



Building the Future
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Notice of Use of Recording Devices at IEP Team Meetings

The purpose of this notice is to provide information and guidance on the use of recording devices during IEP meetings for students with disabilities under the Individuals with Disabilities Education Act (IDEA). The IDEA and Code of Maryland Regulations (COMAR) are silent regarding the use of audio or video recording devices in the context of IEP team meetings. As a result, the U.S. Department of Education, Office of Special Education Programs (OSEP) has consistently held that each State has the option to require, prohibit, limit, or otherwise regulate the use of recording devices at IEP team meetings. The Maryland State Department of Education has issued guidance that allows for parents to record meetings unless the local school system prohibits such activity. Consequently, Carroll County Public Schools (CCPS) has adopted the following guidelines related to recording IEP Team Meetings:

1. A parent or guardian may audio record an IEP team meeting provided the school is given notice of the intent to record **at least two business days prior to the meeting. Notice must be in writing** (email is sufficient). The reason for this notice is to ensure proper setup of the meeting room. When a parent or guardian provides the proper notification of intent to record, the CCPS will also record the IEP meeting. A parent or guardian are responsible for supplying his/her own recording device.
2. The CCPS may record an IEP meeting even if a parent does not plan on recording. The CCPS will provide the parent or guardian at least two business day written notification prior to the meeting of its intent to record.
3. IEP team meetings will not be rescheduled because of failure to provide the required notice of the intent to record unless a postponement is agreed upon by both the parent and the CCPS.
4. The recording of any IEP Team meeting is maintained by the CCPS as an “educational record” protected under the Individuals with Disabilities Education Act (IDEA) and the Family Educational Rights and Privacy Act (FERPA). The CCPS must comply with a parent’s request to access the recording within a reasonable time, but in no case later than 45 days after receipt of the request.
5. The CCPS prohibits video recording of IEP Team meetings.

NOTE: Meetings held using a digital platform (i.e. Microsoft Teams) may be recorded. Participants are not required to have their cameras on during any IEP meeting held using a digital platform.