



AP 1 – 05 Video Surveillance

Related Policies:	Initial Approval: 2019 October 11
Related Procedures:	Last Amended: 2021 August 26
Exhibits:	Last Reviewed: 2021 August 26

PURPOSE

The Division has a responsibility to provide a safe environment. In addition, the Division has a responsibility to protect Division property from theft or vandalism and to assist staff in dealing with student discipline matters. Video surveillance systems are increasingly being used inside and outside of Chinook's Edge School Division schools and on Chinook's Edge School Division owned or operated property. When using video surveillance systems, the Chinook's Edge School Division must balance the benefits of the surveillance system against the privacy of the individual. Video surveillance systems may only be used to maintain a safe and secure environment in schools and on school Division property. The Division also believes that the use of video cameras on school buses will help protect the safety of passengers, prevent vandalism, and be a useful resource for school principals when dealing with student discipline matters. The use of video surveillance equipment on Division property including school buses is permitted in accordance with these procedures.

This administrative regulation does not apply to surveillance cameras used for law enforcement purposes as a case-specific investigation tool where there is legislative authority or a court order authorizing the surveillance.

SCOPE

This administrative procedure applies to all Division staff.

DEFINITIONS

“law enforcement” means (i) policing, including criminal intelligence operations, (ii) a police, security or administrative investigation, including the complaint giving rise to the investigation, that leads or could lead to a penalty or sanction, including a penalty or sanction imposed by the body conducting the investigation or by another body to which the results of the investigation are referred, or (iii) proceedings that lead or could lead to a penalty or sanction, including a penalty or sanction imposed by the body conducting the proceedings or by another body to which the results of the proceedings are referred;

“video surveillance” means videotape or any other tape, compact disk, disk, digital video recorder or any other device used to store information from a video surveillance system;

“video surveillance system” means a closed circuit television camera, a video, physical or other mechanical, electronic or digital surveillance system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals in open, public spaces on Chinook's Edge School Division owned or operated property.

PROCEDURES

1. In accordance with the *Freedom of Information and Protection of Privacy Act*, Chinook's Edge School Division may only use personal information collected by a video surveillance system to support the safety and security of Chinook's Edge School Division schools and facilities, for disciplinary, legal,

legislative or law enforcement purposes, for enforcement of administrative regulations, or in accordance with a court order.

2. Only the Associate Superintendent of Corporate Services may approve the installation, expansion or replacement of a video surveillance system.
3. The principal of the school or the manager of the building requesting approval of the installation, replacement or expansion of a video surveillance system or camera must document the reasons why the video surveillance system is required, including but not limited to the following information:
 - a. the completion of the *FOIP* Privacy Impact Assessment Tool in Exhibit A;
 - b. verifiable, specific reports of incidents of crime, vandalism or safety and security concerns;
 - c. examples of other measures of deterrence or detection that have been used or considered, and the reasons why those measures are less effective or not effective for the concern being addressed;
 - d. results of consultation with stakeholders such as students, parents and staff, as the case may be regarding the necessity of the proposed video surveillance system in the school or facility;
 - e. the identification of the location(s) of surveillance camera(s) to provide viable measures of deterrence or detection; and
 - f. plans for the design and operation of the proposed video surveillance system that minimize intrusion on personal privacy.
4. Any digital surveillance system must meet Chinook's Edge School Division information technology standards and be ordered through the Division's technology department.
5. Public notification signs must be prominently displayed indicating areas subject to video surveillance.
6. Video surveillance is not to be used in locations where appropriate confidential or private activities/functions are routinely carried out (e.g. bathrooms, change rooms, private conference/meeting rooms).
7. If a video surveillance system is installed or used in a school, at the beginning of the school year and during the school year, as necessary, the School Principal must notify students, parents and school staff that in order to maintain a safe and secure environment
 - a. the video surveillance system may be used to monitor and record activity; and
 - b. personal information collected by the video surveillance system may be disclosed for disciplinary, legal, legislative or law enforcement purposes in accordance with the *Freedom of Information and Privacy Act*.
8. If video surveillance is installed or used on Chinook's Edge School Division property other than a school or on Division owned buses or vehicles, the Director responsible for that property must notify the Division staff that in order to maintain a safe and secure environment:
 - a. the video surveillance system may be used to monitor and record activity; and
 - b. personal information collected by the video surveillance system may be disclosed for disciplinary, legal, legislative or law enforcement purposes in accordance with the *Freedom of Information and Privacy Act*.

A sample notification letter for the use of School Principals and Directors is located in Exhibit B.

9. Security
 - a. 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 password that unlocks the video recorder. Only these staff members or agents shall handle the cameras or video recordings.
 - b. Digital recordings shall be stored on computers or recorders with restricted access.
 - c. Digital recordings may never be publicly viewed or distributed in any other fashion except as provided by this administrative procedure and appropriate legislation.
 - d. Only the Associate Superintendent of Corporate Services can authorize the release of video recordings to a third party.

10. Viewing of Digital Recordings

- a. Video monitors used to view 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: B 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.
- b. 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 a school principal or designate. 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*.**

11. Retention of Digital Recordings

- a. 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.
- b. Digital recordings (with the exception of school bus cameras) shall be erased within a maximum of one (1) week (seven (7) days) unless they are being retained at the request of the School 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.
- c. Digital recordings on school buses shall be erased within a maximum of 30 days unless they are being retained at the request of the School 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.
- d. Digital recordings retained under 11b and 11c 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.

12. Each School Principal or, if appropriate, the Director of Facilities is responsible for the proper implementation and control of video surveillance system at their school. The Director of Transportation is responsible for the proper use of video cameras on school buses.

13. Video Cameras on School Buses

- a. Cameras may be installed to monitor student discipline and to assist the bus driver. A reminder at the beginning of the school year will be given by the bus driver to children that the video camera may be used for this purpose on their school bus.
- b. Only cameras belonging to Chinook's Edge School Division will be used. The videos are the property of the Division. Cameras may be installed in accordance with the request of a bus driver, Director of Transportation, school principal or Division office administration.
- c. The following sign will be posted on every bus that is adapted to have a video camera. "WARNING VIDEO SURVEILLANCE This bus is equipped with Video Monitoring Equipment
- d. The Director of Transportation and/or the School Principal may view the video when there is a problem during a bus trip or when there is suspicion of inappropriate behaviour.

- e. Contracted buses wishing to install video surveillance on a bus must work with the Director of Transportation and all aspects of this administrative procedure apply to contracted buses.
 - f. All aspects of this administrative procedure apply to the use, security, viewing and retention of digital surveillance on school buses.
14. The use of all video surveillance equipment is subject to auditing, monitoring and search by authorized Chinook's Edge School Division personnel to ensure compliance with this administrative procedure, the *Freedom of Information and Protection of Privacy Act* and other regulations and legislation.

REFERENCE AND LINKS

HISTORY

Approved: 2019 Oct 11
Reviewed: 2019 Nov 25
Amended: 2021 Aug 26

