

<p>Safety and Emergency Measures 10800</p> <hr/> <p>Video Surveillance</p>	Administrative Application	
	Last Reviewed / Approved on:	January 15, 2020
	References:	<p>The Education Act, 1995 Freedom of Information and Protection of Privacy Act (FOIP) The Archives Act The Local Authority Access to Information and Protection of Privacy Act (LA FOIP) Privacy Act (SK) Saskatchewan Regulations of the Human Rights Code Records Retention and Disposal Guide for Saskatchewan School Divisions Administrative Applications 5300 – Transportation of Students 5400 – Freedom of Information and Protection of Privacy Policy 12 – Role of the Director</p>
	Status:	Operational

Preamble

The Regina Catholic School Division (RCSD) places the highest priority on the safety of students and staff. The use of video surveillance in schools and on vehicles used to transport students is one of the options available to assist in maintaining discipline and ensuring the safety of students and staff as well as protecting the physical assets of the division. The school division recognizes the value of video surveillance for monitoring activity on school premises and its use in maintaining order, safety and discipline within the school setting. The use of video surveillance is authorized with the following guidelines that respect the privacy rights of staff and students.

Application

1. Security Camera Installation – Buildings and Grounds

a. Initial Request for Locating a Security Camera

A written report from the Controller of Plant and Accommodation Services and school principal must be provided to the Director of Education or designate outlining why video monitoring is required at a particular location within a school division building or on school division education grounds, and that less invasive alternatives have been considered, before a security camera can be approved for installation at that location. The Director or designate:

- i. Must approve the installation at that particular location.
- ii. Will consult with the Controller of Plant and Accommodation Services and the principal of the school before approving installation of a security camera in the school, or on the grounds of that school.

iii. May impose such conditions on the use of a security camera at a particular location as deemed advisable.

b. Unacceptable Locations for a Security Camera

Security cameras are not to be used in locations where appropriate confidential or private activities/functions are routinely carried out. In exceptional circumstances, the Director of Education or designate may, however, authorize an exception to this prohibition on the grounds no other supervision option is feasible and that the need is pressing and outweighs the privacy interests of the persons likely to be observed.

c. Changing the Location of a Security Camera

Any change in the location of the security camera must be approved in the same manner as in 1(a).

2. **Security Camera Installation on School Buses**

The Director of Education or designate has authorized the installation of security cameras on all school buses or other vehicles owned, contracted, or operated by RCSD. The video monitoring equipment shall enhance the safe operation on the school buses. The cameras will enable drivers to focus on the safe operation of the school bus while improving student passenger identification procedures for medical emergencies, disciplinary or other related purposes. Cameras may also be used to promote proper behaviour and the safety of monitors, school division staff as well as the bus drivers.

3. **Notification**

A clear and prominently displayed sign, advising of the presence of a security camera at a particular location, must be posted at that location. The sign should provide the following information:

Video cameras may be in use in this area to promote safety, protect property, detect and deter criminal activity, maintain order and discipline, and ensure adherence to school rules. Their use is authorized by The Education Act, Freedom of Information and Protection of Privacy Act, and Regina Roman Catholic Separate School Division #81.

A clear and prominently displayed sign advising of the presence of security cameras on a bus or other vehicle shall be posted on or in the bus or other vehicle. The sign should provide the following information:

Video cameras are in use on this bus to promote safety, protect property, detect and deter criminal activity, maintain order and discipline, and ensure adherence to school rules. Their use is authorized by the Director of Education or designate and the Regina Roman Catholic Separate School Division #81. If you have any questions please direct them to Regina Roman Catholic Separate School Division #81 at 2160 Cameron Street, Regina, SK S4T 2V6, telephone 306-791-7214 or transportation@rcsd.ca.

Covert surveillance may be authorized by the Director or designate, in exceptional circumstances for limited periods, where permitted by the *Freedom of Information and Protection of Privacy Act*.

The school principal shall inform staff, students, and parents at the beginning of each school year that the school division will be monitoring all activity that occurs at designated monitoring points throughout the school year and explain the purpose for the monitoring.

The school principal shall inform students and parents that the school division may choose to place video monitoring on school buses or other vehicles owned, contracted, or operated by RCSD.

4. Access to Security Camera Equipment

Only employees or contractors of RCSD designated by a Superintendent will install security cameras. Only employees or contractors designated by a Superintendent will be permitted to have access to the security camera, its controls, and associated equipment.

5. Location of Viewing Equipment

A monitor or other recording media format used to view video records must not be located in a position that enables viewing by the public or unauthorized persons.

