



VIBRANT MINDS CHARTER SCHOOL

TK-6 Grade, Free, Public Education

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BOARD POLICY SOCIAL MEDIA DATA AND POSTINGS

Vibrant Minds Charter School (VMCS) is required by law to adhere to Education Code Section 49703.6 regarding the monitoring, collection, storage, and analysis of scholar social media data and postings.

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

In the event that VMCS adopts a program, they shall do the following:

- Gather or maintain only information that pertains directly to school safety or to scholar safety.
- Provide a scholar with access to any information about the scholar gathered or maintained by VMCS that was obtained from social media, and an opportunity to correct or delete such information.
- Destroy information gathered from social media and maintained in its records within one year after the scholar is no longer enrolled in VMCS.
- Notify each parent or guardian of a scholar subject to the program that the scholar's information is being gathered from social media and that any information subject to this section maintained in VMCS's records with regard to the scholar shall be destroyed in accordance with this policy. The notification shall include, but is not limited to, all of the following:
 - An explanation of the process by which a scholar or a scholar's parent or guardian may access the scholar's records for examination of the information gathered or maintained pursuant to this section.
 - An explanation of the process by which a scholar or a scholar's parent or guardian may request the removal of information or make corrections to information gathered or maintained pursuant to this section.
- If VMCS contracts with a third party to gather information from social media on an enrolled scholar, VMCS will require the contractor to do all of the following:

- Prohibit the third party from using the information for purposes other than to satisfy the terms of the contract.
- Prohibit the third party from selling or sharing the information with any person or entity other than VMCS or the scholar or his/her parent or guardian.
- Require the third party to destroy the information immediately upon satisfying the terms of the contract.
- Require the third party, upon notice and a reasonable opportunity to act, to destroy information pertaining to a scholar within one year after the scholar is no longer enrolled in VMCS.
- VMCS shall provide notice to the third party when a scholar 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" is 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 scholar newspaper, under the direction or control of a school, teacher, or yearbook adviser.

Review of Policy

This policy may be reviewed periodically by the VMCS Board.

Adopted: February 10, 2021

Amended: