



Board Agenda Item #	Agenda # III A - Action Item
Date:	September 13, 2018
To:	Magnolia Board of Directors
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Steven Keskinurk, MSA 2 Principal
RE:	MSA2 Classroom Surveillance Camera Policy Adoption

### Proposed Board Motion

I move that the board adopt the proposed policy to support and enable MSA-2's use of surveillance cameras in classrooms on their school site.

### Introduction

- What services are being provided?
  - Magnolia Science Academy-2 is requesting the MPS Board adopt policy language which will enable MSA2 to make a future purchase of video cameras for each classroom. The financial request related to this project is not being proposed to the board at the present time, but rather, the policy language is being proposed to the board. A future motion will be proposed which will contain the financial aspects of this project once the finalized policy language is approved by the MPS board.
  
- Why is this contract/service needed?
  - The main reason behind this request centers around school safety and due process transparency. We want to ensure that if an allegation arises involving a student and a student, or a student and an adult that requires investigation, that all parties are on the same page about what physically transpired. Specifically, the following concerns support the use of cameras in MSA2's classrooms:
    - **I. Student/ Staff Safety Concerns**
      - A) Student vs. Student: Scenario - Dangerous Object
        - If a student is accused of pointing a dangerous object at another student, we want to ensure that all parties can view the footage from the same vantage point, during school mediation and should litigation require such a process to occur. This will help strengthen the case of the truth and will simultaneously take away the possibility of credibility of witness statements being brought into question in cases of physical safety concerns.
      - B) Student vs. Student - Intimidation of Witness / Bullying

- In cases of alleged bullying where no additional witnesses come forward due to fear of retaliation by an alleged perpetrator, it is helpful to view transparent footage clearly demonstrating if both sides are mutually physically harassing each other, or if the interaction is one-sided from the bully to the victim.
- C) Student vs. Staff: Scenario - Corporal Punishment
  - If a physical allegation such as corporal punishment is made against an adult, we want to also ensure that all parties can view the actual events which transpired without having to question the interpretation or degree of honesty in witness statements. From the student end, if a student feels that a staff member used corporal punishment against them, the cameras can show this occurred. On the other hand, when staff are concerned that students may make up a false allegation against them regarding corporal punishment, then the truth about the innocence of the staff member will be indisputable upon viewing the footage.
- Is this a school or organization-wide implementation?
  - At the present moment, MSA2 is requesting that this policy language is approved by the MPS board so for the purposes of supporting MSA2's expressed intent to have a school implementation. However, this language can be utilized to support an organization-wide implementation.

### Background

- What contracts with the vendor are already in place?
  - No contracts with any vendor is already in place, nor is this being requested at the current time.
- History of the project (if applicable)

The following stakeholder feedback has been solicited and provided regarding the MSA2 Classroom Surveillance Camera Project:

#### MSA-2 Parent Stakeholders

- On 3/16/18, MSA-2 held its March PTF Meeting at 8:15 am which they had been invited to attend via promotional flyers and SchoolMessenger phone calls. During this meeting, the School-Wide Safety Plan was discussed by Mr. Keskinturk, Mr. Garner and the parent stakeholders which included current practices and programs related to school safety as well as additional items which could be implemented in the future. Amongst the future ideas that were presented to the parents was the possibility of expanding the

school video surveillance camera program to support school safety and help with the implementation of the Positive Behavioral Interventions and Supports (PBIS) program. The parents were fully supportive of this project and said they endorse any act that will help keep their children safe given the continuous safety concerns which are discussed in the media related to school safety issues across the country.

- The parents offered an additional piece of feedback during the meeting on 3/16/18 for the school which was related to adding a large banner on the Victory Blvd. southwestern fence of the Lake Balboa Education Complex to block the line of sight to students on MSA-2's campus from Victory Blvd. This item was suggested following several school shooting cases which had occurred in schools across the nation. The MSA-2 administration followed up with this safety recommendation made by parents and purchased a street wrap banner due to this stakeholder feedback. Another recommendation made by parents during this meeting was related to the idea of creating a security gate pass system for MSA-2 parents to be able to place in their cars to show the staff working at the entry gates to the complex to be able to readily identify our students' parents. The MSA-2 Administration subsequently made this change take place by purchasing these passes and distributing them to all of our families during the Spring 2018 semester.
- MSA-2 parent stakeholders who showed up to the PTF meeting on 3/16/18 shared their full support to the MSA-2 Administration regarding expanding the video camera surveillance system into classrooms. In particular, parents mentioned that they were aware about two incidents that had occurred where staff had been dismissed from school for resorting to corporal punishment on students. As such, parents mentioned that they were interested in having transparency through the surveillance program related to staff to student conflicts, as well as related to cases of student safety concerns or bullying by another student. Parents mentioned that sometimes children are intimidated to come forward to report instances of being bullied or physically harassed since they believe the student who is committing such acts may retaliate against them coming forward. As a result, parents said they would feel better knowing that if their children were subjected to such circumstances, that if there were cameras in the classrooms to catch such occurrences, the school would have more power to intervene and be aware of these important cases related to school safety.

