**ADMINISTRATIVE PROCEDURE 141**

**VIDEO SURVEILLANCE SYSTEMS**

**I. Purpose Statement**

Livingstone Range School Division (the “Division”) recognizes that privacy is a fundamental value in a democratic society and, as such, this procedure emphasizes that the practical use of surveillance must be guided by a commitment to the privacy of students, staff, volunteers and the general public.

The Division also recognizes its obligation to maintain a safe and secure learning and work environment for students and staff, as well as the protection of Division property and the property of others. The Division is committed to enhancing the safety and security of students, employees and the public by the use of surveillance, in a manner that reasonably protects privacy rights to the extent possible.

The Division is also committed to providing clarity and consistency in processes to install, use and maintain surveillance systems, and to ensure that information collected through the use of surveillance is securely stored and protected from unauthorized access.

The purpose of this Procedure is to clearly communicate the purposes for and uses of surveillance at or within the Division’s Schools and on its school buses.

**II. Applicable Legislation**

This Procedure has been developed and implemented in accordance with the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25 (the “FOIP Act”).

**III. Definitions**

1. Throughout this Procedure,

a. “surveillance” shall refer to video and audio surveillance, unless expressly limited to video or audio surveillance alone;

b. “extracted recording” means a recording created by making a digital copy of a recording from a surveillance system;

c. “surveillance system software” refers to the software used to access, view and extract the recordings created by the surveillance system; and

d. “principal” refers to the principal of the school within the Division to which the surveillance relates.

1. Unless otherwise specified, terms used in this Procedure have the same meaning as defined in the FOIP Act.

**IV. Collection and Use of Personal Information**

A. General

1. The Division may collect personal information via surveillance for the following general purposes:

a. For the purposes of law enforcement, in accordance with section 33(b) of the FOIP Act; and

b. To facilitate an operating program or activity of the Division, in accordance with section 33(c) of the FOIP Act: namely, maintaining a safe and secure learning environment.

2. The Division may use and disclose personal information collected via surveillance only in accordance with these general purposes, for a use consistent with those purposes, or in accordance with a court order.

B. Surveillance at Schools Within the Division

1. Surveillance may be used on Division school premises specifically in order to:

a. Ensure the safety and security of students, staff and members of the public; and

b. Reduce, deter or eliminate incidents of vandalism and illegal or inappropriate conduct including assault or theft, and to facilitate investigation of the same post-incident.

C. Surveillance on Division School Buses

1. Surveillance may be used on Division school buses specifically in order to:

a. Ensure the safety and security of students and bus drivers; and

b. Reduce, deter or eliminate incidents of vandalism and illegal or inappropriate conduct including assault or theft, and to facilitate investigation of the same post-incident.

D. Employee Performance

1. For greater certainty, the use of surveillance is not to monitor the performance of Division employees, whether teachers or support staff. Rather, employees’ performance will be supervised and monitored by Division staff and administration generally.

2. However, if administration has a particular concern with respect to employee conduct, e.g. if a complaint or grievance against an employee arises, and it is reasonably believed that surveillance records may assist in investigating, identifying or rectifying this concern, then the principal or Superintendent of Schools may review existing surveillance records for this purpose, in accordance with section 33(c) of the FOIP Act.

3. Without limiting the generality of the foregoing, surveillance may be reviewed post-incident or when a complaint is received regarding an employee’s conduct.

4. If concerns regarding an employee’s conduct are inadvertently revealed in reviewing surveillance records for another purpose, the employee may nonetheless be subject to disciplinary action.

5. If surveillance records are relied upon in the discipline or termination of an employee, administration shall provide the employee with an opportunity to review the record in advance of a decision to discipline or terminate that employee.

**V. Rationale Required to Implement Surveillance Systems**

1. Surveillance shall only be used where conventional measures for achieving law enforcement or public safety objectives, such as increased staff supervision or security guard patrol, are substantially less effective or are not feasible, and the benefits of surveillance substantially outweigh the reduction of privacy inherent in collecting personal information using a surveillance system.
2. Before surveillance is introduced at a site, the Privacy Impact Assessment Tool (attached) must be completed by the school principal and approval in writing must be received from the Superintendent of Schools.
3. Surveillance camera locations must be authorized by the Superintendent of Schools or designate.

