



Board Agenda Item #	II D- Consent Item
Date:	March 21, 2019
To:	Magnolia Board of Directors
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Steven Keskindurk, Principal, MSA-2 Patrick Ontiveros, General Counsel & Director of Facilities David Yilmaz, Chief Accountability Officer
RE:	Approval of revisions to the “Use of Security Cameras at MPS” policy

Proposed Board Recommendation

I move that the board approve revisions to the “Use of Security Cameras at MPS” policy.

Background

Past Board Actions

On October 11, 2018 the board approved MSA-2’s use of reserves to contract for the purchase and installation of classroom cameras with two conditions: 1) that our camera use policy would comply with the authorizer’s (LACOE) guidelines/suggestions and 2) the building owner (LAUSD) would give permission for the installation of cameras.

Update Since Last Board Approval

MSA-2 received approval from LAUSD for installation of security cameras. MSA-2 also sought feedback from LACOE regarding the use of security cameras. Their feedback was as follows:

- Add language about the CEO having to authorize personnel and any others to view the footage before they can see, this applies to personnel not already authorized by the policy
- Have two staff members viewing the footage at any particular time and not one individual employee
- Add that there is no live footage or audio
- Add language from the employee handbook to the policy that specifies consequences if tampering with material
 - such as at-will contract information
 - employee termination
- Add all relevant information from the student/parent handbook

MPS Home Office team and MSA-2 school leadership worked with our legal counsel YMC and revised the policy in response to LACOE's comments as well as to meet general compliance with the proper use of security cameras. Our legal counsel has also provided us with sample notification to our stakeholders, including students/parents and employees, that will also be included in our student/parent and employee handbooks. The revised handbooks will reference to the policy.

Please find attached three copies of the security cameras policy:

- The old version as approved by the board,
- The redline version of the revised policy with comments, and
- Clean version of the revised policy

Also find attached the board cover page from October 11, 2018.

Budget Implications

Please refer to the approved agenda item from October 11, 2018, as approved by the board.

How Does This Action Relate/Affect/Benefit All MSAs?

This action allows MPS to use security cameras to protect the health, safety, and welfare of students and staff.

Name of Staff Originator:

Steven Keskindurk, Principal, MSA-2

Patrick Ontiveros, General Counsel & Director of Facilities

David Yilmaz, Chief Accountability Officer

Exhibits (Attachments):

- The old version of the policy as approved by the board (Security Camera Policy - clean copy)
- The redline version of the revised policy with comments (Security Camera Policy - redline with comments)
- Clean version of the revised policy (Security Camera Policy - clean copy)
- Cover page for the action item on October 11, 2018 (III_B_MSA_2_Cameras)

USE OF SURVEILLANCE CAMERAS AT MSA2

The board recognizes the value of video cameras at MSA2 in protecting the health, safety, and welfare of its students and staff and in protecting the community's investment in MSA2's owned or leased property and facilities. Upon carefully weighing the privacy rights of students and staff against MSA2's duty to provide a safe, secure, and orderly learning and work environment, the board has determined to authorize the use of video cameras at MSA2 in school buildings and upon school grounds pursuant to the following regulations:

Video Monitoring System:

1. Video cameras may be installed in any public area within a school building and/or upon school grounds, including but not limited to classrooms, hallways, cafeterias, libraries, computer labs, parking lots, auditoriums, break rooms, weight rooms, and gymnasiums.
2. Video cameras may not be installed in any area in which individuals possess a reasonable expectation of privacy, such as restrooms, locker rooms or private offices.
3. The precise location of video cameras shall be determined by the MSA2 principal with the assistance and approval of the Chief Executive Officer. Input from staff members may be sought to determine the most beneficial locations for video cameras.
4. Under no circumstances shall MSA2's video cameras be equipped to record audio data.
5. The contents of video recordings captured by video cameras may be used as evidence in a student disciplinary matter, to investigate and follow up with any potential staff misconduct, and/or to provide evidence of any unlawful activity on school grounds.
6. Absent a reported incident, recordings will be erased after 30 days.
7. Video recordings shall be kept in a secure location to which only the Principal shall have sole access.

Treatment of Recordings

Recordings of incidents captured by video cameras located on school property shall constitute a part of a student's education record or a staff member's personnel record, as the case may be, subject to relevant board policies and administrative regulations, including applicable record retention policies. Upon the report of an incident or possible incident, only those persons with a legitimate educational purpose shall be permitted to view the recordings. In most instances, those persons will be the Chief Executive Officer, MSA2 principal, authorized MSA2 site administration members, and MPS area education agency staff members.

