

# HOUSE BILL 1545

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6lr3552

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By: **Delegate Miller**

Introduced and read first time: February 13, 2026

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Special Education Video and Audio Recording Program –**  
3 **Established**

4 FOR the purpose of establishing the Frederick County Special Education Video and Audio  
5 Recording Program for the purpose of installing certain video and audio recording  
6 devices in specialized instructional settings and certain related areas to document  
7 certain incidents; and generally relating to the Frederick County Special Education  
8 Video and Audio Recording Program.

9 BY adding to

10 Article – Education  
11 Section 7–455  
12 Annotated Code of Maryland  
13 (2025 Replacement Volume and 2025 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Education  
16 Section 8–401(a)(1) and (5)  
17 Annotated Code of Maryland  
18 (2022 Replacement Volume and 2025 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 That the Laws of Maryland read as follows:

21 **Article – Education**

22 **7–455.**

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
24 **INDICATED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) “BOARD” MEANS THE FREDERICK COUNTY BOARD OF**  
2 **EDUCATION.**

3           **(3) “INCIDENT” MEANS THE FOLLOWING BEHAVIORS, SUSPECTED BY**  
4 **A TEACHER, AN AIDE, A PARENT, OR A GUARDIAN OF A STUDENT:**

5                   **(I) BULLYING;**

6                   **(II) ABUSE;**

7                   **(III) NEGLIGENCE OF A STUDENT; OR**

8                   **(IV) HARM TO AN EMPLOYEE OR A STUDENT BY AN EMPLOYEE**  
9 **OR ANOTHER STUDENT.**

10           **(4) “PROGRAM” MEANS THE FREDERICK COUNTY SPECIAL**  
11 **EDUCATION VIDEO AND AUDIO RECORDING PROGRAM.**

12           **(5) “SPECIAL EDUCATION” HAS THE MEANING STATED IN § 8-401 OF**  
13 **THIS ARTICLE.**

14           **(6) “SPECIALIZED INSTRUCTIONAL SETTING” MEANS ANY SPACE**  
15 **WHERE STUDENTS WITH DISABILITIES RECEIVE SPECIALIZED SERVICES OR CARE**  
16 **FOR AT LEAST 50% OF THE INSTRUCTIONAL DAY, INCLUDING:**

17                   **(I) “EXPRESSIONS” CLASSROOMS;**

18                   **(II) “LEARNING FOR LIFE” CLASSROOMS; AND**

19                   **(III) ANY OTHER ENVIRONMENT DESIGNATED FOR SPECIALIZED**  
20 **DISABILITY SUPPORT.**

21           **(7) “UNBIASED THIRD PARTY” MEANS:**

22                   **(I) A DESIGNATED REVIEWER WITHIN THE FREDERICK**  
23 **COUNTY PUBLIC SCHOOLS DEPARTMENT OF SAFETY AND EMERGENCY**  
24 **MANAGEMENT; OR**

25                   **(II) AN EXTERNAL ENTITY NOT DIRECTLY ASSIGNED TO THE**  
26 **SCHOOL WHERE A VIDEO OR AUDIO RECORDING ORIGINATED.**

1           **(B) (1) THERE IS A FREDERICK COUNTY SPECIAL EDUCATION VIDEO**  
2 **AND AUDIO RECORDING PROGRAM.**

3           **(2) THE PROGRAM SHALL BE ADMINISTERED BY THE BOARD.**

4           **(C) (1) (I) THE BOARD SHALL INSTALL VIDEO RECORDING DEVICES IN**  
5 **ALL SPECIALIZED INSTRUCTIONAL SETTINGS THAT MONITOR ALL AREAS OF THE**  
6 **SPECIALIZED INSTRUCTIONAL SETTING.**

7                       **(II) A VIDEO RECORDING DEVICE INSTALLED IN ACCORDANCE**  
8 **WITH THIS PARAGRAPH MAY NOT RECORD INSIDE BATHROOM AREAS OR IN AREAS**  
9 **THAT STUDENTS USE TO CHANGE CLOTHING.**