**VI. Installation of Surveillance Systems**

1. Surveillance cameras located inside a building shall not be directed to look through windows to areas outside the building, unless necessary to protect external assets or to ensure the personal safety of students or employees.
2. Surveillance cameras shall in no event be directed to look through the windows of adjacent buildings.
3. Surveillance cameras shall not be used to monitor areas where individuals have a reasonable expectation of privacy. Such areas include, but shall not be limited to, change rooms and washrooms.

4. Surveillance cameras on buses must be oriented, to the extent that is reasonably possible, so as to avoid capturing pedestrians, other vehicles, or property located outside the bus.

**VII. Notification Requirements for the Use of Surveillance Systems**

1. If a surveillance system is installed or used at schools within the Division or on Division school buses, then the principal or the Superintendent of Schools must notify students, parents and staff at the beginning of every school year:
	1. That the surveillance system is to maintain a safe and secure environment;
	2. That the surveillance system will be used to record and may be used to monitor and record activity; and
	3. That personal information collected by the surveillance system may be used and/or disclosed for disciplinary (both students and staff), legal, legislative or law enforcement purposes, for a use consistent with those purposes, or in accordance with a court order.
2. If a surveillance system is installed or used at schools within the Division or on Division school buses, then the principal or the Superintendent of Schools must ensure that appropriate, obvious signage is posted at each entrance to any school and on each bus under surveillance. Such signs must:
	1. Provide notice that the school or bus is under surveillance;
	2. Identify the type of surveillance used;
	3. Identify a party who can answer questions about the surveillance system and include an address or phone number for contact purposes; and
	4. Be located in a place easily observed to any person who may be observed and recorded using that surveillance.

**VIII. Ongoing Maintenance of Surveillance Systems**

1. To ensure all surveillance cameras and systems are in working order, the school principal or their designate will ensure a prescribed maintenance program is followed accordingly.
2. Any issues or concerns regarding the performance of surveillance cameras and systems must be reported to the principal or their designate responsible for the surveillance systems and addressed immediately.
3. If a surveillance camera or system is no longer required in a specific area, the principal or their designate responsible for the surveillance systems shall ensure its removal.
4. Where a storage device or other parts of a surveillance system are to be replaced, they must be securely disposed of.

**IX. Authorized Access to Surveillance Systems**

1. If a surveillance system is in use, the following conditions must be in place:
2. Access to view surveillance system recordings or live, real-time footage through the surveillance system software is restricted and password-protected, and a log is created to audit and monitor who is accessing the surveillance system recordings or footage and the surveillance system software; and
3. Physical access to the surveillance systems and the access log is restricted to the principal and the Superintendent of Schools, in the performance of their duties.
4. If a surveillance system is in use on one or more buses, the following additional conditions must be in place, in addition to the conditions listed above:
5. If surveillance system recordings taken from a bus are stored within a device on the bus, that device is contained within a locked compartment or otherwise protected and made physically inaccessible to drivers and students; and
6. If recordings taken from a bus are uploaded or transferred to another device within the Division, there are web or other security measures in place to ensure that these recordings are not intercepted.
7. Surveillance system recordings, whether from a school or from a bus within the Division, may only be reviewed by the principal of the subject school or the Superintendent of Schools when a specific incident or event occurs that requires an investigation. Some examples of the circumstances that would merit a review of surveillance recordings include, but are not limited to incidents of safety and security that have been reported or observed:
8. for disciplinary, legal or legislative purposes; or
9. for a law enforcement matter.

4. Division employees may review surveillance system recordings through the surveillance system software when they are required and authorized to do so by the principal of the subject school or the Superintendent of Schools, in the performance of their duties but only to the minimum extent necessary to fulfill their duties.

1. If a live feed of real-time surveillance footage is available through the surveillance system software, it will not be monitored except in the event of a lock down emergency situation. In such event, only the principal, the Superintendent of Schools, or law enforcement official may have access to real-time surveillance footage.
2. The principal or Superintendent of Schools is responsible for maintaining a log of all access to surveillance.

