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HOUSE WAYS AND MEANS COMMITTEE  
HOUSE BILL 226: PUBLIC SCHOOLS—SELF-CONTAINED SPECIAL EDUCATION CLASSROOM—  
USE OF VIDEO RECORDING DEVICES  
FEBRUARY 3, 2022  
POSITION: SUPPORT

The Arc Maryland is the largest statewide advocacy organization dedicated to protecting and advancing the rights and quality of life of people with intellectual and developmental disabilities. The Arc Maryland supports House Bill 226, which would require the installation of video cameras in at least 50% of self-contained special education classrooms by the beginning of the 2022-23 school year and 100% of self-contained special education classrooms by the beginning of the 2023-34 school year.

We have worked with the bill sponsors and stakeholders over the past year to address the valid and shared concerns we have with privacy, accessibility to recordings, and reasons under which the recordings may be viewed. It is very important to The Arc and our members that cameras not be used to observe teacher performance or student behavior, under any circumstance outside of what would be allowed through this legislation: our only goals are to provide information to administrators and law enforcement to do their best job in the investigation of alleged abuse or neglect, to deter abuse and neglect, and to provide parents with reliable information. We believe the bill this session has been perfected to achieve the greatest good, address the previous concerns, and strengthen protections for students with disabilities and teachers in self-contained special education classrooms.

We are currently experiencing a shortage of teachers in all educational areas but particularly in special education. We cannot afford for teachers to be removed from classrooms based on erroneous allegations, even for a short period of time. We believe this legislation will accomplish two primary goals of giving a voice to students who use non-traditional communication or who otherwise face barriers to reliably recalling and relaying what may have happened to them, and providing a tool for thorough and expeditious investigations that will help to remove those teachers who abuse or neglect students, and exonerate those who have been erroneously accused of wrong-doing.

We have heard from parents whose children have come home from school with unexplained injuries, or reports indicating that a student engaged in behavior resulting in a self-inflicted injury. Sometimes the reports don't add up, and parents are unable to obtain resolution. They face uncertainty, fear for their child, and fear of retaliation if they pursue the matter further. Access to video footage would enable a school to review an incident to understand what may have occurred during an incident and to respond appropriately.

With ARPA and other federal one-time-only financial assistance coming to Maryland at this time, we believe this year and next year, the initial costs of the camera installations will not pose a financial burden to the state. Instead, these investments will add to the infrastructure we need to create safer school environments for some of our most vulnerable students.

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