10           **(2) THE BOARD SHALL INSTALL AND MAINTAIN AUDIO RECORDING**  
11 **DEVICES IN:**

12                       **(I) RESTROOMS;**

13                       **(II) AREAS THAT STUDENTS USE TO CHANGE CLOTHING; AND**

14                       **(III) PLACES OF PHYSICAL CARE ATTACHED TO RESTROOMS AND**  
15 **AREAS THAT STUDENTS USE TO CHANGE CLOTHING.**

16           **(3) THE FREDERICK COUNTY PUBLIC SCHOOLS DEPARTMENT OF**  
17 **SAFETY AND EMERGENCY MANAGEMENT SHALL OPERATE AND MAINTAIN THE**  
18 **VIDEO AND AUDIO RECORDING DEVICES INSTALLED IN ACCORDANCE WITH THIS**  
19 **SUBSECTION.**

20           **(4) AN UNBIASED THIRD PARTY SHALL BE THE CUSTODIAN OF ALL**  
21 **VIDEO AND AUDIO RECORDINGS.**

22           **(5) FREDERICK COUNTY PUBLIC SCHOOL SYSTEM PERSONNEL MAY**  
23 **NOT BE A POINT OF CONTACT OR PRIMARY REVIEWER OF VIDEO OR AUDIO**  
24 **RECORDINGS.**

25           **(6) IF A PERSON DISCOVERS THAT THE OPERATION OF A VIDEO OR**  
26 **AUDIO RECORDING DEVICE HAS BEEN INTERRUPTED, THE PERSON SHALL SUBMIT A**  
27 **WRITTEN REPORT TO THE UNBIASED THIRD PARTY AND THE BOARD THAT INCLUDES**  
28 **A DESCRIPTION OF:**

29                       **(I) HOW THE INTERRUPTION WAS DISCOVERED AND THE**  
30 **LENGTH OF THE INTERRUPTION; AND**

1 (II) THE REASON FOR THE INTERRUPTION, IF KNOWN.

2 (D) (1) THE BOARD SHALL:

3 (I) PROVIDE WRITTEN NOTICE OF THE USE OF A VIDEO AND  
4 AUDIO RECORDING DEVICE:

5 1. TO THE PARENT OR LEGAL GUARDIAN OF EACH  
6 STUDENT SUBJECT TO A RECORDING MADE BY A VIDEO OR AUDIO RECORDING  
7 DEVICE AT LEAST 10 DAYS BEFORE ACTIVATING THE DEVICE; AND

8 2. IN THE STUDENT HANDBOOK; AND

9 (II) POST A SIGN IN A CONSPICUOUS LOCATION OUTSIDE EACH  
10 RESTROOM WHERE AN AUDIO RECORDING DEVICE IS USED.

11 (2) (I) A PARENT OR LEGAL GUARDIAN MAY REQUEST THAT THE  
12 CHILD OF THE PARENT OR LEGAL GUARDIAN BE EXEMPT FROM AUDIO RECORDINGS  
13 IN THE AREAS SPECIFIED IN SUBSECTION (C)(2) OF THIS SECTION.

14 (II) A PARENT OR LEGAL GUARDIAN REQUESTING AN  
15 EXEMPTION UNDER THIS PARAGRAPH SHALL:

16 1. DOCUMENT THE REQUEST IN THE STUDENT'S  
17 INDIVIDUALIZED EDUCATION PROGRAM OR 504 PLAN; AND

18 2. HAVE THE OPPORTUNITY TO DISCUSS ALTERNATIVE  
19 ARRANGEMENTS FOR THE STUDENT'S CARE.

20 (E) (1) VIDEO AND AUDIO RECORDINGS MAY NOT BE LIVE-STREAMED.

21 (2) AN UNBIASED THIRD PARTY SHALL REVIEW AT LEAST 15 MINUTES  
22 OF VIDEO AND AUDIO RECORDINGS FROM EACH AREA SPECIFIED IN SUBSECTION  
23 (C)(1) AND (2) OF THIS SECTION AT LEAST EVERY 90 CALENDAR DAYS.

