

## **Opportunities For Learning – Capistrano Security Surveillance Policy**

### **Purpose of Policy**

The Governing Board (“Board”) of Opportunities For Learning – Capistrano (“Charter School”) has adopted the following policy regarding the use, retention and/or access to surveillance and monitoring systems in connection with campus security measures in furtherance of its commitment to providing a school environment that promotes the safety of students, staff and visitors to the Charter School’s resource center(s). The Board further recognizes the importance of protecting school property, facilities, and equipment from vandalism and theft in connection with this purpose.

### **Policy**

The Board authorizes the use of video and/or audio surveillance systems as well as environmental surveillance systems that monitor environmental changes (including but not limited to sound frequency, room occupancy, air quality and chemical detection) at the Charter School’s resource center(s). Such systems are collectively referred to herein as the “Surveillance Systems”. The purpose of the Surveillance Systems is to maintain the health, welfare and safety of all staff, students, and visitors to the resource center(s), and to safeguard the Charter School’s facilities, equipment, and property. School Administration may develop additional procedures and processes in accordance with and in furtherance of this policy including but not limited to inclusion of such procedures in the Charter School’s Comprehensive School Safety Plan and/or site-level safety plans as well as periodic review of such procedures to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

### **Location of Surveillance Equipment**

Surveillance equipment may be placed in locations as deemed appropriate by the Charter School’s safety planning committee. The safety planning committee will accept feedback from relevant stakeholders and staff in the process of identifying appropriate locations for the placement of surveillance equipment at the resource center(s). Surveillance equipment that captures video and/or audio recordings shall not be placed in areas where students, staff, or visitors have a reasonable expectation of privacy.

### **Notification of Surveillance**

The Charter School shall provide written notice to students and parents/legal guardians that the Charter School may utilize Surveillance Systems at the resource center(s) and that data captured through the Surveillance Systems including but not limited to images, video, audio recordings, and environmental data (collectively hereinafter referred to as “Surveillance Data”) may be used as evidence that may subject students to appropriate disciplinary and/or legal action, including, but not limited to, disclosure to local law enforcement. Prior to the operation of any Surveillance Systems that capture video and/or audio recordings, the Charter School shall ensure that signs are posted at conspicuous and targeted locations around the resource center(s), including but not limited to entrances and exits. These signs shall state that the facility may use video and/or audio surveillance equipment for security purposes and that the equipment may be actively monitored at any time.

### **Retention of and Access to Surveillance Data**

The Charter School shall comply with all applicable state and federal laws related to the maintenance and retention of Surveillance Data. Surveillance Data will be retained for at least thirty (30) days from the date it is captured. Notwithstanding, when the Charter School becomes aware of a Known Incident (defined below), the Principal, or his/her designee, will take steps to immediately preserve the

Surveillance Data and isolate it from any routine deletion process. A “Known Incident” is one which involves injury to students, staff or members of the public or property, or which involves any potential violation of the law or the Charter School’s policies, procedures, or rules of conduct.

When the Charter School receives a request for Surveillance Data under the Family Education Rights and Privacy Act (“FERPA”), civil or criminal subpoena, search warrant, a California Public Records Act request, a request of a current or former employee pursuant to the Labor Code, Court Order or other form, immediate steps shall be taken to preserve the Surveillance Data until disclosure rights are determined. If the Charter School determines that it is legally permissible to provide the requesting party or entity with access to the Surveillance Data, the Charter School may do so by retaining the requested Surveillance Data in its files and providing a duplicate to the requesting person or entity.

To the extent that any Surveillance Data creates (1) a student record under FERPA or the California Education Code or (2) a confidential employee personnel record under applicable labor laws, the Charter School shall ensure that Surveillance Data is accessed, retained and disclosed in accordance with law, Board policy, and administrative regulation.

To the extent allowed by applicable laws including but not limited to FERPA, the Charter School may grant access to Surveillance Data to appropriate parties, including law enforcement, in connection with an actual, impending or imminent emergency if knowledge of that information is necessary to protect the health or safety of the Charter School’s students, staff or other individuals. When Surveillance Data is requested by law enforcement in connection with an open investigation and without a warrant, the Charter School may provide access to the requested Surveillance Data to the extent permitted by law. The Charter School shall not grant access to Surveillance Data that the Charter School is required to keep confidential under law (such as FERPA or labor laws) without appropriate prior consent or unless an exception to the law applies.