

February 1, 2022

The Honorable Michele Guyton
House Office Building, Suite 306
District 42B, Baltimore County

Re: Letter of Information About Cameras in Special Education Classrooms (HB 226)

I am providing the following information about the experience of Texas in providing cameras in special education classrooms. I serve as the Supervising Attorney of the Education Team at Disability Rights Texas (DRTx), the Protection & Advocacy agency in Texas. I supervise a team of 20 advocates and attorneys throughout Texas who help families of children with disabilities navigate the special education system. Like my colleagues in other states, we are often contacted by parents who have concerns about injury at school that their child with a disability cannot explain or resulting from a major crisis situation that included a restraint.

DRTx was initially neutral on Texas legislation providing for cameras in special education classrooms, but quickly found cameras to be invaluable tools in making classrooms safe for vulnerable students.

In Texas, cameras in special education classroom legislation was passed after a group of grassroots parents with impacted children led the charge. When this happened, Disability Rights Texas was neutral on the bill but provided resources. We recognized that cameras were already common in public school common areas, institutional settings serving people with disabilities and in law enforcement. We had concerns about potential impacts on student discipline, competing interests around privacy and parent access and what practically we would learn from camera footage.

While Texas only requires cameras in classrooms at parent request, reviewing camera footage has become a routine part of our work to investigate unknown injuries, but also to determine the appropriateness of restraint and crisis intervention when students are injured. There have been countless times when camera footage vindicated an educator or a student or created a learning opportunity on how to better handle crisis intervention in the future. Camera footage has been most helpful in determining what occurred during restraints that resulted in injury or other crisis situations resulting in injury. Cameras can also provide some parents more peace of mind in sending a child back to school after an injury. I would point out that cameras have been useful in special education behavioral classrooms where restraint is common, regardless of whether students use words to communicate. Even in classrooms where all students are verbal, serious crisis, injuries and varied accounts of major events occur that cameras can assist in investigating.

We have not seen any of the potential downsides of cameras that we feared. We have not seen cameras in special education classrooms result in greater exclusionary discipline. In fact, we have actually seen the opposite occur where expulsion was recommended before footage requested by parent but then footage vindicated our client and district withdrew requested expulsion or district attorney decided not to prosecute the student. We have also been able to file grievances on school

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police officers for misconduct caught on cameras when officers were responding in a classroom crisis. Schools have only granted parents access to cameras as outlined by state law. There are sometimes disagreements where parents would like access in situation school does not believe falls under our law, and Texas is looking at refining our process to resolve these disagreements.

The existence of the videos has greatly expanded what we can do with our P&A investigations in public schools, which we have used to conduct systemic investigations of programs and campuses of concern. Recently we finalized a investigate report on a program with findings based largely on camera footage, and the district immediately agreed to all of our requested actions, which we believe will protect all the students in this particular special education behavioral campus. In another investigation, we uncovered an entire school system with widespread practices of illegal and dangerous takedowns during restraint. We witnessed this conduct across campuses and years, and documented injuries to numerous students. The culture of aggressive restraint had become so engrained that until our intervention with experts, the district seemed completely unaware their practices were wholly inconsistent with the crisis intervention program they claimed to use. In several cases that were involved in those investigations, abuse uncovered on video resulted in findings of child abuse, prosecution and loss of educator certification.

Cameras do not resolve all questions even when they are installed and running. Occasionally an incident is outside of camera shot or video is unclear on what happened, school claims video was erroneously deleted or camera "off." Still, the benefits of cameras in the classroom have been indisputable in Texas. At this point the entire disability and advocacy community in Texas appears united in only wanting changes to expand cameras so not based on parent request and to fine tune process for parents to object if district does not provide access. The Texas Disability Community recently united to express the need to strengthen our protections of students based in large part on the troubling information cameras in classrooms have helped expose. For more on that, see [Increased Arrests of School Staff for Violent Restraint of Texas Students - Disability Rights Texas \(disabilityrightstx.org\)](https://disabilityrightstx.org).

Feel free to contact me at drynders@drtx.org with any questions.

Sincerely,

Dustin Rynders
Supervising Attorney