

DISTRICT DENIAL — AND WHY IT PROVES OUR POINT

Bakersfield City School District response to Ashley Hopwood · Cameras for SPED Safety · spedsafetyca.org

The district's own letter confirms: Sacramento must act. State law is the barrier — and state law can be changed.

What the Bakersfield City School District's letter actually proves:

In response to a formal request by parent advocate **Ashley Hopwood** — founder of the Bakersfield SPED camera campaign and co-leader of this statewide effort — the Bakersfield City School District confirmed on official letterhead that California state law — specifically Ed. Code §51512 and collective bargaining requirements — prevents districts from installing SPED classroom cameras unilaterally. This is not a victory for the opposition. It is the clearest possible argument for state legislation. Senator Shannon Grove's bill would create the protected legal pathway BCSD says does not yet exist.

POINT-BY-POINT REBUTTAL

✗ THEIR CLAIM: Ed. Code §51512 prohibits classroom cameras

✓ **WRONG READING:** §51512 prohibits recording **WITHOUT** prior consent of both the teacher and principal — it is a consent statute, not an absolute ban. Texas (SB 507) and Louisiana (Act 479) passed state laws that override this consent barrier: Texas requires cameras on parent/trustee/staff request; Louisiana mandates cameras in every self-contained SPED classroom with no request needed. Our proposal is actually more protective than either state — we propose video-only cameras, while both Texas and Louisiana require audio.

✗ THEIR CLAIM: California Labor Code §435 prohibits classroom surveillance

✓ **DOES NOT APPLY:** The actual text of §435 covers only restrooms, locker rooms, and rooms designated for changing clothes. Classrooms are not listed. This statute is legally irrelevant to the request.

✗ THEIR CLAIM: California is a two-party consent state for audio recordings

✓ **STRAW MAN:** This campaign has never requested audio recording. Our published safeguards explicitly state visible, video-only cameras with no audio. California two-party audio consent law does not apply to a video-only proposal.

✗ THEIR CLAIM: EERA/Rodda Act requires collective bargaining — district cannot act unilaterally

✓ **WE AGREE — AND HAVE SAID SO FROM THE START:** Every campaign material calls for a jointly negotiated CBA exception, not unilateral installation. The district is citing a collective bargaining requirement against a proposal that explicitly calls for collective bargaining.

✗ THEIR CLAIM: CBAs with BETA and CSEA reinforce the prohibition

✓ **CONFIRMS THE LEGISLATIVE NEED:** If existing CBA language blocks district-level action, that is exactly why California needs a state law creating a clear legal pathway — authority for districts and unions to negotiate a narrow SPED camera exception. The district's argument for inaction is the campaign's argument for legislation.

THE BOTTOM LINE

The Bakersfield City School District confirmed on official letterhead that state law is the barrier preventing SPED classroom cameras in California. That is not an argument against this campaign — it is the campaign's most powerful evidence. We are not asking districts to break the law. We are asking Sacramento to change it.