6. Identification and Security of Recordings

Video records shall be securely stored on the school division server where unauthorized personnel and students do not have access. All retained recordings shall be identified by date, and by the security camera location.

7. Review and Use of Recordings

- a. Video records will be subject to review only where a specific incident has been reported or observed, or to investigate a potential crime, legal claim, or breach of Board Policy or Application, or school rules.
- b. Real-time or live video monitoring can be conducted on school division property when the immediate safety of staff and students is threatened. The school principal shall inform the Director of Education or designate of the purpose of the monitoring.
- c. School division employees may only view recordings, if it is necessary for them to perform their duties.
- d. A designated employee or contractor who is responsible for the technical operations of the camera system may have access to recordings for technical purposes only.
- e. School division employees may use a video record of student actions as evidence in any disciplinary action brought against the student arising out of that student's conduct in or about Board or school property.
- f. The school division may use security cameras to deter and detect criminal offences that occur or might have occurred in view of the camera.
- g. The school division may use a video or other recording for the purposes of determining adherence to Board Policy or Application and school rules.
- h. The school division may use video or other recordings for any other purpose expressly authorized by the *Freedom of Information and Protection of Privacy Act* or any other enactment.
- i. RCSD may grant permission for the vendor contracted to provide transportation services to view recordings for internal review of driver(s) to improve the service provided.

8. Disclosure of Recordings to Third Parties

- a. Video records shall not be disclosed to third parties except in accordance with the *Freedom of Information and Protection of Privacy Act* and this application.
- b. Disclosure of video records shall be on a need to know basis, in order to comply with Board's Policy and Applications, including the promotion of the safety and security of students, staff, and protection of school division property, deterrence, and the prevention criminal activities and the enforcement of school rules.
- c. If a video record may provide evidence in relation to a potential legal claim against RCSD, the recording or a copy shall be forwarded to the school division insurers.
- d. Video records that may provide evidence of a crime may be disclosed to a law enforcement agency where permitted by the *Freedom of Information and Protection of Privacy Act*.

9. Access to Recordings

- a. An individual whose personal information has been collected by a security camera has a right of access to their personal information under the *Freedom of Information and Protection of Privacy Act*. Consequently, access may be granted to an individual's own personal information in whole or in part under this provision, unless an exemption applies under the legislation. Access to an individual's own personal information in these circumstances may also depend upon whether any exempt information can be reasonably severed from the recording.
- b. The guardian of a minor may have a right to access the minor's personal information under the *Freedom of Information and Protection of Privacy Act* where, in the opinion of the Director of Education or designate, the exercise of the right or power of the guardian would not constitute an unreasonable invasion of the personal privacy of the minor.
- c. A student may view segments of a recording relating to oneself if they are capable of exercising their own right to access under the *Freedom of Information and Protection of Privacy Act*.
- d. Student, parent or guardian viewing of video records must be done in the presence of a school administrator.
- e. Viewing of a video record may be refused or limited where the 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 ground recognized in the *Freedom of Information and Protection of Privacy Act*.
- f. RCSD may grant access to recordings to the operator contracted to provide transportation services. Each viewing must be logged and copies cannot be produced unless permission has been submitted in writing with detail as to the purpose of the recording.

10. Maintenance of Logs

A log must be used to record each time a video recording has been used, disclosed, or accessed.

11. Retention of Records

- a. All video or other records will be retained and disposed of in accordance with the *Records Retention and Disposal Guide for Saskatchewan School Divisions*.
- b. Video records shall be deleted within three (3) months unless they are being retained at the request of the Director of Education or designate, school principal, school division employee, parent or student and are related to a specific incident, or have been transferred to the school division's insurers.
- c. Video recordings retained shall be deleted as soon as the incident in question has been resolved unless the video recording has been used in the making of a decision about an individual. In this case, the video recording must be kept for a minimum of one (1) year, unless earlier deletion is authorized by or on behalf of the individual.

12. Disposal of Recordings

Video recordings that are no longer in use shall be disposed of.

13. Violations of Administrative Application

- a. The use of security cameras is to be carried out in accordance with this administrative application. RCSD will not accept the improper use of security cameras and will take appropriate disciplinary or other action if this administrative application has been violated.
- b. Each contractor hired by RCSD, and who is involved in the operation of the security camera shall be required to agree in writing that it will comply with the *Freedom of Information and Protection of Privacy Act* and to keep any information so acquired confidential.

14. Administrative Application Exceptions

- a. This administrative application does not apply to covert or overt security cameras installed and used by the police under lawful authority for law enforcement purposes.
- b. This administrative application is not applicable to the utilization of video recording equipment within the context of a classroom setting for the purposes of addressing the programming needs of the students (teaching – learning).