

Safety and Emergency Measures 10900 Audio-Video Recordings in Schools	Administrative Application	
	Last Reviewed / Approved on:	August 14, 2024
	References:	The Education Act, 1995 Local Authority Freedom of Information and Protection of Privacy (LAFOIP) Saskatchewan Regulations of the Human Rights Code Administrative Application 10800 – Video Surveillance Policy 12 – Role of the Director
	Status:	Operational

Preamble

The Regina Catholic School Division (RCSD) supports schools in their efforts to design and implement standards and procedures for their operation in accordance with *The Education Act*, Board policy, administrative applications and teachings of the Catholic Church. The use of recordings in schools requires careful planning in order to comply with the guidelines of this application while being respectful of the privacy rights of students and staff.

Definitions

1. **Recording** – means an audio, video, audio-video or photographic replication recorded on any device including but not limited to audio-video recorders, cell phones, tablets, or computers which record images and/or sound.
2. **Uploading** – means the action or process of transferring data from one recording device to another or to a storage device including printed materials, hard drive, web environment or social media platform.
3. **Meeting** - means any conversation between two or more persons and includes telephone conversations.

Application

Use of Audio, Video, Audio-Video or Photographic Recordings

1. **Privacy Considerations**
Any time an audio-video recording is made in a school, on school property, at school events, or for school purposes, it becomes a record subject to *The Local Authority Freedom of Information and Protection of Privacy Act* (LAFOIP) and its *Regulations* and is also subject to school division policy and procedures with regard to such records.

2. Recording and Uploading Prohibited

No person, including students or staff members, shall make a recording or upload a recording of any other person made in the school or on school grounds or at a school-related event unless such recording is recorded and uploaded in accordance with LAFOIP, School Division policies and this administrative application.

3. Surveillance Cameras

Cameras to be used for surveillance purposes, whether for safety reasons or investigative purposes, may only be installed and used in accordance with school division *Administrative Application 10800 – Video Surveillance*.

4. Recordings at School Events

- a. Parents or guardians may make a recording of their own child, as long as no other identifiable person appears in the recording.
- b. Recordings may be made by persons attending a performance, event or presentation to which parents or members of the public are invited subject to the following conditions:
 - i. any such recording must be made solely for personal use; and
 - ii. the person making the recording shall be responsible for obtaining any consents or permission for the use or uploading of the recording and shall be liable for the further use or uploading of the recording.
- c. A notice shall be posted at all events, whether by poster or in a program or in advertisements for the event, stating that:
 - i. the event may be recorded by parents or third parties;
 - ii. any recordings of the event must be for personal use only;
 - iii. any party making a recording shall be liable for the use of the recording.
- d. Any student who does not wish to be recorded or any parent or guardian who does not wish to have their child recorded may choose not to participate in an event.

5. Recording with Consent

Any person, including staff and students, may make a recording of any individual from whom they have obtained consent, as long as:

- a. the consent obtained is in a form acceptable under LAFOIP;
- b. no other identifiable person appears in the recording; and

- c. the recording is not illegal or in breach of any school policy or administrative application.

6. Recording at Meetings

- a. No person shall record any meeting involving staff or students of a school unless:
 - i. there are exceptional circumstances as approved in advance in writing by the Director or designate;
 - ii. all parties present at the meeting agree in advance, in writing, to the recording and the conditions for the recording;
 - iii. the person making the recording agrees to provide all parties at the meeting with a copy of the recording as soon as practically possible after the meeting; and
 - iv. all parties agree in advance, in writing, as to the uses to be made of the recording, who shall have access to the recording and how long the recording shall be retained by each party.
- b. any member of the public, including parents and guardians, who records a meeting without appropriate approval from the Director or designate may be excluded from further meetings and/or prohibited from further attendance on school property.

7. Staff-Initiated Recordings

Staff shall not make a recording of any person or any activity in the classrooms or in the school, on school property or at school-related events unless provided for in this administrative application.

a. Instructional Purposes

Staff may make and utilize recordings for the purpose of instruction and improving student learning subject to the following:

- i. recordings may be shared within the classroom or school as required for the instructional purpose for which they were created but must not be further uploaded by staff or by students without obtaining appropriate consents under *LAFOIP*; and
- ii. recordings shall be retained for the required length of time required by applicable division or school policy regarding student work or instructional materials.

Parental consent is not required for recordings made for the purposes of instruction.

Teachers and administrators are encouraged to let parents know that recordings may form part of the instructional strategies used in the classroom.

b. Professional Assessments

Professional assessments by RCSD staff or contractors may be required to understand student needs. Some assessments might require recordings of student responses. Such recordings shall be used, disclosed, and disposed of in accordance with the requirements of *LAFOIP* and the policies and procedures of the school division relating to personal records of students.

c. Student Discipline proceedings

Recordings shall not be made in any meeting with a student or parent or guardian in student discipline situations including, but not limited to, preliminary conversations and investigations with students.

8. Student-Initiated Recordings

- a. Students shall not make a recording of any person or any activity in the classrooms or in the school, on school property or at school-related events unless provided for in this administrative application.
- b. A teacher or school administrator may give a student permission to record activity in a classroom for personal study purposes provided that the student agrees that the recording will not be shared, reproduced or uploaded to any publicly accessible web environment or social media platform.

9. Discipline

- a. Any staff member who breaches the provisions of this administrative application may be subject to disciplinary measures up to and including the possible termination of the employment contract.
- b. Any student who breaches the provisions of this administrative application may be subject to disciplinary measures up to and including possible suspension or expulsion.