The principal shall keep a written log of all persons viewing the recordings stating the time, name of individual viewing the recording, date the recording was viewed, and the reason the recording was viewed. If the content of the recording becomes the subject of a student disciplinary proceeding or personnel proceeding, it may be treated like other evidence in that proceeding.

Parents may request to view recordings of their children only in the event the recordings are used in disciplinary proceedings involving their children, and such requests must be made in writing by the parent and submitted to the principal who will share this request with the Chief Executive Officer. Staff members may similarly request to view any recording used in the investigation and follow up of any potential misconduct by the staff member, and such requests must also be made in writing by the staff member and submitted to the appropriate site principal who will share this

request with the Chief Executive Officer. Any such request shall be processed by the Magnolia Public Schools Central Office in accordance with applicable state and federal laws and regulations. If the request by the parent or staff member to view such footage is granted, such viewing must occur in the presence of the Chief Executive Officer or his/her designee. Under no circumstances will the Magnolia Public Schools' video recording be duplicated and/or removed from MSA2's premises unless in accordance with a court order and/or subpoena.

Notification

The Magnolia Public Schools Central Office shall annually provide the following notice to students and parents of MSA2:

The Magnolia Public Schools Board of Directors has authorized the use of video cameras in MSA2's buildings and on school property, including in classrooms. The video cameras will be used to monitor student behavior in order to maintain a safe, secure, and healthy environment for students and staff. Students and parents are hereby notified that the content of video recordings may be used in a student disciplinary proceeding. The content of the video recordings may be a confidential student record and, if so, will be retained with other student records. Video recordings will only be retained if necessary for use in a student disciplinary proceeding or other matters as determined necessary by the administration. Parents may request to view recordings of their children only in the event the recordings are used in disciplinary proceedings involving their children. Any such request shall be processed by the Magnolia Public Schools Central Office in accordance with applicable law.

The Magnolia Public Schools Central Office will annually provide the following notice to employees:

The Magnolia Public Schools Board of Directors has authorized the use of video cameras in MSA2's buildings and on school property. The video cameras will be used to monitor student and employee behavior to maintain a safe, secure, and healthy environment for students and staff. Employees are hereby notified that the content of the video recordings may be used in an employee disciplinary proceeding. The content of the video recordings may be confidential records and, if so, will be retained in the employee's personnel file. Video recordings will only be retained if necessary for use in an employee disciplinary proceeding or other matter as determined necessary by the administration. Employees may request to view video recordings if the video recordings are placed in the employee's personnel file. Any such request shall be processed by the Magnolia Public Schools Central Office in accordance with applicable law.

The Magnolia Public Schools Central Office shall also include a general notice regarding the use of video cameras in its personnel manual for MSA2 employees. MSA2 shall post written notices in conspicuous locations in areas where video cameras are in operation.

Tampering

Students and employees are prohibited from tampering with the MSA2's video cameras. Students and employees found in violation of this policy will be disciplined in accordance with MPS policies and may be required to reimburse MSA2 for any repairs or replacement necessary as a result of the tampering. In the administration's discretion, matters involving tampering with a MSA2 video camera may be turned over to law enforcement.

Additional Required Approvals

This MPS board approval for MSA2 does not give consent for MSA2 to install the video surveillance cameras until MSA2 receives prior consent from their authorizer, LACOE, as well as from the owners of their property, LAUSD.

USE OF SECURITY SURVEILLANCE CAMERAS AT MAGNOLIA PUBLIC SCHOOLS SCIENCE ACADEMY – 2 (MSA-2)

The Board of Directors (“Board”) of Magnolia Public Schools (“MPS” or the “School”) recognizes the value of video cameras at MSA-2 in protecting the health, safety, and welfare of its students and staff, and in protecting the community’s investment in School MSA-2’s owned or leased property and facilities. Upon carefully weighing the privacy rights of students and staff against MPSA-2’s duty to provide a safe, secure, and orderly learning and work environment, the Board has resolved ~~determined~~ to authorize the limited use of security video cameras at Magnolia Science Academy-2, including in MSA-2 school buildings, and upon school grounds, pursuant to the following restrictions: regulations:

Security Video Monitoring System:

