

SD 42 PROCEDURE: 5705.1

VIDEO SURVEILLANCE

1. USE OF SURVEILLANCE

- a) Video surveillance will only be used at schools and district facilities to monitor and record for safety and property protection purposes or for other purposes authorized by the Superintendent of Schools and permitted under the Freedom of Information and Protection of Privacy Act (each an "Authorized Purpose").
- b) Prior to introduction of overt surveillance methods or equipment at any school or district facility or property, a report shall be provided to the Superintendent and Secretary-Treasurer documenting:
 - i. the Authorized Purposes for which surveillance is being considered;
 - ii. the reasons or justification for the surveillance, including incidents giving rise to property loss, safety concerns, security breaches or other relevant circumstances;
 - iii. whether other less intrusive alternatives have been considered, and why such alternatives are not sufficient or effective;
 - iv. whether consultations have been undertaken with Parent Advisory Councils or other stakeholders (students, parents, members of the community) in accordance with the *School Act*.
- c) Prior to the initiation of a permanent video surveillance system at a school or district facility, Parent Advisory Council approval will be required in accordance with section 74.01 of the *School Act*.
- d) The school district will make reasonable efforts to limit the collection of information through surveillance to only that which is needed to achieve the intended purpose, and with consideration for the privacy interests of those affected.
- e) Video surveillance equipment may be utilized in situations where less intrusive alternatives are not available or deemed not to be effective in achieving the Authorized Purposes.
- f) Surveillance will not be conducted in areas where individuals may have a reasonable expectation of privacy, such as washrooms or change rooms, unless compelling circumstances exist and the use of surveillance in such circumstances has been approved by the Superintendent of Schools.

2. INSTALLATION & OPERATION OF SURVEILLANCE EQUIPMENT

- a) Video cameras, when used, will be installed only by a designated employee or agent of the school district. Any contracted agents used to install or maintain video surveillance equipment will be subject to strict requirements of confidentiality and security.

- b) Only persons authorized by the Superintendent of Schools ("Authorized Persons") will have access to the system's controls and reception ("System Components").
- c) Receiving equipment (such as video monitors or audio playback speakers) will be located in a controlled access area. Only Authorized Persons will have access to these System Components.
- d) System Components that permit internet access or transmission of digital recording files will be maintained securely and will include measures protecting against unauthorized electronic access, including by ensuring appropriate firewalls, encryption and user authentication is maintained.
- e) Video monitors will not be located in a position that will enable public viewing.
- f) The site or school shall maintain a log of all access to the System Components ("Access Log").

3. SECURITY & RETENTION

- a) Videotapes or digital video files (the "Footage") shall be stored in a locked filing cabinet or in a secure manner in an area to which only Authorized Persons have access.
- b) Except as otherwise set out in this Procedure, access to Footage shall be limited to Authorized Persons.
- c) The school or site shall ensure appropriate electronic security measures are in place to protect Footage maintained in digital files. The removal of any Footage from the site or school shall be logged.
- d) Footage will not be sold, publicly viewed or distributed except as provided under the Policy or this Procedure or as required by law.
- e) The school district, reserves the right to use Footage for the purposes of investigation into any incident occurring on school district property, in connection with legal claims or the possible violation of laws. Footage may, where appropriate, be shared with the school district's insurers or legal advisors or used as evidence in legal proceedings.
- f) While video surveillance is not utilized for the purposes of routinely monitoring staff or student activities, any evidence of misconduct or breach of school rules that is captured by surveillance systems may be used and relied upon by the school district.
- g) The school district may also disclose or provide access to Footage or System Components to law enforcement officials or to assist in a specific investigation or make other disclosures as it is required or permitted to make under FIPPA and other applicable laws.
- h) Footage will ordinarily be destroyed within one month of creation, or at other regular intervals determined by the Superintendent of Schools from time to time, unless it is being retained to deal with a specific issue, event, investigation or legal matter or retention for a longer period is required by law. A request to retain any Footage may be made by a site supervisor or principal, staff member, parent or student.
- i) Logs shall be kept of all instances of access to, and use of Footage.

4. ACCESS BY PARENTS, GUARDIANS, STUDENTS OR EMPLOYEES

- a) Subject to Section 4(d), students, staff, parents or guardians requesting to view Footage containing their own image or images of their child/children may do so to the extent that such access is permissible under the Freedom of Information and Protection of Privacy Act. The school district may consult with parent(s) in respect of requests for access received from young children deemed not capable of exercising their own access rights.
- b) Footage may be viewed by staff upon request where reasonable and necessary for the purposes of investigating or responding to a specific event or issue.
- c) Viewing of videotapes and/or digital videos by students, parents, guardians and/or employees will be in the presence of an administrator or other designated individual. A student or parent/guardian may request that a support person be present at any viewing they have requested.
- d) 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 grounds recognized in the Freedom of Information and Protection of Privacy Act.

5. NOTIFICATION OF USE OF SURVEILLANCE EQUIPMENT

- a) Where the Superintendent of Schools has approved the implementation of surveillance systems, the school district will ensure that affected staff, students, volunteers and the public are notified of surveillance equipment locations. Notification will be by means of clearly worded signs, prominently displayed at the perimeter of the surveillance areas. Such signs will identify the purpose of the surveillance, the legal authority for the collection and contact information of the building administrator or designate staff person who can answer questions about the surveillance system.
- b) Covert surveillance without notice will only be used in exceptional circumstances where compelling reasons for its use exist, such as significant property loss, safety or security issues. Covert surveillance may be authorized by the Superintendent of Schools or Secretary-Treasurer after a detailed and comprehensive assessment of alternatives and must be strictly limited in scope and duration to that which is necessary to achieve a specific, identified objective. Covert surveillance may not be authorized on an ongoing basis.

6. ANNUAL REVIEW

The Superintendent of Schools or designate, shall conduct an annual review of use of surveillance in the school district. A report will be provided to the Board following the Superintendent's review.

7. RESPONSIBILITY AND COMPLAINTS

- a) The Superintendent of Schools has primary responsibility for compliance with the Policy and this Procedure, but all principals, site managers and other Authorized Persons are expected to comply with the requirements of this Procedure.

- b) All Authorized Persons are expected to review the requirements of this Policy on at least an annual basis, and shall participate in training opportunities at the request of the school district.
- c) Complaints, questions or concerns about the use of surveillance within the school district may be directed in writing to the Office of the Superintendent of Schools.

UPDATED: June 2022