITORING OF SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS IS MOST ACUTELY NECESSARY.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COUNTY SUPERINTENDENT OF EACH LOCAL SCHOOL SYSTEM SELECTED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL CHOOSE ONE PUBLIC ELEMENTARY SCHOOL AND ONE PUBLIC HIGH SCHOOL WITHIN THE LOCAL SCHOOL SYSTEM TO INSTALL A VIDEO RECORDING DEVICE IN ONE SELF-CONTAINED SPECIAL EDUCATION CLASSROOM IN EACH SCHOOL.

(II) THE COUNTY SUPERINTENDENT SHALL CHOOSE SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS THAT HAVE AMONG THE HIGHEST NUMBERS OF ATTENDANCE IN ANY SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS IN THE LOCAL SCHOOL SYSTEM.

(III) BEGINNING WITH THE 2023-2024 SCHOOL YEAR, THE DIVISION SHALL INSTALL AT LEAST ONE VIDEO RECORDING DEVICE IN EACH SELF-CONTAINED SPECIAL EDUCATION CLASSROOM SELECTED IN ACCORDANCE WITH THIS SUBSECTION.”.

On page 3, in line 9, strike “, INCLUDING ALL EXCLUSION AREAS”; in line 11, strike “OR EXCLUSION AREA”; in line 15, strike “COUNTY BOARD” and substitute

“PUBLIC SCHOOL PARTICIPATING IN THE PILOT PROGRAM”; in line 22, strike “AND”; in line 24, after “DEVICES” insert “;AND”

(4) PROVIDING WRITTEN NOTICE AT LEAST 2 WEEKS IN ADVANCE OF THE ACTIVATION OF THE VIDEO RECORDING DEVICE TO ALL SCHOOL PERSONNEL WHO PROVIDE INSTRUCTION OR OTHERWISE SUPPORT THE STUDENTS IN THE SELF-CONTAINED SPECIAL EDUCATION CLASSROOM;

in line 26, after “SYSTEM” insert “ADMINISTERED BY A COUNTY BOARD PARTICIPATING IN THE PILOT PROGRAM”; and strike beginning with “AND” in line 30 down through “MONTHS” in line 31.

On page 4, in line 12, strike “AND THE” and substitute “;”

(II) THE;

in line 14, strike “(II)” and substitute “(III)”; and in line 30, strike “SCHOOL ADMINISTRATION” and substitute “PRINCIPAL OF A SCHOOL PARTICIPATING IN THE PILOT PROGRAM”.

On page 5, strike beginning with “ADMINISTRATION” in line 4 down through “OFFICE” in line 5 and substitute “PRINCIPAL AND THE COUNTY SUPERINTENDENT”; strike beginning with “THE” in line 10 down through “RECORDING” in line 13 and substitute “A PARTY DIRECTLY INVOLVED IN THE COMPLAINT, INCLUDING A STUDENT WHO WAS ALLEGEDLY NEGLECTED OR ABUSED, THE PARENT OR GUARDIAN OF A STUDENT WHO WAS ALLEGEDLY NEGLECTED OR ABUSED, OR A MEMBER OF THE SCHOOL STAFF WHO WAS ALLEGED TO HAVE NEGLECTED OR ABUSED A STUDENT, SHALL BE ALLOWED, ON REQUEST, TO INSPECT AND REVIEW THE VIDEO RECORDING BY THE COUNTY SUPERINTENDENT”; in line 14, strike “A SCHOOL ADMINISTRATOR OR OTHER” and

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substitute “AN”; in the same line, after “SCHOOL” insert “PARTICIPATING IN THE PILOT PROGRAM”; in lines 16 and 17, strike “OR EXCLUSION AREA”; in line 17, strike “SCHOOL ADMINISTRATOR OR”; in the same line, strike “REPORT THE ACTION” and substitute a comma; in line 19, after “GUIDELINES” insert “, REPORT THE ACTION TO THE PRINCIPAL OF THE SCHOOL AND ANY OTHER REQUIRED PARTIES”; in line 21, strike the second “A” and substitute “:

(I) A;

in line 23, after “REPORT” insert “; AND”

(II) A SCHOOL EMPLOYEE WHO IS INVOLVED WITH THE ALLEGED ABUSE OR NEGLECT;

in line 29, after “DEVICE” insert “INSTALLED IN ACCORDANCE WITH THIS SECTION”; in line 32, after “RECORDING” insert “MADE IN ACCORDANCE WITH THIS SECTION”; and in line 33, after “STUDENT” insert “OR SCHOOL EMPLOYEE”.