1. “Security Monitoring System” refers to the School’s network of security cameras, equipment, and recorded footage.
2. Video Security cameras may be installed in any public area within a School building and/or upon School grounds where people have no reasonable expectation of privacy including, but not limited to, in classrooms, hallways, cafeterias, libraries, computer labs, parking lots, auditoriums, break rooms, weight rooms, and gymnasiums.
3. Security Video cameras may not be installed in any area in which individuals possess a reasonable expectation of privacy, such as in restrooms, locker rooms, or private offices.
4. The precise location of security video cameras shall be determined by MPS or by the School-site principal with the the MSA-2 principal with the assistance and approval of the Chief Executive Officer (“CEO”). Input from staff members may be sought to determine the most beneficial locations for security video cameras. A diagram showing the wiring of the local server for the security monitoring surveillance system at the school site shall MSA2 will be shared with the MPS Board prior to the installation of theis security monitoring system.
5. Under no circumstances shall MPSA-2’s security video cameras record, or be equipped to record, audio data. Further, MPSA-2’s security video cameras are not intended, and shall not be used, for viewing of live footage. Instead, security camera footage shall be recorded to a digital file. Authorized personnel may view security camera footage by accessing the pre-recorded footage saved to a digital file. equipped to provide live footage or audio.
6. Security camera footage ~~The contents of video recordings captured by video cameras~~ may be used as evidence in a staff or student disciplinary matter, to investigate and follow up with any potential staff misconduct, and/or to provide evidence of any unlawful activity in and around Sen school grounds.
7. Absent a reported incident, security camera footage recordings will be erased after thirty (30) days.
8. Under no circumstances will any employee without valid authorization access the security monitoring system or make unauthorized copies or duplicates of security camera footage.
9. Any violation of this policy may result in student discipline in accordance with the Parent Student Handbook, or employee discipline, up to and including termination, in accordance with the Employee Handbook. employee in violation of this policy, shall be subject to the disciplinary actions outlined in the most recent version of the the Employee Handbook. See Section entitled “Employment Evaluation and Separation”

Commented [SC1]: Security, surveillance and video are used interchangeably. For consistency (and to show the safety-driven purpose), I am using *security* only.

Commented [SC2]: David mentioned that the cameras would initially be used at MSA-2, but Magnolia would like the flexibility to expand to other schools, as needed. To that end, this Policy assumes that all school sites are covered, and the program will be piloted at MSA-2.

Commented [SC3]: This revision is based on LACOE’s feedback that live footage may not be used.

Commented [SC4]: Please be aware that MPS may be creating a right of students and employees to view and use security camera footage to prove or disprove findings or decisions by the School. Alternately, it may also be evidence in claims or actions against the School. For example, if a family brings a claim for failure to supervise students, it may be used to show the School breached the standard of care.

Commented [SC5]: This revision is based on feedback made during our conference call.

10. MPS shall notify stakeholders of the use of security cameras on campus in accordance with the law and the requirements outlined in this policy. The most recent version of the Parent Student Handbook and Employee Handbook shall be amended as applicable to reflect that cameras are installed in classrooms and will recite that the video footage may be used as set forth above.

Commented [SC6]: This language is included below, so I've further incorporated it there.

Treatment of Recordings

Authorized Personnel

Only authorized MPS employees may access or operate the security camera system. The footage will only be reviewed by authorized employees if a safety or security incident or suspected incident or situation arises and a review of the footage is appropriate. Absent a qualifying safety or security related incident or suspected incident, the security camera footage shall not be reviewed, unless express permission to review the footage is given by the CEO or the Board President. In cases of a malfunction to the security monitoring system, the footage may be accessed to determine functionality.

Security camera footage ~~Video recordings~~ may only be viewed in the presence of ~~by two~~ (2) authorized persons, which shall include the Principal of the School-site and a second person authorized by the CEO. ~~Chief Executive Officer when the Principal~~. Alternately, the two (2) authorized persons may be configured as the Board President and a second person authorized by the Board President. ~~and another designee who is approved by the Chief Executive Officer~~. ~~are~~ Both authorized persons must be physically present with two (2) different unique access keys to access the footage.

Commented [SC7]: This is in case of allegations against a principal or the CEO.

Any other parties wishing to view the security camera footage ~~video recordings~~ shall first obtain the written consent of the CEO ~~Chief Executive Officer~~, and must meet the requirements of this policy, unless otherwise required by the law, or a court of competent jurisdiction.

Data Storage

Security camera footage ~~Video recordings~~ shall be ~~stored kept~~ in a secure location ~~and which shall only be able to be accessed by authorized personnel, and unlocked for viewing.~~ Security camera footage shall ~~Video recordings will~~ be password protected ~~and encrypted up to the highest current standards in the IT industry~~ under the direction and support of the MPS IT Director. Additionally, such footage will be stored on a local wired server which will not be connected to an outside server.

Commented [SC8]: There are extremely effective and expensive security measures in existence. We may not want to impose such a high requirement on MPS.

