

Witness Testimony

Jamie Shopland, Frederick County Parent of a non-speaking student with ataxic cerebral palsy

Senate Bill 51 – Education – Use of Cameras in Self-Contained Special Education Classrooms

February 2, 2026

RE: Testimony in Support with Amendments

Senate Bill 51 – Education – Use of Cameras in Self-Contained Special Education Classrooms

Dear Chair Feldman and Members of the Education, Energy, and the Environment Committee,

I submit this testimony in support of Senate Bill 51, with amendments, as a Frederick County parent of a child with significant disabilities.

My daughter, Marren, has a diagnosis of ataxic cerebral palsy. She is non-speaking and communicates using an AAC device, gestures, minimal ASL, and vocalizations. Since preschool, she has been educated in inclusive settings including Frederick County Public Schools inclusive pre-K, kindergarten, and now she attends first grade at Centerville Elementary School alongside her nondisabled peers, consistent with her IEP and the federal requirement that students be educated in the Least Restrictive Environment (LRE).

Throughout her school day, Marren relies on Special Education Instructional Assistants (SEIA) to support her with toileting, mobility, and accessing curriculum through her AAC device. Marren also received PT, OT, SLP, Adaptive PE, a Feeding Protocol, and other supports throughout her school day. The supports and services as well as Marren's education do not occur in a self-contained classroom. They occur in general education setting, shared instructional spaces, hallways, and during transitions, which are precisely the environments that SB 51, as currently written, does not cover.

While Marren is exactly the kind of child SB 51 is intended to protect because she is non-speaking, physically vulnerable, and unable to independently report mistreatment, she would not be protected under this bill because she is not educated in a self-contained special education classroom.

Support for the Intent of SB 51

I strongly support the intent of SB 51 to increase transparency, accountability, and safeguards for students with disabilities who may be unable to self-report abuse, neglect, or inappropriate restraint. The bill's provisions regarding confidentiality, limits on

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data retention, reporting requirements, and prohibitions on employee performance monitoring are thoughtful and necessary.

The protections outlined in §7-455(B) through (H) represent an important step toward safeguarding some of Maryland's most vulnerable students. My concern is not with the intent of the bill, but with how narrowly its protections are applied.

Scope Concerns Related to Classroom Definition and Least Restrictive Environment (LRE)

Under §7-455(A)(4), a "special education classroom" is defined as one in which a majority of students receive special education services, and §7-455(B)(1) limits video recording requirements to self-contained special education classrooms.

In Frederick County Public Schools, approximately 700 students with disabilities, about 11% of the students served under IEPs, are educated in self-contained classrooms. The remaining approximately 6,200 students with disabilities receive special education services in inclusive or non-self-contained settings. Overall, students with disabilities make up approximately 13% of the FCPS student population, a proportion that continues to grow as seen in FCPS' FY27 budget briefing.

As written, SB 51 would provide protections to only a small subset of students with disabilities, while excluding the vast majority of students it is intended to protect such as students who are non-speaking, medically fragile, or otherwise unable to report harm, but who are educated inclusively in accordance with federal law.

IDEA requires that students with disabilities be educated in the Least Restrictive Environment appropriate to their needs. By tying safety protections exclusively to self-contained placements, SB 51 unintentionally creates a troubling disparity: families whose children are educated inclusively must forgo protections, while families in more restrictive settings receive them.

For families like mine, this presents an impossible choice: maintain inclusive placement aligned with federal law and best practice for Marren to reach her full potential, or seek a more restrictive setting in order to access basic safety protections. That outcome conflicts directly with both the letter and the spirit of IDEA.

I respectfully urge the Committee to amend §7-455(B)(1) to extend protections beyond self-contained classrooms so that student safety is not contingent on placement.

Audio Recording in Toileting and Hygiene Contexts

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For my daughter Marren, some of the most vulnerable moments of her day occur during toileting and hygiene activities with her SEIA at times when she is physically dependent on adults and unable to verbally communicate distress. While I fully recognize the importance of student privacy and dignity, §7-455(B)(3)'s complete prohibition on recording in these areas creates a significant safety gap.

Other states like West Virginia have addressed this concern by allowing limited audio recording in toileting and hygiene contexts under strict safeguards, with parental notice and strong confidentiality protections. I urge the Committee to consider similar amendments so that student safety does not end at the restroom door.

Conclusion

I support SB 51 because I believe in its purpose. However, as written, this bill would not protect my daughter Marren, or the majority of students with disabilities in Frederick County Public Schools who are educated inclusively and supported across multiple settings throughout the school day.

I respectfully urge the Committee to amend SB 51 to:

- Expand video recording protections to all settings where special education services, supports, or instruction occur; and
- Address the absence of any monitoring in toileting and hygiene contexts in a manner that balances student safety, privacy, and dignity.

With these amendments, SB 51 can fulfill its promise—protecting the students who need it most without undermining inclusive education or federal LRE requirements.

Thank you for your consideration and for your commitment to Maryland students with disabilities.

Respectfully,

Jamie Shopland, Frederick County Parent of a non-speaking child with ataxic cerebral palsy

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