#### MSA-2 Staff Stakeholders

- On 6/6/18, MSA-2 Staff members were presented with the idea by Mr. Garner of expanding video surveillance cameras in their classrooms during the staff meeting in the

presence of Dr. Callaham. The staff were presented with the “**MSA2 Classroom Cameras - Proposed Statement of Purpose**” document. Staff members were shared the same motivation behind the program, including increasing transparency for due process cases related to student versus student safety concerns involving possession of a dangerous object, student versus staff intimidation of witness and bullying concerns, student versus staff corporal punishment allegations, and Positive Behavioral Interventions and Supports (PBIS) implementation. This professional development meeting had teachers, administrators and TA’s in attendance and all of the staff members shared positive thoughts about this possibility. In particular, teachers shared their support for increased transparency during due process investigations where students can be held accountable for their actions as well as adults for theirs.

- In addition, staff members shared their knowledge about the fact that two MSA-2 teachers had been dismissed for corporal punishment this school year, which is an important aspect of improving school safety. Several staff members expressed their desire that it is important to be able to keep students safe from cases of corporal punishment committed against them by adults, which can become easier to prove with video footage in all classrooms which is why all staff stated they support expanding video surveillance cameras into classrooms. Further, staff shared that they also are in support of the idea of video cameras in classrooms as a manner to protect staff from the possibility of false accusations which can mount from students who may try to blame staff for something which they did not commit. In this case, staff showed support for video transparency which can help establish an indisputable truth. Staff were informed that the video cameras would not be used for teacher evaluation purposes and that the footage would be used for the purpose of investigating safety concerns.
- Additionally, staff was shown a video of an 11th grade student who previously had a negative behavioral track record at the school during the earlier parts of the year as he now helped support a positive school culture by creating a spontaneous game during the middle school lunch where he bought the winner of the game Jamba Juice which was on sale as a fundraiser hosted by his grade level ASB leadership team. As a result of the game, this 11th grade student ended up spending \$25 of his own money to make a fun activity for the younger students in the school while simultaneously supporting his school class by providing the proceeds to his grade level class’ fundraiser. Since this activity occurred on the blacktop area where video surveillance cameras are already in place, the administration was able to present footage related to this student’s contribution to the PBIS culture at school which we are currently working with LACOE to further implement. Staff was reminded that should video surveillance cameras be present in each classroom, they would have the ability to also refer students who make significantly positive contributions to the PBIS culture to be put on showcase during staff meetings

and for student acknowledgement. Staff showed positive responses to this aspect of the video surveillance classroom project for this reason.

- Beyond this forum, all staff were invited to share their feedback to a staff stakeholder survey which was compiled and mentioned to all staff during the professional development meeting on 6/6/18 as well as distributed to them via email on the “**MSA2** express any feedback, including any concerns, regarding the possibility of expanding the **Classroom Video Camera Staff Feedback Survey**”. This survey was shared with all staff via the [msa2staff@magnoliapublicschools.org](mailto:msa2staff@magnoliapublicschools.org) email address on 6/7/18 and were requested to be submitted by 6/11/18 at 4pm. The survey asked staff to share their feedback regarding the possibility of a video surveillance program into the classrooms at MSA-2. The results of this survey were all positive with only one question related to whether or not these cameras would be used for purposes of staff evaluations, and the response to this question had been previously addressed during the full staff meeting, which was that the footage would only be used to investigate school safety concerns and display PBIS footage used to promote positive behaviors on campus.

#### Analysis (If applicable)

- Were RFPs done?
  - Yes
- What negotiations were made?
  - Negotiations have not yet been made, as no commitment has been made to a vendor for this project at the present time.
- What is the research/comparison data?
  - School districts across the nation have policies which support the use of video surveillance cameras in classrooms and other areas of campus.

#### Budget Implications

- Amounts/ Funding Source
  - Estimated Amount: \$50,000
  - Funding Source: Long Term Reserves

#### Exhibits (attachments):

- Old (original) contract(s)
  - None / N/A
- Appendix items
  - **USE OF SURVEILLANCE CAMERAS IN THE SCHOOL DISTRICT**

## USE OF SURVEILLANCE CAMERAS AT MPS SCHOOLS

The board recognizes the value of video cameras in protecting the health, safety, and welfare of its students and staff and in protecting the community's investment in MPS 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 determined to authorize the use of video cameras 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 appropriate building 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 MPS'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, principal, authorized site administration members, and 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 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 Magnolia Public Schools' 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:

The Magnolia Public Schools Board of Directors has authorized the use of video cameras in the school district'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 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 MPS'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. Each MPS school 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 Magnolia Public Schools' 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 MPS for any repairs or replacement necessary as a result of the tampering. In the administration's discretion, matters involving tampering with a MPS video camera may be turned over to law enforcement.



To: Magnolia Public Schools  
From: Patrick Ontiveros, MPS General Counsel  
Date: September 13, 2018

RE: Approval to Adopt the Classroom Surveillance Camera Policy at MSA -2

Magnolia Public Schools General Counsel acknowledges that he has read and reviewed the policy pertaining to the above matter.

A handwritten signature in blue ink that reads "Patrick Ontiveros".

Patrick Ontiveros  
MPS General Counsel

A handwritten date in blue ink that reads "9/7/2018".

Date

A handwritten signature in blue ink that reads "Alfredo Rubalcava".

Alfredo Rubalcava  
MPS CEO & Superintendent

A handwritten date in blue ink that reads "9/7/2018".

Date