Footage ~~Recordings~~ of incidents captured by ~~security video~~ cameras located on school property ~~may shall~~ constitute a part of a student's educational record ~~or a staff member's personnel record, as the case may be~~, subject to relevant ~~Board~~ policies and administrative regulations, including applicable record retention policies. Upon the report of an incident or possible incident, only those persons with a legitimate educational purpose shall be permitted to view the recordings, and these requests must be made in writing ~~and approved by~~ ~~to the CEO~~ ~~Chief Executive Officer, as well as approved by the Chief Executive Officer~~, prior to the ~~footage recordings~~ being viewed by such parties. In most instances, the persons with a legitimate ~~education~~ purpose will be the CEO, ~~Chief Executive Officer~~, MSA-2 School-site principal, authorized administrative staff, MSA-2 site administration members, and authorized MPS area education agency staff members. ~~Video recordings may only be viewed by two persons authorized by the Chief Executive Officer.~~ ~~Any other parties wishing to view video recordings shall first obtain the written consent of the Chief Executive Officer.~~

Commented [SC9]: While this is a requirement for student records, it is not a requirement with respect to employees. We do not want to create an additional entitlement for employees here.

Record Keeping

The Principal shall keep a written log of all persons who reviewing the security camera footage at their School-site recordings, including the ~~stating the date and time stamps of the footage under review, the name of the individuals viewing the footage recording, the date and time the footage recording was viewed, and the purpose for which the footage was viewed, reason the recording was viewed.~~ If the content of the recording becomes the subject of a student or employee disciplinary proceeding or personnel proceeding, the footage introduced by MPS will become an employee or student record, and as such, it may be treated like other employee or student records evidence in that proceeding, with the same right of access and review.

Security camera footage will be stored for thirty (30) days, unless the Principal, CEO, Board President, or other state or federal agency requests that specific footage be preserved for a longer period, in which case the applicable footage will be saved and protected with the same degree of security that other security camera footage is protected. No unauthorized copies of footage or duplicates may be made.

Parents/Guardians may request to view recordings of their children only in the event the recordings are used in disciplinary proceedings involving their children, and such requests must be made in writing by the Parent/Guardian pursuant to the School's Family Educational Rights and Privacy Act ("FERPA") Policy. Any such request shall be processed pursuant to the School's FERPA Policy and in accordance with any other applicable law. If a Parent/Guardian's request is granted, the faces of other students shown in the recording, who are not children of the requesting parent, will be removed and/or blurred out in order to protect their identities.

~~Parents may request to view recordings of their children only in the event the recordings are used in disciplinary proceedings involving their children, and such requests must be made in writing by the parent and submitted to the principal who will share this request with the Chief Executive Officer. Following the Chief Executive Officer's approval to grant requesting parents access to view recordings of their children, the faces of other students shown in the recording who are not children of the requesting parent must be sanitized in order to protect their identities prior to the requesting parents being able to view such recordings. This practice will follow all Family Educational Rights and Privacy Act (FERPA) requirements.~~

In the event footage is used in an employee disciplinary matter, the employee may be given access to the relevant footage at or before the time of discipline. This does not create a right of employees to access or review any other security camera footage. Staff members may similarly request to view any recording used in the investigation and follow up of any potential misconduct by the staff member, and such requests must also be made in writing by the staff member and submitted to the appropriate site principal who will share this request with the Chief Executive Officer. Any such request shall be processed by the MPS Home Office in accordance with applicable state and federal laws and regulations. If the request by the parent or staff member to view such footage is granted, such viewing must occur in the presence of the Chief Executive Officer or his/her designee.

Under no circumstances will the MPSA-2's security camera footage video recording be duplicated and removed from MPS property MSA-2's premises unless except in accordance with this policy, a court order, and/or a valid subpoena.

Notification

MPS shall post security camera signage at all campus and facility entrances disclosing the use of security camera equipment on the premises. Further, MPA shall amend the Employee Handbook and the Parent Student Handbook to provide notice of the use of security cameras on campus, as applicable to each school-site. Additionally, MPS Home Officer A-2 shall annually

Commented [SC10]: Can you please elaborate on the meaning here? Alternately, if MPS elects not to permit footage to be used in disciplinary matters, please remove this sentence.

Commented [SC11R10]: Please see revised language based on MPS feedback.

Commented [SC12]: This is based on the language in your parent and employee letters below that state the footage will be deleted after 30 days.

Commented [SC13]: MPS's original language is problematic and contradictory. It grants employees a right to review the security camera footage, which poses a privacy concern, and policy violation, in cases where employees believe they need to review large amounts of footage to disprove their discipline. Their viewing of the footage may also make them unauthorized viewers per the language in the Authorized Personnel section. This language is also contradictory. This policy states that the footage can be used in discipline and will be placed in the employee's personnel file, but the employee needs CEO permission to review it. If it is a personnel record, CEO permission is not needed. That also raises the question of whether all footage showing the employee is a personnel record.

Commented [SC14]: This requirement is taken from the section above.

provide the following annual written notice to students and parents at the affected school--sites-of MSA-2:

Dear Students and Parents:

This letter from Magnolia Public Schools ("MPS") is to inform you of the decision by ~~the~~ MPS Board of Directors to ~~has~~ authorized the use of security video cameras in public areas of your campus, including in and around School buildings and on School property, in MSA-2's buildings and on school property, including inside School classrooms. The purpose of this program is to promote and video cameras will be used to monitor student behavior in order to maintain a safe, secure, and healthy environment for all students and staff. Private areas of campus, such as restrooms and locker rooms, will not be subject to security camera recording. Additionally, MPS will post signage indicating the areas of campus where security cameras are in use.

This notice hereby notifies students and parents that the video recordings will only be retained if necessary for use in a student disciplinary proceeding or other matters, to the extent permitted by law and as determined necessary by the MPS administration. Further, this notice hereby notifies Students and parents that the content of video recordings may be used in a student's disciplinary proceeding and may be referred to local law enforcement, as appropriate. The content of the video recordings may be a confidential student record and, if so, will be retained with other student records and will be subject to the Family Educational Rights and Privacy Act ("FERPA") requirements.

Parents/Guardians may request to view recordings of their children only in the event the recordings are used in disciplinary proceedings involving their children, and such requests must be made in writing by the Parent/Guardian pursuant to the School's FERPA Policy. Any such request shall be processed pursuant to the School's FERPA Policy and in accordance with any other applicable law. If a Parent/Guardian's request is granted, the faces of other students shown in the recording, who are not children of the requesting parent, will be removed and/or blurred out in order to protect their identities.

Security cameras will not be used to record audio, and footage will be kept private and destroyed after thirty (30) days, unless the preservation of the footage is otherwise needed as discussed above.

Students and parents are hereby notified that the content of video recordings may be used in a student disciplinary proceeding. The content of the video recordings may be a confidential student record and, if so, will be retained with other student records. Video recordings will only be retained if necessary for use in a student disciplinary proceeding or other matters as determined necessary by the administration. Parents may request to view recordings of their children only in the event the recordings are used in disciplinary proceedings involving their children. Any such request shall be processed by the MSA-2 school administration in accordance with applicable law.

Further, ~~the~~ MPS Home Office will annually provide the following annual written notice to employees at affected school--sites:

Dear Employees:

This letter from Magnolia Public Schools ("MPS") is to inform you of the decision by the Board of Directors ("Board") to ~~has authorized~~ the use of security video cameras in public areas of your campus, including in and around School MSA2's buildings and on ~~school~~ property. The purpose of this program is to video cameras will be used to monitor student and employee behavior to promote and maintain a safe, secure, and healthy environment for students and staff.

Private areas of campus, such as private employee offices, restrooms, and locker rooms will not be subject to security camera recording. Additionally, MPS will post signage indicating the areas of campus where security cameras are in use.

Security cameras will not be used to record audio or live footage, and footage will be kept private and destroyed after thirty (30) days, unless the preservation of the footage is otherwise needed. While MPS will not use the security camera footage to evaluate employee performance, it may be used by MPS or law enforcement in cases of suspected illegal or inappropriate conduct. In such cases, MPS cannot guarantee that security camera footage will be kept private. Employees are hereby notified that the content of the video recordings may be used in an employee disciplinary proceeding. The content of the video recordings may be confidential records and, if so, will be retained in the employee's personnel file. Video recordings will only be retained if necessary for use in an employee disciplinary proceeding or other matter as determined necessary by the administration. Employees may request to view video recordings if the video recordings are placed in the employee's personnel file. Any such request shall be processed by the Magnolia Public Schools Central Office in accordance with applicable law.

The ~~MPS Magnolia Public Schools Home Central~~ Office shall also include a general notice regarding the use of security video cameras in its personnel manual for ~~MPSA2~~ employees. ~~MSA2 shall post written notices in conspicuous locations in areas where video cameras are in operation.~~

