

VIDEO SURVEILLANCE

Background

To enhance the safety of students and others on school premises and deter destructive acts, the district authorizes the use of video surveillance equipment on district property and buses supporting district activities, where circumstances have shown that it is necessary for these purposes and its benefit outweighs its impact on the privacy of those observed.

In dealing with surveillance of students, the district recognizes both its legal obligation to provide appropriate levels of supervision in the interests of student safety and the fact that students have privacy rights that are reduced but not eliminated while the students are under the supervision of the school.

Video surveillance, like other forms of student supervision, must be carried out in a way that respects student privacy rights.

A recording is recognized to be subject to the provisions of the Freedom of Information and Protection of Privacy Act.

Procedures

1. General

- 1.1 Video cameras may be used to monitor and/or record.
- 1.2 Video surveillance camera locations must be authorized by the principal/vice-principals or by the superintendent of schools or designate. The Parent Advisory Council (PAC) of an affected school must be consulted and must approve of any permanent video surveillance camera installation and proposed locations before authorization is granted. The PAC approval must be recorded in their meeting minutes and a copy of the minutes should be forwarded to the superintendent of schools or designate.
- 1.3 Before video surveillance is introduced at a new site, a report by the requester must be provided to the superintendent of schools describing the circumstances that indicate the necessity of having surveillance at that site, including a discussion of less invasive alternatives.
- 1.4 Video surveillance may be used at times and places where vandalism, safety or security issues are likely to occur.
- 1.5 Public notification signs, clearly written and prominently displayed, must be in place in areas that are subject to video surveillance. Any exception to this, such as for a time-limited specific investigation into criminal conduct, must be authorized by the superintendent of schools on the grounds that covert surveillance is essential to the success of the investigation and the need outweighs the privacy interest of the person(s) likely to be observed. Covert surveillance may not be authorized on an ongoing basis.
- 1.6 Video surveillance is not to be ordinarily used in locations where appropriate confidential or private activities/functions are routinely carried out (e.g. classrooms, bathrooms, private conference/meeting rooms). Any exception to this must be authorized by the superintendent of schools on the grounds that no other supervision option is feasible and

that the need is pressing and outweighs the privacy interest of the student or other person likely to be observed. Surveillance of such locations may not be authorized on an ongoing basis.

- 1.7 Temporary installations of video surveillance cameras for specific investigative purposes do not require the approval of the Parent Advisory Council.

2. Security

- 2.1 Video cameras will be installed only by a designated employee or agent of the district. Only designated employees shall handle the camera or recordings.
- 2.2 Recordings may never be sold, publicly viewed or distributed in any other fashion except as provided for by this operational procedure and appropriate legislation.

3. Real Time Monitoring

- 3.1 Real time monitoring generally takes place during periods when staff and students are in the building, for the purpose of identifying problems that require immediate intervention and for the safety of people on the premises.
- 3.2 The monitor will be located in the administrative office area under the direct supervision of the office staff.

4. Viewing of Recordings

- 4.1 Monitors used to view recordings are not to be located in a position that enables public viewing.
- 4.2 Recordings may only be viewed by the principal/vice-principal or individual authorizing camera installation, by parents and students (see 4.4 below) or by district staff with a direct involvement with the recorded contents of the specific recording, or employees or agents responsible for the technical operations of the system (for technical purposes only).
- 4.3 Viewing may be refused or limited where viewing would be an unreasonable invasion of a third party's personal privacy, would give rise to a concern for a third party's safety, or on any other ground recognized in the Freedom of Information and Protection of Privacy Act.
- 4.4 If an employee or student is facing any disciplinary action, they may authorize their union representative or another advocate to also view the recording.
- 4.5 Parents or guardians may request to view a segment of a recording that includes their child(ren).
- 4.6 Students may view segments of a recording relating to themselves if they are capable of exercising their own access to information rights under the Freedom of Information and Protection of Privacy Act.
- 4.7 Student, parent or guardian viewing must be done in the presence of the principal/vice-principal or superintendent of schools or designate.

4.8 A student, parent or guardian has the right to request an advocate to be present.

5. Retention of Recordings

5.1 Where an incident raises a prospect of a legal claim against the district, the recording, or a copy of it, shall be sent to the district's insurers and/or legal counsel.

5.2 Digital recordings shall be erased periodically unless they are being retained at the request of the principal/vice-principal, superintendent of schools or designate, employee, parent or student for documentation related to a specific incident, or are being transferred to the district's insurers and/or legal counsel.

5.3 Digital recordings retained under Section 5.2 shall be erased as soon as the incident in question has been resolved, except that if the digital recording has been used in the making of a decision about an individual; the recording must be kept for a minimum of one (1) year as required by the Freedom of Information and Protection of Privacy Act unless earlier erasure is authorized by or on behalf of the individual.

6. Review

6.1 Each principal/vice-principal or manager of operations is responsible for the proper implementation and control of the video surveillance system.

6.2 The superintendent of schools or designate shall conduct an annual review of each video surveillance system that assesses if the installation and operation of the system is accomplishing its intended purpose (protecting safety of individuals and their belongings, or school property).

6.3 The superintendent of schools or designate shall conduct a review at least annually to ensure that this operational procedure is being adhered to and to make a report to the Board of Education on the use of video surveillance in the district.

7. Improper Use

7.1 Video surveillance is to be restricted to the uses contained within this operational procedure.

7.2 The district will not accept the improper use of video surveillance and will take appropriate action in any cases of wrongful use of this operational procedure.

Reference: Sections 8.2, 20, 22, 65, 74.01, 85 School Act
Freedom of Information and Protection of Privacy Act
School Regulation 265/89