24 (3) WITHIN 7 DAYS AFTER THE DATE OF AN INCIDENT, THE BOARD  
25 MAY AUTHORIZE THE FOLLOWING INDIVIDUALS TO REVIEW THE VIDEO OR AUDIO  
26 RECORDING:

27 (I) AN EMPLOYEE OF THE FREDERICK COUNTY PUBLIC  
28 SCHOOL SYSTEM;

1                   **(II) THE PARENT OR LEGAL GUARDIAN OF A STUDENT WHO IS**  
2 **THE SUBJECT OF THE INCIDENT;**

3                   **(III) A LAW ENFORCEMENT OFFICER; OR**

4                   **(IV) A REPRESENTATIVE FROM CHILD PROTECTIVE SERVICES.**

5                   **(4) THE BOARD SHALL ENSURE THAT VIDEO AND AUDIO RECORDINGS**  
6 **MADE UNDER THIS SECTION COMPLY WITH FEDERAL PRIVACY LAWS.**

7           **(F) (1) THE BOARD MAY NOT USE VIDEO OR AUDIO RECORDINGS MADE**  
8 **UNDER THIS SECTION:**

9                   **(I) FOR TEACHER EVALUATIONS; OR**

10                   **(II) TO DOCUMENT A STUDENT IN VIOLATION OF A RULE OR**  
11 **DISCIPLINARY CODE NOT RELATED TO THE INCIDENT, UNLESS THE BOARD**  
12 **DETERMINES THAT THE RECORDING CAPTURES A SEPARATE INCIDENT THAT**  
13 **REQUIRES A SEPARATE INVESTIGATION.**

14                   **(2) RECORDINGS MADE UNDER THIS SECTION ARE CONFIDENTIAL**  
15 **AND MAY NOT BE USED FOR ANY PURPOSE NOT SPECIFIED IN THIS SECTION.**

16           **(G) (1) THE FREDERICK COUNTY PUBLIC SCHOOLS DEPARTMENT OF**  
17 **SAFETY AND EMERGENCY MANAGEMENT SHALL RETAIN ALL RECORDINGS MADE**  
18 **UNDER THIS SECTION FOR AT LEAST 1 YEAR AFTER THE DATE OF THE RECORDING.**

19                   **(2) IF A PARTY REQUESTS A REVIEW OF A RECORDING UNDER**  
20 **SUBSECTION (E)(3) OF THIS SECTION, THE BOARD SHALL PRESERVE THE**  
21 **RECORDING FOR 60 DAYS AFTER RECEIVING THE REQUEST AND UNTIL ALL LEGAL**  
22 **AND ADMINISTRATIVE PROCEEDINGS ARE COMPLETE.**

23                   **(3) ALL RECORDINGS MADE UNDER THIS SECTION SHALL BE STORED**  
24 **ON A SECURE, CLOSED NETWORK MANAGED BY THE BOARD.**

25           **(H) (1) ON OR BEFORE DECEMBER 31, 2029, THE BOARD SHALL INSTALL**  
26 **AT LEAST ONE VIDEO AND AUDIO RECORDING DEVICE IN ALL SPECIALIZED**  
27 **INSTRUCTIONAL SETTINGS.**

28                   **(2) ON OR BEFORE JUNE 30, 2030, THE BOARD SHALL INSTALL VIDEO**  
29 **AND AUDIO RECORDING DEVICES IN CLASSROOMS THAT HAVE STUDENTS WHO ARE**  
30 **PART OF:**

1                   **(I) THE RESPONSIVE INTERVENTIONS FOR STUDENT**  
2 **EXCELLENCE (RISE) PROGRAM; AND**

3                   **(II) THE PYRAMID PROGRAM.**

4                   **(3) ON OR BEFORE JUNE 30, 2031, THE BOARD SHALL COMPLETE**  
5 **INSTALLATION OF VIDEO AND AUDIO RECORDING DEVICES.**

6                   **(I) ON OR BEFORE JUNE 30, 2032, EACH SCHOOL IN THE COUNTY SHALL**  
7 **EVALUATE THE PROGRAM AND SUBMIT A REPORT TO THE BOARD AND THE**  
8 **DEPARTMENT ON THE SCHOOL'S PROGRESS TOWARD MEETING PROGRAM GOALS.**

9 8-401.

10           (a)   (1)   In this subtitle the following words have the meanings indicated.

11                   (5)   “Special education” means specially designed instruction, at no cost to  
12 parents, to meet the unique needs of a child with a disability, including:

13                           (i)   Instruction in the classroom, in the home, in hospitals and  
14 institutions, and in other settings; and

15                           (ii)   Instruction in physical education.

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
17 1, 2026.