Tampering

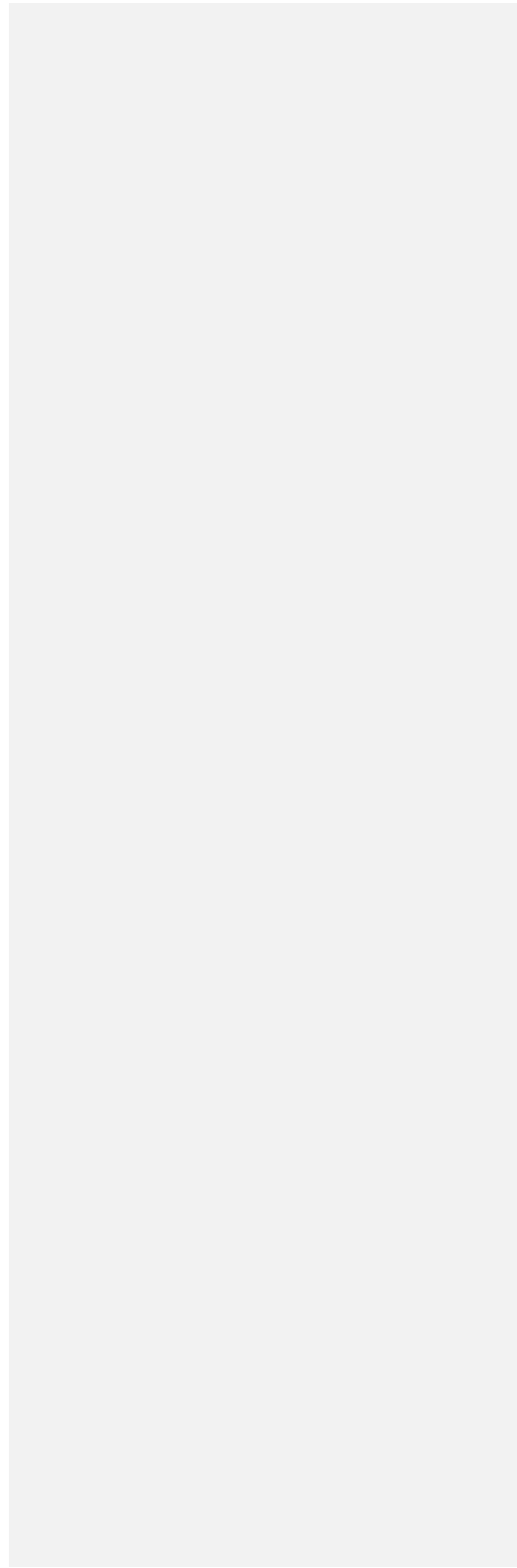
~~Students and employees are prohibited from tampering with the MPSA-2's security video cameras, systems, and/or recordings/footage. "Tampering" includes any unauthorized use, access, or physical damage to the system caused by the student or employee, or any attempt to interfere, block or prevent the security camera from recording footage. Students and employees found in violation of this policy will be disciplined in accordance with MPS policies. Any employee found to have tampered with MPS security monitoring system may be disciplined, up to and including termination, and they may also be liable for any damage to the system. and such employees may be required to reimburse MSA-2 for any repairs or replacement necessary as a result of the tampering. In the administration's discretion, matters involving tampering with a MSA-2 video camera may be turned over to law enforcement. Further, tampering with such video cameras and/or recordings by employees will result in an investigation in partnership with the MPS Home Office which may result in consequences up to and including dismissal from employment with MPS by the employee who tampers with such video cameras and/or recordings.~~

Additional Required Approvals

~~This MPS will not install security monitoring systems on any campus until its authorizer, Los Angeles County Office of Education, and Los Angeles Unified School District, in its capacity of as owners of some MPS facilities and campuses, have given prior approval of this policy. board approval for MSA-2 does not give consent for MSA-2 to install the video surveillance cameras~~

Commented [SC15]: This further revision is based on feedback made during our conference call.

until MSA-2 receives prior consent from their authorizer, LACOE, as well as from the owners of their property, LAUSD.



USE OF SECURITY CAMERAS AT MAGNOLIA PUBLIC SCHOOLS

The Board of Directors ("Board") of Magnolia Public Schools ("MPS" or the "School") recognizes the value in protecting the health, safety, and welfare of students and staff, and in protecting the community's investment in School owned or leased property and facilities. Upon carefully weighing the privacy rights of students and staff against MPS's duty to provide a safe, secure, and orderly learning and work environment, the Board has resolved to authorize the limited use of security cameras at MPS schools, in school buildings, and upon school grounds pursuant to the following restrictions, and beginning at Magnolia Science Academy-2 ("MSA-2"):

