

Administrative Procedure 181

VIDEO SURVEILLANCE**Background**

The Division has a responsibility to provide a safe environment, to protect Division property from theft or vandalism and to assist staff in dealing with student discipline matters.

The use of video surveillance equipment on Division property including school buses is permitted in accordance with these procedures.

Procedures

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 are reduced but not eliminated while under the supervision at school. A recorded tape or digital recording is recognized to be subject to the provisions of the Freedom of Information and Protection of Privacy Act.

1. Use

- 1.1. Video cameras owned by the Division may be installed and used to monitor and/or record at schools and on school buses.
- 1.2. Video surveillance camera locations must be authorized by the principal or the Director of Transportation in consultation with the Superintendent or designate.
- 1.3. Before video surveillance is introduced at a site, a report must be provided to the Superintendent or designate describing the circumstances that indicate the necessity of having surveillance at that site, including consideration of less invasive alternatives.
- 1.4. The periods of surveillance of public areas shall be minimized.
- 1.5. Public notification signs must be prominently displayed indicating areas subject to video surveillance. Notice must include information advising the designated staff person who is responsible for answering questions about the surveillance system. Any exception to this, such as for a time-limited specific investigation into criminal conduct, must be authorized by the Superintendent or designate on the grounds that covert surveillance is essential to the success of the investigation and the need outweighs the privacy interest of the persons likely to be observed. Covert surveillance may not be authorized on an ongoing basis.
- 1.6. Video surveillance is not to be used in locations where appropriate confidential or private activities/ functions are routinely carried out (e.g. bathrooms, private conference/ meeting rooms). The Superintendent must authorize any exception to this 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. The following sign will be posted on every bus that is adapted to have a video camera:

WARNING
VIDEO SURVEILLANCE
You may be monitored by a silent witness
video and audio surveillance system

- 1.8. Parents will be notified upon registering at a school that students may be monitored by video surveillance.

2. Security

- 2.1. Only a designated staff member or agent of the Division will install video cameras. Only designated staff members or agents shall have access to the key that opens the camera boxes. Only these staff members or agents shall handle the cameras, videotapes, or digital recordings.
- 2.2. Videotapes shall be stored in a locked filing cabinet in an area to which students and the public does not normally have access. Digital recordings shall be stored on computers with restricted access.
- 2.3. Videotapes and digital recordings may never be publicly viewed or distributed in any other fashion except as provided by this administrative procedure and appropriate legislation.

3. Viewing of Videotapes and Digital Recordings

- 3.1. Video monitors used to view videotapes or digital recordings shall not be located in a position that enables public viewing. Recordings may only be viewed by the designated staff members or by parents and students (Note. 3.2 below), or by staff members or agents responsible for the technical operations of the system (for technical purposes only). If a staff member or student is facing any disciplinary action, he may authorize his union representative or advocate to also view the recording.
- 3.2. Parents requesting to view a segment of a recording that includes their child/children may do so. 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. Student or parent viewing must be done in the presence of an administrator. A student or parent has the right to request an advocate to be present. 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. Retention of Videotapes and Digital Recordings

- 4.1. Where an incident raises a prospect of a legal claim against the Division, the recording, or a copy of it, shall be sent to the Division's insurers.
- 4.2. Videotapes and digital recordings shall be erased within one month unless they are being retained at the request of the principal, Superintendent 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. Videotapes and digital recordings retained under 4.2 shall be erased as soon as the incident in question has been resolved, except that if the tape has been used in the making of a decision about an individual, the tape must be kept for a minimum of one 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.

5. Review

- 5.1. Each principal is responsible for the proper implementation and control of the video surveillance system at his/her school. The Director of Transportation is responsible the proper use of video cameras on school buses.
- 5.2. The Superintendent or designate will 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.

Reference: Section 60, 61, 113, 117 School Act
Freedom of Information and Protection of Privacy Act