On page 6, in line 4, strike “A DISCIPLINARY ACTION OR”; strike beginning with “A” in line 6 down through “(N)” in line 9; in line 11, strike “(O)” and substitute “(N)”; strike beginning with “BEGINNING” in line 11 down through “BOARD” in line 12 and substitute “IN THE 2023–2024 SCHOOL YEAR AND THE 2024–2025 SCHOOL YEAR, EACH COUNTY BOARD PARTICIPATING IN THE PILOT PROGRAM”; in lines 14 and 15 and 17 and 18, in each instance, strike “, AGGREGATED BY SCHOOL LEVEL”; in line 22, strike “AND”; in line 24, after “RECORDING” insert “; AND”

(VI) THE COST TO EACH COUNTY BOARD TO MAINTAIN AND MONITOR VIDEO RECORDINGS UNDER THE PILOT PROGRAM;

strike beginning with “ON” in line 25 down through “BOARD” in line 26 and substitute **“(I) ON OR BEFORE JULY 1, 2024, AND ON OR BEFORE JULY 1, 2025, EACH COUNTY BOARD PARTICIPATING IN THE PILOT PROGRAM”**; after line 29, insert:

“(II) FOR COMPARISON PURPOSES, EACH COUNTY BOARD PARTICIPATING IN THE PILOT PROGRAM SHALL INCLUDE IN THE REPORTS SUBMITTED UNDER THIS PARAGRAPH INFORMATION COLLECTED DURING THE 2022–2023 SCHOOL YEAR ON:

1. THE NUMBER OF COMPLAINTS OF ABUSE OR NEGLECT IN THE SAME SELF–CONTAINED SPECIAL EDUCATION CLASSROOMS IN WHICH VIDEO RECORDING DEVICES ARE INSTALLED BEGINNING IN THE 2023–2024 SCHOOL YEAR; AND

2. THE RESOLUTION OF THOSE COMPLAINTS.”;

and in line 30, strike “THE FINAL REPORT” and substitute **“THE REPORTS DUE JULY 1, 2025,”**.

On pages 6 and 7, strike beginning with “AND” in line 32 on page 6 down through “CLASSROOMS” in line 2 on page 7 and substitute **“BY COMPARING THE RESULTS OF SCHOOLS PARTICIPATING IN THE PILOT PROGRAM WITH OTHER SCHOOLS IN THE COUNTY, INCLUDING THE FOLLOWING FOR BOTH PARTICIPATING PUBLIC SCHOOLS AND OTHER PUBLIC SCHOOLS:**

(I) THE PROPORTION OF COMPLAINTS RECEIVED ABOUT SUSPECTED ABUSE AND NEGLECT RELATIVE TO THE TOTAL POPULATION OF STUDENTS IN SELF–CONTAINED SPECIAL EDUCATION CLASSROOMS;

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(II) THE PROPORTION OF COMPLAINTS DESCRIBED UNDER ITEM (I) OF THIS PARAGRAPH SUSTAINED RELATIVE TO THE TOTAL POPULATION OF STUDENTS IN SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS; AND

(III) THE RACE, ETHNICITY, AND GENDER OF ANY STUDENTS IN A SELF-CONTAINED SPECIAL EDUCATION CLASSROOM WHO ARE THE SUBJECTS OF A COMPLAINT UNDER ITEM (I) OF THIS PARAGRAPH.

(4) ON OR BEFORE JANUARY 1, 2026, THE DEPARTMENT SHALL REPORT THE RESULTS OF ITS EVALUATION OF THE USE OF VIDEO RECORDING DEVICES IN SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY”.

On page 7, in line 3, strike “(P)” and substitute “(O) (1)”; strike beginning with “THE” in line 3 down through “SECTION” in line 4 and substitute “THE STATE SHALL REIMBURSE EACH COUNTY BOARD THAT PARTICIPATES IN THE PILOT PROGRAM FOR ANY COSTS ASSOCIATED WITH PARTICIPATION.”

(2) EACH COUNTY BOARD SHALL SUBMIT TO THE DEPARTMENT A REQUEST FOR REIMBURSEMENT FOR THE COSTS ASSOCIATED WITH INSTALLING, MONITORING, AND STORING VIDEO COLLECTED BY VIDEO RECORDING DEVICES INSTALLED IN SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS.

(3) IN EACH OF FISCAL YEARS 2024 AND 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$100,000 TO THE DEPARTMENT TO BE USED TO:

(I) REIMBURSE EACH COUNTY BOARD FOR THE COSTS REPORTED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

(II) OTHERWISE ADMINISTER THE PILOT PROGRAM;

and in line 13, after the period, insert “It shall remain effective for a period of 4 years and, at the end of June 30, 2026, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.