Security Monitoring System

1. "Security Monitoring System" refers to the School's network of security cameras, equipment, and recorded footage.
2. Security cameras may be installed in any public area within a School building and/or upon School grounds where people have no reasonable expectation of privacy including, but not limited to, in classrooms, hallways, cafeterias, libraries, computer labs, parking lots, auditoriums, break rooms, weight rooms, and gymnasiums.
3. Security cameras may not be installed in any area in which individuals possess a reasonable expectation of privacy, such as in restrooms, locker rooms, or private offices.
4. The precise location of security cameras shall be determined by MPS or by the School-site principal with the approval of the Chief Executive Officer ("CEO"). Input from staff members may be sought to determine the most beneficial locations for security cameras. A diagram showing the wiring of the local server for the security monitoring system at the school site shall be shared with the Board prior to the installation of the security monitoring system.
5. Under no circumstances shall MPS's security cameras record, or be equipped to record, audio data. Further, MPS's security cameras are not intended, and shall not be used, for viewing of live footage. Instead, security camera footage shall be recorded to a digital file. Authorized personnel may view security camera footage by accessing the pre-recorded footage saved to a digital file.
6. Security camera footage may be used as evidence in a staff or student disciplinary matter and/or to provide evidence of any unlawful activity in and around School grounds.
7. Absent a reported incident, security camera footage will be erased after thirty (30) days.
8. Under no circumstances will employees make unauthorized copies or duplicates of security camera footage.
9. Any violation of this policy may result in student discipline in accordance with the Parent Student Handbook, or employee discipline, up to and including termination, in accordance with the Employee Handbook.
10. MPS shall notify stakeholders of the use of security cameras on campus in accordance with the law and the requirements outlined in this policy.

Treatment of Recordings

Authorized Personnel

Only authorized MPS employees may access or operate the security camera system. The footage will only be reviewed by authorized employees if a safety or security incident or suspected incident or situation arises and a review of the footage is appropriate. Absent a qualifying safety or security related incident or suspected incident, the security camera footage shall not be

reviewed, unless express permission to review the footage is given by the CEO or the Board President. In cases of a malfunction to the security monitoring system, the footage may be accessed to determine functionality.

Security camera footage may only be viewed in the presence of two (2) authorized persons, which shall include the Principal of the School-site and a second person authorized by the CEO. Alternately, the two (2) authorized persons may be configured as the Board President and a second person authorized by the Board President. Both authorized persons must be physically present with two (2) different unique access keys to access the footage.

Any other parties wishing to view the security camera footage shall first obtain the written consent of the CEO, and must meet the requirements of this policy, unless otherwise required by the law, or a court of competent jurisdiction.

Data Storage

Security camera footage shall be stored in a secure location and shall only be accessed by authorized personnel. Security camera footage shall be password protected/encrypted under the direction and support of the MPS IT Director. Additionally, such footage will be stored on a local wired server which will not be connected to an outside server.

Footage of incidents captured by security cameras located on school property may constitute a part of a student's educational record, subject to relevant Board policies and administrative regulations, including applicable record retention policies. Upon the report of an incident or possible incident, only those persons with a legitimate educational purpose shall be permitted to view the recordings, and these requests must be made in writing and approved by the CEO prior to the footage being viewed by such parties. In most instances, the persons with a legitimate purpose will be the CEO, School-site principal, authorized administrative staff, and authorized MPS area education agency staff members.

Record Keeping

The Principal shall keep a written log of all persons who review the security camera footage at their School-site, including the date and time stamps of the footage under review, the name of the individuals viewing the footage, the date and time the footage was viewed, and the purpose for which the footage was viewed. If the content of the recording becomes the subject of a student or employee disciplinary proceeding, it may be treated like other evidence in that proceeding.

Security camera footage will be stored for thirty (30) days, unless the Principal, CEO, Board President, or other state or federal agency requests that specific footage be preserved for a longer period, in which case the applicable footage will be saved and protected with the same degree of security that other security camera footage is protected. No unauthorized copies of footage or duplicates may be made.

Parents/Guardians may request to view recordings of their children only in the event the recordings are used in disciplinary proceedings involving their children, and such requests must be made in writing by the Parent/Guardian pursuant to the School's Family Educational Rights and Privacy Act ("FERPA") Policy. Any such request shall be processed pursuant to the School's FERPA Policy and in accordance with any other applicable law. If a Parent/Guardian's request is granted, the faces of other students shown in the recording, who are not children of the requesting parent, will be removed and/or blurred out in order to protect their identities.

In the event footage is used in an employee disciplinary matter, the employee may be given access to the relevant footage at or before the time of discipline. This does not create a right of employees to access or review any other security camera footage.

Under no circumstances will the MPS's security camera footage be duplicated and removed from MPS property except in accordance with this policy, a court order, and/or a valid subpoena.

Notification

MPS shall post security camera signage at all campus and facility entrances disclosing the use of security camera equipment on the premises. Further, MPA shall amend the Employee Handbook and the Parent Student Handbook to provide notice of the use of security cameras on campus, as applicable to each school-site. Additionally, MPS Home Officer shall provide the following annual written notice to students and parents at the affected school-sites:

Dear Students and Parents:

This letter from Magnolia Public Schools ("MPS") is to inform you of the decision by the MPS Board of Directors to authorize the use of security cameras in public areas of your campus, including in and around School buildings and on School property, including inside School classrooms. The purpose of this program is to promote and maintain a safe, secure, and healthy environment for all students and staff. Private areas of campus, such as restrooms and locker rooms, will not be subject to security camera recording. Additionally, MPS will post signage indicating the areas of campus where security cameras are in use.

