



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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MEMORANDUM

DATE: March 15, 2011

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Ms. Daniese McMullin-Powell, *DMP/SCP* Chairperson
State Council for Persons with Disabilities

RE: H.B. 26 [Recording of State Board of Education Meetings]

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 26 which would require that all public meetings of the State Board of Education (SBE) be digitally recorded and made available to the public on the Department of Education's (DOE's) website within one business day. The bill would be effective September 1, 2011. SCPD has the following observations.

First, the bill does not literally address recording when the board enters confidential executive session to address personnel or legal matters. In addition, it is unclear if the SBE would be required to digitally post recordings of committee meetings or simply full board meetings.

Second, given that the bill only requires meetings to be digitally recorded, SCPD recommends that transcripts of meetings also be posted to the DOE's website to accommodate persons who are deaf and hard of hearing. Such expansion of the bill may help with compliance of the Americans with Disabilities Act (ADA), and Sections 504 and 508 of the Rehabilitation Act

SCPD endorses the concept of the bill subject to consideration of clarifying the application of the bill to committee meetings and executive sessions, and an amendment which addresses Council's second observation.

Thank you for your consideration and please contact SCPD if you have any questions regarding our position or observations on the proposed legislation.

cc: The Honorable Jack A. Markell
Mr. Brian Hartman, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council