

## **ORANGE COUNTY CLASSICAL ACADEMY AUDIO RECORDING POLICY**

### **I. Purpose**

Orange County Classical Academy (“OCCA” or the “Charter School”) encourage parents to take an active role in their child’s education, which includes individual education program (“IEP”) meetings. The law has a provision which allows the parent or guardian or Charter School to audio record the proceedings of an IEP meeting. This policy shall aid both Charter School and parents or guardians in understanding the laws and Charter School procedures related to audio recording IEP meetings.

### **II. Policy and Scope**

This is OCCA’s formal policy regarding audio recording IEP meetings. In compliance with California Education Code § 56341.1(g), Charter School and the parent or guardian both have the right to audio record the proceedings of an IEP meeting upon request.

If the request to audio record is initiated by the parent or guardian, then the parent or guardian must notify Charter School of their intent to audio record at least 24 hours prior to the meeting. Parent or guardian must put this request in writing to [insert name, title] at [insert email]. When the parent or guardian audio records an IEP meeting, Charter School will also audio record the IEP meeting.

If the request to audio record is initiated by Charter School, Charter School will provide notice to the parent of the intent 24 hours in advance of the IEP meeting. If the parent or guardian refuses to attend the meeting because it will be audio recorded, then the meeting shall not be audio recorded. If Charter School records, Parent may record as well.

Charter School and the Parent or guardian are prohibited from intentionally audio recording without the consent of all parties. California Penal Code § 632 provides that anyone who does intentionally audio record without the consent of all parties shall be punished by a fine not exceeding two thousand five hundred dollars (\$2,500.00) per violation, imprisonment in a county jail or state prison not exceeding one year, or by both fine and imprisonment.

Under Federal law, audio recordings made by Charter School are subject to the federal Family Educational Rights and Privacy Act of 1974 and are subject to confidentiality requirements. As such parents or guardians have the right to:

- 1) Inspect and review the audio recordings
- 2) Request that the audio recordings be amended if the parent or guardian believes that they contain information that is inaccurate, misleading, or in violation of the rights of privacy or other rights of the individual with exceptional needs.
- 3) Challenge, in a hearing, information that the parent or guardian believes is inaccurate, misleading, or in violation of the individual’s rights of privacy or other rights.