

VIDEO SURVEILLANCE

Background

School District No. 43 (Coquitlam) recognizes its obligation to ensure that the school district environment is safe for all persons and to protect school district property from theft and vandalism. In order to enhance and support the school district's ability to ensure safety and to protect school district property from destructive acts, the Board of Education authorizes the use of video surveillance equipment on school district property where reasonable and necessary and where the benefit outweighs any corresponding loss of privacy of those observed.

Section 74.01 of the School Act expressly authorizes and sets out procedures for the installation, use and ongoing assessment of video surveillance on school grounds and on other school district property for the purposes of ensuring the safety of all persons and preserving school property and individual belongings. One of the purposes of this procedure is to ensure that these processes are appropriately followed.

The school district also recognizes that it owes obligations as a public body under the Freedom of Information and Protection of Privacy Act ("FIPPA"), and that surveillance recordings are governed by the provisions of the FIPPA. The purpose of these procedures is to ensure that the school district's legal obligations to provide appropriate levels of supervision and preserve school district property are appropriately balanced with its personal information privacy obligations under FIPPA.

Procedures

A video or audio recording of individuals present on school district property constitutes a collection of personal information that is subject to the provisions of the FIPPA. Such recordings are also subject to the requirements of section 74.01 of the School Act.

All staff are expected to adhere to the following procedures regarding the approval and installation of surveillance equipment (the "System") and the collection, use and disclosure of personal information through such System equipment.

1. Use

- 1.1. Video surveillance cameras may be used at schools and school district sites to monitor and/or record for safety and property protection purposes or other purposes authorized by the Superintendent and permitted under FIPPA (the "Authorized Purposes").
- 1.2. Video surveillance camera locations must be authorized by the Principal/Site Manager in consultation with Superintendent or designate. The selection and orientation of cameras should include consideration of whether the cameras are capturing images that are not necessary to achieve the Authorized Purposes.

- 1.3. Before video surveillance is introduced at a school or school district site, a report must be provided to the Superintendent or designate by the Principal or site manager describing:
 - 1.3.1. the specific Authorized Purpose for the use of surveillance;
 - 1.3.2. any circumstances or justification for the use of surveillance at that site; and
 - 1.3.3. whether less privacy invasive alternatives are available to achieve the Authorized Purpose and, if so, why they could not be used to effectively achieve the same objectives.
- 1.4. In accordance with section 74.01 of the School Act, surveillance may only be installed at a school or site if the parent advisory council (PAC) has first approved the use of surveillance (does not apply to cameras installed before September 10, 2010).
- 1.5. At any site where surveillance is in use, public notification signs must be prominently displayed indicating areas subject to video surveillance and referencing the legal authority for its use. To the extent possible, such signage should provide notice to individuals before they enter an area subject to surveillance.
- 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). Surveillance at such locations may be authorized by the Superintendent only on an exceptional basis, such as where the need is pressing and no other less invasive option is feasible. Surveillance will not be used inside washrooms or student change rooms.

2. Security

- 2.1. Video surveillance cameras will be installed only by a designated staff member or contracted 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 ("Contracted Agents").
- 2.2. Except as otherwise permitted by this procedure, only staff members designated by the Superintendent, Contracted Agents and the building administrator/site managers shall have access to System equipment and recordings ("Authorized Persons"), and only authorized persons may handle the cameras, videotapes, or digital recordings.
- 2.3. The site or school shall keep and maintain a log of all access to the System equipment and recordings (each an "Access Log").
- 2.4. Videotapes shall be stored in a locked room or filing cabinet in an area to which students and the public do not have access. Digital recordings shall be encrypted and stored on computers with restricted access.
- 2.5. Videotapes and digital recordings may never be publicly viewed or distributed in any other fashion except as provided by this procedure and in compliance with FIPPA.
- 2.6. Any removal of videotapes and digital recordings from the school or applicable site shall be logged.
- 2.7. System equipment must be installed so that recordings are physically isolated from any other system or network. Systems must be designed and configured to prevent any possible access by any person other than an Authorized Person.

- 2.8. The school district reserves the right to disclose or provide access to System equipment or recordings to law enforcement officials to assist in a specific investigation and to provide such other access or to make such other disclosures of the System recordings as it is required or permitted to make under FIPPA or other applicable laws.