**X.** **Request for access to personal information**

1. An individual whose personal information has been collected and recorded by a surveillance system may request access to the information, in accordance with the FOIP Act.

2. Any individual may request access to a surveillance system recording or an extracted recording in accordance with the FOIP Act.

1. Any surveillance system recordings or extracted recording released by the Division through any means must be maintained according to the FOIP Act.

**XI. Access Requests from Law Enforcement**

1. Any request from law enforcement authorities for release of a Division video recording device or a copy of a Division surveillance video must be referred to the Superintendent of Schools who must ensure that a Law Enforcement Disclosure Form is completed before the video recording device or a copy of Division surveillance video is released.
2. With regards to serious matters, legal advice should be sought to determine if a warrant is necessary.

**XII.** **Retention, Destruction and Logs of Video Recordings**

1. The principal or Superintendent of Schools may make an extracted recording in accordance with the purposes set out in this Procedure, provided that a log entry is created when the extracted recording is made. The log shall include the date, the purpose and the individual who made the extracted recording.

2. If an extracted recording has been created to assist in the investigation of an incident, the Division’s copy of the extracted recording must be retained for the longer of the following three periods:

a. For one (1) year from the date of viewing,

b. For one (1) year from the date of the final resolution of the incident, or

c. For the time period requested by the principal, Superintendent of Schools, Division’s legal counsel or law enforcement officials.

3. If a surveillance recording has not been viewed or requested for assistance in the investigation of an incident, the recording shall be retained and stored by the surveillance system for a maximum of ninety (90) calendar days.

4. After the retention period has expired, the surveillance system shall delete or destroy the recording in such a way that the personal information cannot be reconstructed or retrieved.

5. Disposal of any recorded information from the surveillance system must be noted in the surveillance system log. This includes noting the timelines in which the surveillance system overwrites recordings.

6. All recordings collected through a surveillance system, whether collected at a Division school or on a bus, are property of the Division.

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**References**

“Guide to Using Surveillance Cameras in Public Areas” – Govt of Alberta

Education Act Sections 33, 52, 53, 197, 204, 222

FOIP Act Sections 33, 39 and 40

**Attachments**

[FOIP Privacy Impact Assessment Tool](https://www.lrsd.ca/download/295394)

**Amended:** September 4, 2018, November 2018, September 2022
Reviewed: January 2020, February 2020



# FOIP Privacy Impact Assessment Tool

**Rationale for Installation of Video Surveillance Systems in Schools and on Livingstone Range School Division Owned or Operated Property**

1. Describe the purpose and objectives for the video surveillance system. What outcomes and improvements to the safety and security of the school or Division property is the video surveillance system intended to achieve?
2. Describe any safety or security incidents or concerns which led to the decision to implement or expand on the video surveillance system.
3. Describe any physical circumstances of the school or Livingstone Range School Division property that raise safety or security issues that are expected to be alleviated by installation of the video surveillance system.
4. Describe methods of deterrence used that proved to be ineffective or unworkable.
5. Provide details about other methods of deterrence in addition to the video surveillance system that are being considered or that will be installed.
6. When will the video surveillance system be operating? For example, 24/7 or Monday to Friday during daytime hours or weekends, etc.
7. Describe how the effectiveness of the video surveillance system will be evaluated and at what intervals with respect to achievement of the desire objectives?
8. What effects will the video surveillance system have on personal privacy of students, parents, staff, members of the school community and other relevant stakeholders?
9. Describe the outcomes of consultations with parents, students, staff, members of the school community and other relevant stakeholders.
10. Describe the security measures that will be in place to ensure only authorized persons will have access to the video surveillance system’s controls and reception equipment.
11. Provide the names and positions of Livingstone Range School Division staff designated to have day-to-day access to the video surveillance system’s controls and reception equipment. Provide the names and positions of Livingstone Range School Division staff who will have access to monitors and the expected timeframes of their monitoring.
12. Describe the security measures that will be in place to ensure storage devices are secured in a locked controlled area.

**Requested by**: \_ \_

*Principal Date*

**Approved by**: \_ \_

*Superintendent Date*