



WRITTEN TESTIMONY

Bill: HB 530 - AN ACT concerning Task Force on Proactive Review of Audio and Video Recordings on Special Education Buses

Committee: Ways and Means

Hearing Date: February 18, 2026

Position: FAVORABLE WITH AMENDMENT

Sponsored by

Delegates Wu, Hill, J. Long, Miller, Moreno, Patterson, Simmons, and Stinnett

On behalf of: People on the Go Maryland

People on the Go Maryland is Maryland's statewide self-advocacy and systems advocacy organization. Our mission is to promote self-advocacy and systems advocacy throughout the state. We are run for and by people with intellectual and/or developmental disabilities.

I. Introduction and Position

People on the Go Maryland supports the intent of House Bill 530 to protect children who ride special education buses. Students with intellectual and/or developmental disabilities are among the most vulnerable members of our community, and they deserve to be safe during their transportation to and from school.

However, we urge this Committee to adopt amendments that ensure any artificial intelligence monitoring system includes strong privacy protections, meaningful human oversight, and clear limits on how this technology may be used. Without these safeguards, a tool designed to protect children could instead be used to harm them - particularly students with disabilities whose behaviors are often misunderstood by automated systems.

II. Proposed Amendment Language

We respectfully propose that the following provisions be incorporated into HB 530 to ensure that any AI monitoring system developed through this Task Force includes baseline protections for the children, families, and workers it will affect:

(1) Data Encapsulation and Third-Party Restrictions

"All audio, video, and data collected through AI monitoring systems on special education buses shall be encapsulated and may not be distributed, shared, sold, or transferred to any third party, including but not limited to foreign governments, media organizations, commercial entities, or any person or organization not directly employed by the local school system for purposes of student transportation safety. Data shall be stored on secure servers located within the United States."

(2) Privacy Protections

"The Task Force shall develop recommendations for comprehensive privacy protections for all individuals captured in recordings, including students, bus drivers, bus attendants, and bystanders. Such protections shall include clear notification requirements to parents and guardians, informed consent procedures integrated into the Individualized Education Program (IEP) process, and strict access controls limiting who may view recordings."

(3) Purpose Limitation - Protection, Not Punishment

"AI monitoring systems shall be used solely for the purpose of protecting children from physical abuse, sexual harassment, sexual assault, and bullying. Such systems shall not be used to monitor, flag, or discipline typical childhood behaviors, disability-related behaviors including but not limited to stammering, vocalizations, or emotional regulation, or other conduct that does not constitute a threat to safety."

(4) Worker Privacy During Breaks

"Bus drivers and attendants shall not be subject to AI monitoring or surveillance during designated break periods when students are not present on the vehicle. Labor unions representing transportation workers shall be consulted in the development of any monitoring protocols."

(5) Mandatory Human Review Before Adverse Action

"No disciplinary action, employment action, law enforcement referral, or other adverse consequence may be initiated against any student, bus driver, bus attendant, or other individual based solely on an AI-generated alert or determination. All AI alerts shall be subject to review by a trained human professional with knowledge of disability-related behaviors prior to any action being taken. The individual subject to review shall have the right to access the recording and contest any AI determination."

(6) Data Retention Limits

"Recordings that are not associated with a documented safety incident shall be automatically deleted within 72 hours of capture. Recordings retained for investigative purposes shall be subject to the same confidentiality protections as student education records under the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA)."

III. Supporting Rationale

These amendments are grounded in documented harms from surveillance technology and the unique vulnerabilities of students with disabilities. In *Robbins v. Lower Merion School District*, a Pennsylvania school district secretly activated webcams on school-issued laptops, capturing thousands of images of students in their homes without consent. The district paid a \$610,000 settlement. This case demonstrates

how surveillance technology, once implemented, can be used in invasive ways far beyond its stated purpose.

AI systems are particularly dangerous for students with disabilities because they are designed to flag "anomalous" behavior. A child with autism who rocks or flaps their hands to self-soothe may be flagged as "aggressive." A student who communicates in different ways using a communication device may have private conversations captured and reviewed by third parties. Research shows that students with disabilities already face disciplinary actions at nearly three times the rate of their non-disabled peers. AI surveillance risks worsening this disparity by generating false positives that trigger unwarranted investigations and interventions.

A 2024 peer-reviewed study found that AI language models exhibit strong negative bias against terms like "autism" and "ADHD" - shockingly rating the sentence "I have autism" more negatively than "I am a bank robber." Emotion recognition AI, which claims to read feelings from facial expressions, has been deemed scientifically unreliable by a comprehensive review of over 1,000 studies and is banned in schools in the European Union. These technologies cannot be trusted to fairly interpret the behaviors of students with disabilities.

The Federal Trade Commission has taken action against education technology vendors for catastrophic security failures that exposed the personal data of millions of students. In one case, data for over 10 million students was compromised because a vendor stored sensitive information in plain text and ignored security warnings. Strong data encapsulation requirements are essential to prevent similar breaches from affecting Maryland students. Additionally, in 2025, students in Kansas filed a federal civil rights lawsuit against their school district over AI surveillance tool Gaggle, alleging it violates their First and Fourth Amendment rights by chilling free speech and intercepting private communications.

IV. Conclusion

People on the Go Maryland urges this Committee to pass HB 530 with the amendments described above. We support the goal of protecting children on special education buses, and we believe that goal can only be achieved through a framework that includes robust privacy protections, strict data governance, and mandatory human oversight.

Our organization is run for and by people with intellectual and/or developmental disabilities. We speak from lived experience when we say that surveillance systems that do not account for disability will harm the very people they claim to protect. A child who stims is not a threat. A student who communicates differently deserves privacy. A bus attendant deserves dignity during their break.

We ask that you stand with the disability community and ensure that Maryland leads the nation in protecting the rights of students with disabilities while also keeping them safe. Technology should serve to empower and protect, not to surveil and punish. We thank the Committee for its consideration of our testimony and welcome any questions.

Respectfully submitted

Executive Director: Mat Rice

People On The Go Maryland

Phone 410.925.5706

Email: Mat@pogmd.org