3. Viewing of Videotapes and Digital Recordings

- 3.1. Video monitors used to view surveillance videotapes or digital recordings ("Recordings") shall not be located in a position that enables public access or unauthorized viewing by third parties.
- 3.2. Recordings may only be viewed by Authorized Persons, except as permitted in this procedure or as permitted or required under FIPPA and other applicable laws. Contracted Agents and Authorized Persons responsible for the technical operation of the surveillance equipment ("System") may only view Recordings for the purposes of maintenance and repair unless otherwise authorized by this procedure.
- 3.3. Recordings may be viewed by school district staff where reasonable and necessary for the purposes of investigating or responding to a specific event or issue.
- 3.4. At the discretion of the Superintendent, recordings may, to ensure fairness, be viewed by staff members or students (and their union or legal representatives) facing any disciplinary or legal action related to a Recording.
- 3.5. Recordings may be viewed by parents/guardians or students who make a written request under Part 2 of the FIPPA (access to information), however the school district will make efforts to limit access to only the individual requestor's own images in the Recording. Parents may exercise the information access rights of a minor child incapable of exercising their own rights within the meaning of FIPPA. The school district reserves the right to refuse a request for access on the basis that viewing a Recording 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 exception to disclosure recognized by FIPPA.
- 3.6. Video surveillance systems and equipment must be configured to ensure that Recordings can only be viewed in designated, secured viewing locations within the school district site.
- 3.7. Copies of recordings may be created, as authorized by the superintendent or designate, for investigation purposes. Where copies of videos are made and removed from designated viewing locations, all copies must be stored on secure, encrypted storage devices and may be viewed by authorized persons in accordance with this procedure. Creation of the copy must be identified in the viewing log to facilitate the application of retention procedures to that copy.

4. Retention of Videotapes and Digital Recordings

- 4.1. Where an incident raises a prospect of a liability or a legal claim against the school district, the recording, or a copy of it, shall be sent to the school district's insurers and, as applicable, legal advisors.
- 4.2. Videotapes and digital recordings shall be erased at regular intervals unless they are 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 Recording may be made by the Principal, Superintendent or designate, staff member, parent, or student. Unless otherwise directed by the Superintendent, Recordings will be retained for one year.

- 4.3. Recordings that are retained under section 4.2 above will be securely deleted when no longer needed by the school district and when all legally required retention periods have expired. The school district recognizes that Recordings used to make a decision that affects an individual must be kept for at least one year under FIPPA.

5. Special Investigative Purposes

- 5.1. The school district recognizes that the use of covert surveillance may only be authorized in exceptional circumstances and must be undertaken in compliance with FIPPA.
- 5.2. Any video surveillance camera installation for the purpose of covert surveillance must be authorized by the Superintendent and subject to conditions limiting the extent and duration of the surveillance in compliance with FIPPA.

6. Review

- 6.1. Each Principal/Site Manager is responsible for the proper implementation and control of the System at his/her school or site, including by conducting regular reviews of the Access Logs to identify any inappropriate access to or use of the System.
- 6.2. The Principal/Site Manager shall provide to the Superintendent on an annual basis a report reviewing the use of the System at the school or site. (See form F175-1.) The report may include comment on any issues or concerns with the System, any inappropriate access to Recordings, an assessment about whether the System appears to be accomplishing the Authorized Purposes, and any recommendations for future use.
- 6.3. The Superintendent shall conduct annual reviews of the System in accordance with the requirements of section 74.01 of the School Act.

7. Responsibility and Complaints

- 7.1. The Superintendent has primary responsibility for the System, but all principals, site managers, and Authorized Persons are expected to comply with the requirements of this procedure. The Superintendent may delegate his/her responsibilities under this procedure to another management representative of the school district.
- 7.2. All Authorized Persons are required to review this procedure on at least an annual basis, and shall participate in relevant training opportunities at the request of the school district.
- 7.3. Staff and Contracted Agents in violation of this procedure shall be subject to discipline or other corrective measures, including termination.
- 7.4. Complaints, questions or concerns about the use of surveillance within the school district may be directed in writing to the school district privacy coordinator.

Reference: Section 74, 85, School Act, Freedom of Information and Protection of Privacy Act
Reviewed: March 2023