



FREDERICK COUNTY PUBLIC SCHOOLS
Special Education Citizens
Advisory Committee
(SECAC)

Transmitted Electronically

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,

The Frederick County Special Education Citizens Advisory Committee (SECAC) respectfully submits this testimony in support of Senate Bill 51, with amendments.

The SECAC is a statutory advisory body composed of parents/guardians, educators, students, and community members charged with advising the Board of Education and Frederick County Public Schools (FCPS) on systemic matters affecting students with disabilities. Our recommendations are grounded in student safety, family trust, and compliance with state and federal special education law.

Support for the Intent of SB 51

The SECAC supports the intent of SB 51 to increase transparency, accountability, and protections for students with disabilities who may be unable to self-report abuse, neglect, or inappropriate restraint. We appreciate the bill's thoughtful provisions related to confidentiality, retention limits, reporting requirements, and prohibitions on employee performance monitoring.

The protections outlined in §7-455(B) through (H) represent an important step toward safeguarding some of Maryland's most vulnerable students.

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

However, the SECAC urges the Committee to consider amendments to SB 51 to prevent unintended consequences related to student placement and access to protections.

Under §7-455(A)(4), the bill defines a "special education classroom" as one in which "a majority of the regularly attending students are provided special education instruction," and §7-455(B)(1) limits video recording requirements to self-contained special education classrooms.

This definition and limitation exclude many students with disabilities who receive special education services in inclusive general education classrooms, resource rooms, therapy spaces, and other instructional settings, even though those students may be non-speaking, medically fragile, or otherwise unable to report harm.



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Federal law under the Individuals with Disabilities Education Act (IDEA) requires that students with disabilities be educated in the Least Restrictive Environment (LRE) appropriate to their needs. By tying monitoring protections solely to self-contained placements, SB 51 may unintentionally create an incentive for families to seek more restrictive settings in order to access safety protections. Such an outcome would conflict with both the letter and spirit of IDEA.

A majority of the SECAC's 25-member Committee previously voted in favor of permitting video recording in any setting where special education services, supports, or instruction occur, consistent with the definition of "special education" in §8-401, which explicitly includes instruction provided "in the classroom...and in other settings."

We respectfully recommend amending §7-455(B)(1) to expand eligibility beyond self-contained classrooms to align with how special education services are delivered and to avoid inequitable protections based on student placement.

Audio Recording in Toileting and Hygiene Contexts

The SECAC also notes that §7-455(B)(3) prohibits recording in bathroom areas or areas used for changing clothing, with no provision for audio monitoring. While we recognize the importance of student privacy and dignity, the absence of any audio monitoring in toileting or hygiene contexts leaves a significant safety gap.

Students with complex disabilities are particularly vulnerable during toileting and hygiene activities. Other states, including West Virginia, have addressed this risk by permitting audio recording in these areas with strict safeguards, limited access, and confidentiality protections.

The SECAC urges the Committee to consider amendments that would allow audio recording in toileting and hygiene contexts with appropriate controls, parental notice, and privacy protections, consistent with the bill's overall framework.

Conclusion

SECAC supports SB 51 with amendments that:

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



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With these changes, SB 51 can strengthen student protections without undermining inclusive education practices or federal LRE requirements.

Thank you for your consideration and for your commitment to Maryland students with disabilities. The SECAC stands ready to assist the Committee as this legislation moves forward.

Respectfully, on behalf of the SECAC,

Jamie Shopland, Chair
Terra Capps, Vice-Chair
Jennifer Wheat, Treasurer
Laura O'Neill, Secretary