

Administrative Procedure 181

VIDEO SURVEILLANCE ON FACILITIES AND PROPERTY

Background:

The Division has the responsibility to provide a safe and secure, learning and work environment and protect Division property and property of others, from theft or vandalism.

For reasons of safety for students, employees and others, as well as deterring destructive acts, the Division authorizes the use of video surveillance equipment on Division property, where circumstances have shown that it is necessary for these purposes and the benefit outweighs the impact on the privacy of those observed. Use is to be limited and only authorized after a thorough analysis of the considerations involved. Such use shall comply with all federal and provincial legislation, and with this admin procedure.

The Division 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 may be affected but not eliminated while under the supervision of the school. A recorded tape or digital recording is recognized to be subject to the provisions of the Local Authority Freedom of Information and Protection of Privacy Act.

Procedures:

1. Use of video Surveillance systems
 - 1.1. Video surveillance systems may be used to monitor and/or record activity that occurs on property that is owned or leased by the Division.
 - 1.2. Video surveillance systems may be placed only in areas where surveillance has proven to be necessary as a result of prior property damages or related security incidents, or in areas where upon reasonable grounds the surveillance is deemed to be a deterrent.

- 1.3. Video surveillance camera locations must be authorized by the Principal in consultation with the Director or designate.
- 1.4. Written approval must be received from the Superintendent before video surveillance is introduced at a site.
- 1.5. Video surveillance cameras shall not be directed to look through the windows of adjacent buildings
- 1.6. Before video surveillance is introduced at a site, a report must be provided to the Director or designate describing the circumstances that indicate the necessity of having surveillance at the site, including consideration of less invasive alternatives.
- 1.7. Public notification signs must be prominently displayed indicating areas subject to video surveillance. Notice must include information designating the staff person who is responsible for answering questions about the surveillance system and the hours during which surveillance is conducted.
- 1.8. Video surveillance is not to be used in locations where confidential or private activities/functions are routinely carried out. Such areas shall include, but shall not be limited to, change rooms, washrooms, and private conference/meeting rooms. Any exception to this must be authorized by the Director and may be allowed only if the following conditions were present:
 - 1.8.1. No other supervision option is feasible,
 - 1.8.2. The need is pressing and
 - 1.8.3. The need 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.

2. Security

- 2.1. Video surveillance systems will be installed and maintained only by a designated staff member or agent of the Division. Only these staff members shall handle the cameras or digital recordings.
- 2.2. Digital recordings shall be securely stored in a locked receptacle in an area to which students, unauthorized persons and the public do not

normally have access. When stored on a computer digital recordings shall be stored on machines with restricted access.

- 2.3. Digital recordings may never be publicly viewed or distributed in any other fashion except as provided by this administrative procedure and applicable legislation.
 - 2.4. In some cases a live feed of building entrances may be permitted to be monitored by the office staff in order to determine who is entering and leaving the building.
3. Viewing of Digital Recordings
- 3.1. Video monitors or computers used to view videos or digital recordings shall not be located in a position that enables public viewing. Recordings may only be viewed by:
 - 3.1.1. The School Admin or individual authorizing camera installation
 - 3.1.2. Parents and students (subject to 3.3 below)
 - 3.1.3. Division staff with a direct involvement with specific recording and authorized by the Director
 - 3.1.4. Staff members or agents responsible for the technical operations of the system (for technical purposes only).
 - 3.2. If an employee or student is facing any disciplinary action, he/she may authorize his/her union representative or other advocate to also view the recording.
 - 3.3. Parents or guardians requesting to view a segment of a recording that includes their child/children may do so if it does not unduly interfere with the student's privacy rights.
 - 3.3.1. Students may view segments of a recording relating to themselves if they are capable of exercising their own access to information rights under the Local Authority Freedom of Information and Protection of Privacy Act.
 - 3.3.2. Student/parent/legal guardian viewing must be done in the presence of the Principal. A student, parent or guardian has the right to request an advocate to be present.
 - 3.3.3. At the Principal's discretion viewing may be refused or limited where viewing would be an unreasonable invasion of a third

party's personal privacy, would give rise to concern for a third party's safety, or on any other grounds recognized in the Local Authority Freedom of Information and Protection of Privacy Act.

- 3.4. The Principal will keep a log of all copies made of an original recording. All logs will include the name of the individual who accessed the recording, the reason they were accessed, the date and time.
 - 3.5. Any requests for copies by third parties including the police will be made through the Superintendent of Administration who must ensure that the Surveillance Video Release Form (Form 181-1) is completed before the copy of surveillance video is released, and in accordance with the administrative procedure on Freedom of Information and Protection of Privacy.
 - 3.6. A log shall be maintained of all episodes of access to, or use of , video recordings.
4. Retention of Videotapes and Digital Recordings
 - 4.1. Where an incident raises a prospect of an insurance or legal claim against the Division, the recording or a copy of it, shall be sent to the Division's insurer or legal counsel through the Division's FOIP Coordinator.
 - 4.2. Videos and digital recordings shall be erased within 30 days unless they are being retained at the request of the Principal, Director or designate, staff member, parent or student for documentation related to a specific incident, or are being transferred to the Division's insurers.
 - 4.3. Digital recordings retained under 4.2 shall be erased as soon as the incident in question has been resolved, except that if the recording has been used in the making of a decision about an individual, the tape must be kept for a minimum of one year unless earlier erasure is authorized by or on behalf of the individual.
 - 4.4. Individuals who view digital recordings without proper authorization will be subject to disciplinary action.
 5. Review
 - 5.1. Each Principal is responsible for the proper implementation and control of the video surveillance system.

- 5.2. The Director or designate shall conduct a review at least annually to ensure that this administrative procedure is being adhered to and to make a report on the use of video surveillance in the Division.
- 5.3. All surveillance operations are subject to audit and school principals and site supervisors may be called upon to justify any aspect of their use of video surveillance.
- 5.4. All Division video monitoring shall be carried out in accordance with this Administrative Procedure. The Division will not accept the improper use of video surveillance and will take appropriate action in any cases of wrongful use of this Administrative Procedure.

Reference:

Section 85, 87, 108, 109, Education Act

Local Authority Freedom of Information and Protection of Privacy Act

Created:

April 14, 2009

Revised:

June 2009

November 2013