This notice hereby notifies students and parents that the video recordings will only be retained if necessary for use in a student disciplinary proceeding or other matters, to the extent permitted by law and as determined necessary by the MPS administration. Further, this notice hereby notifies Students and parents that the content of video recordings may be used in a student's disciplinary proceeding and may be referred to local law enforcement, as appropriate. The content of the video recordings may be a confidential student record and, if so, will be retained with other student records and will be subject to the Family Educational Rights and Privacy Act ("FERPA") requirements.

Parents/Guardians may request to view recordings of their children only in the event the recordings are used in disciplinary proceedings involving their children, and such requests must be made in writing by the Parent/Guardian pursuant to the School's FERPA Policy. Any such request shall be processed pursuant to the School's FERPA Policy and in accordance with any other applicable law. If a Parent/Guardian's request is granted, the faces of other students shown in the recording, who are not children of the requesting parent, will be removed and/or blurred out in order to protect their identities.

Security cameras will not be used to record audio, and footage will be kept private and destroyed after thirty (30) days, unless the preservation of the footage is otherwise needed as discussed above.

Further, the MPS Home Office will provide the following annual written notice to employees at affected school-sites:

Dear Employees:

This letter from Magnolia Public Schools ("MPS") is to inform you of the decision by the Board of Directors ("Board") to authorize the use of security cameras in public areas of your campus, including in and around School buildings and on School property. The purpose of this program is to promote and maintain a safe, secure, and healthy environment for students and staff.

Private areas of campus, such as private employee offices, restrooms, and locker rooms will not be subject to security camera recording. Additionally, MPS will post signage indicating the areas of campus where security cameras are in use.

Security cameras will not be used to record audio or live footage, and footage will be kept private and destroyed after thirty (30) days, unless the preservation of the footage is otherwise needed. While MPS will not use the security camera footage to evaluate employee performance, it may be used by MPS or law enforcement in cases of suspected illegal or inappropriate conduct. In such cases, MPS cannot guarantee that security camera footage will be kept private.

The MPS Home Office shall also include a general notice regarding the use of security cameras in its personnel manual for MPS employees.

Tampering

Students and employees are prohibited from tampering with the MPS's security cameras, systems, and/or footage. "Tampering" includes any unauthorized use, access, or physical damage to the system caused by the student or employee. Students found in violation of this policy will be disciplined in accordance with MPS policies. Any employee found to have tampered with MPS security monitoring system may be disciplined, up to and including termination, and they may also be liable for any damage to the system.

Additional Required Approvals

MPS will not install security monitoring systems on any campus until its authorizer, Los Angeles County Office of Education, and Los Angeles Unified School District, in its capacity of as owners of some MPS facilities and campuses, have given prior approval of this policy.



Board Agenda Item #:	III B- Action Item
Date:	October 11, 2018
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“MPS”) Board of Directors (the “MPS Board”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities Steven Keskinturk, MSA-2 Principal
RE:	Approval for Use by Magnolia Science Academy 2 of Reserves to Contract for the Purchase and Installation of Classroom Cameras

I. Proposed Board Recommendation(s)

Staff recommends that the MPS Board approve the use by MSA-2 of its reserves to purchase and install the classroom cameras which was previously approved by the Board at the September 2018 MPS Board meeting.

II. Background

A. Project Background

MSA-2 at the September 2018 MPS Board meeting requested approval to install cameras in its classrooms (the “**Project**”). The MPS Board approved such request

MPS Board policy requires that the use of reserves by a school requires MPS Board approval.

MPS issued a request for proposals to several vendors for the Project. Three (3) proposals were received. One of the proposals was way over budget. Two (2) of the proposals were comparable in price and are from reputable vendors with whom MPS has worked previously. Both proposals were for less than \$25,000. Steven Keskinturk and David Garner from MSA-2 and Patrick Ontiveros and Rasul Monoshev reviewed the received bids. Upon review, they decided that the bid from Digital Synergy Consulting, Inc. (“**DSC**”) represented the best value and accordingly decided to select them as the vendor for the Project.



III. Budget Impacts

The total cost of the Project is expected to be \$15,026.65 with the possibility of it increasing by \$650 if certain “recommendations” made by LAUSD become “requirements”. Even with the added cost, DSC’s bid is the least expensive.

MSA-2 has ending fund balance of \$1,255,568 based on the Unaudited Actuals Report (UAR) for FY 2017-18. This is 23% of the total expenditures per 2017-18 UAR.