

**TEMECULA VALLEY CHARTER SCHOOL
BOARD POLICY**

Section 3000 Business and Non Instructional Operations

3008 SOCIAL MEDIA PRIVACY POLICY

Board Action: APPROVED

Effective Date: 11-2-2015

Temecula Valley Charter School is required by law to adhere to Education Code Section 49703.6 regarding the monitoring, collection, storage and analysis of student social media data and postings.

Pursuant to Ed Code section 49703.6, if a School considers adopting a program either independently, or through a third party, designed to gather or maintain any student social media data and/or postings in its records for purposes of monitoring, collection and/or storage, the School shall first notify parents of the proposed program and provided an opportunity for public comment at a regularly scheduled public meeting before the adoption of the program.

In the event School adopts a program they shall do the following:

1. Gather or maintain only information that pertains directly to school safety or to pupil safety.
2. Provide a pupil with access to any information about the pupil gathered or maintained by the School that was obtained from social media, and an opportunity to correct or delete such information.
3. Destroy information gathered from social media and maintained in its records within one year after a pupil turns 18 years of age or within one year after the pupil is no longer enrolled in the School, whichever occurs first.
4. Notify each parent or guardian of a pupil subject to the program that the pupil's information is being gathered from social media and that any information subject to this section maintained in the School's records with regard to the pupil shall be destroyed in accordance with this policy.
 - a. The notification shall include, but is not limited to, all of the following:
 - (i) An explanation of the process by which a pupil or a pupil's parent or guardian may access the pupil's records for examination of the information gathered or maintained pursuant to this section.

(ii) An explanation of the process by which a pupil or a pupil's parent or guardian may request the removal of information or make corrections to information gathered or maintained pursuant to this section.

5. If the School contracts with a third party to gather information from social media on an enrolled pupil, School will require the contract to do all of the following:

(i) Prohibit the third party from using the information for purposes other than to satisfy the terms of the contract.

(ii) Prohibit the third party from selling or sharing the information with any person or entity other than the school district, county office of education, School, or the pupil or his or her parent or guardian.

(iii) Require the third party to destroy the information immediately upon satisfying the terms of the contract.

(iv) Require the third party, upon notice and a reasonable opportunity to act, to destroy information pertaining to a pupil when the pupil turns 18 years of age or is no longer enrolled in the School, whichever occurs first. The School shall provide notice to the third party when a pupil turns 18 years of age or is no longer enrolled in the School.

The School recognizes that Ed Code section 49703.6 defines the following:

"Educational Purposes" as means for purposes that aid in instruction in the classroom or at home, or in classroom administration.

"Social media" means an electronic service or account, or electronic content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or Internet Web site profiles or locations.

"Social media" shall not include an electronic service or account used exclusively for educational purposes or primarily to facilitate creation of school-sponsored publications, such as a yearbook or pupil newspaper, under the direction or control of a school, teacher, or yearbook adviser.