From:	Godley, Molly D
To:	"Anna Mitchell"
Cc:	Bruder, Candace L; Cartledge, Wendy B
Subject:	RE: FOIA request from The Post and Courier (Re: Beaufort County surveillance software and procedures for student-issued devices)
Date:	Friday, October 11, 2024 2:43:00 PM

Dear Ms. Mitchell,

Please be advised that certain information relating to security plans and devices utilized by public bodies is not open to the public under South Carolina law.

Specifically, S.C. Code Ann. Section 30-4-20(c) states: “Information relating to security plans and devices proposed, adopted, installed or utilized by a public body, other than amounts expended for adoption, implementation, or installation of these plans and devices, is required to be closed to the public and is not considered to be made open to the public under the provisions of this act.”

Please keep in mind that as per FOIA we are not required to create a responsive document if none exist in accordance with S.C. Code Ann. 30-4-30(A)(2). However, we are able to provide other non-exempt documents related to your request. In accordance with S.C. Code Ann. 30-4-30 (B), the Beaufort County School District estimates that the search, retrieval, and redaction (if necessary) of contracts related to your FOIA request will require approximately 17 hours, for an estimated cost of $781.42 . Please note that this is an estimate, and costs may increase or decrease depending on the actual time required to complete the work.

A 25% deposit of the total reasonably anticipated cost is required before work will begin on your request. Please make all checks payable to the Beaufort County School District and send them to the district’s Communication Officer, Dr. Candace Bruder, at the address below:

Dr. Candace Bruder (FOIA)
Beaufort County School District
2900 Mink Point Blvd.
Beaufort, SC 29902

Regards,

Molly Godley
Communications Specialist
Molly Godley
Beaufort County School District Office
C: 843-962-4753
O: 843-322-5933
Molly.Godley@beaufort.k12.sc.us

BEAUFORT COUNTY SCHOOL DISTRICT **COMMUNICATIONS**

From: Anna Mitchell [redacted]
Sent: Wednesday, September 11, 2024 4:30 PM
To: Godley, Molly D <Molly.Godley@beaufort.k12.sc.us>
Subject: Re: FOIA request from The Post and Courier (Re: Beaufort County surveillance software and procedures for student-issued devices)

Thank you so much, Ms. Godley.

Take care,
Anna Mitchell

***

Anna B. Mitchell
Education Lab Reporter
The Post and Courier
[redacted]

Greenville Office
20 Augusta St.
Greenville, SC 29601

From: Godley, Molly D <Molly.Godley@beaufort.k12.sc.us>
Sent: Wednesday, September 11, 2024 4:19 PM
To: Anna Mitchell [redacted] Bruder, Candace L <Candace.Bruder@beaufort.k12.sc.us>
Cc: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us>
Subject: RE: FOIA request from The Post and Courier (Re: Beaufort County surveillance software and procedures for student-issued devices)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Mitchell,

The district is in receipt of your August 30th, 2024 FOIA request and will respond within the timeframe allotted in accordance with S.C. Code Ann. 30-4-30(C).

Regards,

Molly Godley
Communications Specialist
Molly Godley
Beaufort County School District Office
C: 843-962-4753
O: 843-322-5933
Molly.Godley@beaufort.k12.sc.us

BEAUFORT COUNTY SCHOOL DISTRICT COMMUNICATIONS

From: Anna Mitchell [redacted]
Sent: Friday, August 30, 2024 1:38 PM
To: Bruder, Candace L <candace.bruder-brasseur@beaufort.k12.sc.us>
Subject: FOIA request from The Post and Courier (Re: Beaufort County surveillance software and procedures for student-issued devices)

WARNING: This email originated from outside of Beaufort County School District's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon. I have attached a FOIA request from The Post and Courier. The text of that request is also below.

