

Background

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. 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.

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 School Principal or the Director of Facilities 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.
 - 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 School Principal or the manager of the building requesting approval of the installation, replacement or expansion of a video surveillance system 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 (Form 3-40)
 - 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 including 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.
- 1.8 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 will be used to record and 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 or in accordance with a court order or the enforcement of a Pembina Hills Public Schools administrative procedure.
- 1.9 If video surveillance is installed or used on Pembina Hills Public Schools property other than a school, 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 will be used to record and may be used to monitor activity, and
 - b. personal information collected by the video surveillance system may be disclosed for disciplinary, legal, legislative or law enforcement purposes or in accordance with a court order or the enforcement of a Pembina Hills Public Schools administrative procedure.

A sample notification letter for the use of School Principals and Directors is located in the Forms Manual (Form 3-40 Sample Letter for Principals).

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 video recordings.
- 2.2 Videotapes shall be stored in a locked filing cabinet in an area to which students and the public does not 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 a school principal. 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*.
 - 3.3 Parents may be asked to view a segment of a recording in the presence of the School Principal.
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 three months 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.
 - 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 School Principal 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.
 - 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.
6. Video Log
 - 6.1 If a video surveillance system is in use, the School Principal or Director of that facility or their designate must ensure that a log is kept of all access to, and use of disclosure of videotapes and video storage devices and access to the log must be restricted to the School Principal or Director or their designate (Form 3-42 Video Surveillance Log).

Video Cameras on School Buses

1. Most of the school bus fleet in Pembina Hills Public Schools are equipped with video camera boxes. Cameras are installed and run at random 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.
2. Only cameras belonging to Pembina Hills Public Schools 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 regional office administration.
3. 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

4. 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.

Reference

[School Act](#), Section 60, 61, 113, 117

[Freedom of Information and Protection of Privacy Act](#)

[Form 3-40-A Sample Letter for Principals/Directors for Video Surveillance](#)

[Form 3-40-B FOIP Privacy Impact Assessment Tool](#)

[Form 3-40-C Video Surveillance Log](#)

[Form 3-40-D Surveillance Video Release Form](#)

[Form 3-40-E Surveillance Video Release Form](#)

[Exhibit Notice of Video Surveillance on Premises](#)