Thank you,
Anna B. Mitchell

Education Lab Reporter
The Post and Courier
[redacted]

***

Anna B. Mitchell
The Post and Courier
20 Augusta St
Greenville, SC 29601

Aug. 30, 2024

Dr. Candace Bruder
Director of Communications
Beaufort County Schools
2900 Mink Point Boulevard
Beaufort, SC 29803

Dear Dr. Bruder:

The Post and Courier is working with the Education Reporting Collaborative on a story about monitoring software that South Carolina's largest districts use to track student activities online.

Our story, which will be posted online and in print for the reading public, will explore the district's financial investment in this software, the effectiveness of the software in picking up potentially dangerous student situations and online traffic, as well as where problems most often arise. The story will cover the 12 largest traditional K-12 school districts in the state.

To that end and pursuant to South Carolina's Freedom of Information Act, I would like to inspect or obtain a copy of the following public records related to **surveillance software used to monitor student activity on district-issued devices**:

I. Spending

Please provide **contracts** and/or other records related to any spending by Beaufort County Schools on student surveillance software **since the start of the 2019-2020 fiscal year**. These records should include but are not limited to:

- who the vendor is (e.g., GoGuardian, Gaggle, Securly, Bark, LAN, etc.),
- the date of the purchase,
- the amount spent on the software,
- any related fees such as for consulting, training or warranties
- Man-hour costs of district staff and/or consultants monitoring student activities online

II. Accountability

Please provide records that reflect the efficacy of the surveillance software. These records should include:

A report of how many surveillance-related alerts have been issued from the vendor or from district IT personnel since the start of the **2019-2020 school year**. These alerts could be by phone, email or other contact method.

- Behavior referrals and/or reports **since the start of the 2022-23 school year** that were prompted by a student's activity on school-issued devices and detected by the surveillance software.
    - The code for this behavior is typically "***Misuse of Chromebook***" or "***Misuse of Student-Issued Device***."
    - Please include the grade level, school, and demographic information such as gender and race of students charged with crimes related to their misuse of school-issued devices.
    - We respect student privacy, as protected under FERPA, and request that student names and dates of birth be redacted.
- Investigative reports related to criminal activity that has been detected on school-issued devices and acted upon by school/district officials and/or law enforcement **since the start of the 2022-23 school year**;
    - Please include the grade level, school, and demographic information such as gender and race of students charged with crimes related to their misuse of school-issued devices.
    - We respect student privacy, as protected under FERPA, and request that student names and dates of birth be redacted.
- Online chatter about and/or prevention of student self-harm **since the start of the 2022-23 school year**

III. Surveillance programming

Please provide records related to what kinds of activities or searches the district is **currently** tracking and trying to prevent.

- Documents showing what data/data points the surveillance company collects for the district.
- A list of websites flagged and/or blocked by district officials
- A list of terms, organizations and/or individuals that the district's IT department has flagged for intervention and/or investigation by school/district/law enforcement personnel.
- Documents outlining standard operating procedures for surveillance, including:
    - How the district is notified of flagged activity,
    - Hours of the day that surveillance software is tracking student activity,
    - Which students are profiled (age/grade level),
    - Parental notification systems about tracking and/or flagged activity,
    - How the district responds to inappropriate student conduct on school-issued devices,

- Which data are automatically shared with local law enforcement.

COPYING FEES: I understand that if I seek a copy of this record, there may be a copying fee. Please inform me of that cost prior to making the copy. I can be reached at **864-982-1735**.

DEADLINES: The FOI Act calls for a response in 20 business days for records that are more than 24 months old (**Sept. 30**) and 10 days (**Sept. 16**) on all other records. Once the district has responded, the law requires a public body to **produce the requested records** within 35 calendar days for records that are more than 24 months old (**Nov. 4 at the latest**) and within 30 calendar days for all other records (**Oct. 16 at the latest**).

If access to the records I requested is going to take longer, please contact me so we can work out a reasonable date.

DENIAL: If the agency chooses to deny the request, please note that you are required to respond in writing and state the statutory exception authorizing the withholding of all or part of the public record and the name and title or position of the person responsible for the denial.

Thank you for your assistance.
Respectfully,
Anna B. Mitchell

The Post and Courier
Education Lab Reporter
Greenville, SC 29601
[redacted]