

ADMINISTRATIVE PROCEDURE 475 VIDEO SURVEILLANCE

This procedure describes the Chilliwack School District's (the "District's") practices and expectations in relation to the use of video surveillance on school lands, facilities and buses in compliance with Section 74.01 of the *School Act* and the provisions of the *Freedom of Information and Protection of Privacy Act (FIPPA)*.

The District recognizes both that it has obligations with respect to staff and student safety, and that video surveillance impacts individual privacy. The District utilizes video surveillance for the purposes of ensuring the safety of staff and students, to protect personal property, and to protect District property against vandalism, theft and other destructive acts. The District endeavours to use video surveillance in a manner that is respectful of individual privacy.

Procedures

1. Surveillance Implementation:

Before installing and operating a new video surveillance system in school facilities or on school lands:

- 1.1. The Superintendent or their designate will produce or cause to be produced a report documenting the reasons why surveillance is being considered, citing (if applicable) any specific incidents of property loss, safety or security breaches justifying the implementation of surveillance, identifying any less intrusive alternatives that have been considered and why they would not be an adequate alternative to surveillance, and setting out the methods that will be used to minimize the privacy impact of the surveillance initiative.
- 1.2. If surveillance is to be used within a school facility or on school land, the District will provide notice of its plans to the applicable parent advisory council. In accordance with and as required under 74.01 of the *School Act*, the District shall obtain the approval of the parent advisory council before proceeding with implementation of the surveillance system.
- 1.3. Where the District deems it appropriate, the District may undertake consultations with other affected groups or individuals about the implementation of surveillance, such as students, parents, staff or members of the community.

2. Use of Surveillance:

- 2.1. The District utilizes surveillance for the purposes of safety and property protection.
- 2.2. Surveillance is not used to routinely monitor student or employee productivity or performance.

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- 2.3. Surveillance recordings may be accessed and viewed on an exceptional basis if and when required to investigate incidents raising concerns about personal safety, damage to property, or a contravention of law or school rules or policies or to investigate incidents of misconduct.

3. Equipment and Signage:

- 3.1. The District utilizes video surveillance systems, including cameras and equipment necessary to record and view video and audio footage ("Surveillance Equipment").
- 3.2. The District may use video analytics software to enhance the ability of Surveillance Equipment to detect unusual motion and activity and/or to limit the collection of footage.
- 3.3. Camera/Recorder placement will be subject to approval by the building administrator (Principal or building supervisor) or their designate ("Facility Administrator") at the time of placement, and will be placed with a view to minimizing the privacy-related impacts of the surveillance.
- 3.4. Access to Surveillance Equipment, including cameras, viewing and storage devices will be limited to authorized District employees or contracted service providers. In the ordinary course, such access is limited to the Facility Administrator or contracted service providers engaged in install or maintain Surveillance Equipment.
- 3.5. Surveillance is not to be ordinarily used in locations where appropriate confidential or private activities/functions are routinely carried out (e.g., bathrooms, private conference/meeting rooms). Any exceptions must be authorized by the Superintendent (or their delegate) 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.
- 3.6. The District shall post notices in areas where Surveillance Equipment is in use, which shall include the title and contact information for a District employee who can be contacted with questions or concerns about the use of surveillance.

4. Covert Surveillance:

- 4.1. Covert surveillance (i.e. surveillance without notice) will only be used in exceptional circumstances where compelling reasons for its use exist, such as criminal activity or other serious misconduct, significant property loss, safety or security issues.

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- 4.2. Covert surveillance may be authorized by the Superintendent for the purposes of a specific investigation after assessing the availability of alternative investigation methods and will be strictly limited in scope and duration to that which is necessary to achieve a specific, identified objective.
- 4.3. Covert surveillance will not be authorized on an ongoing basis.

5. Security and Disclosure:

- 5.1. All computer and/or recording media shall be password protected, encrypted, and stored in a secure area away to prevent unauthorized disclosure or public access. Access to such equipment will be limited to the Facility Administrator.
- 5.2. The District shall keep and maintain a log of all access to the Surveillance Equipment and recordings. Logs will be retained for a minimum period of ninety days.
- 5.3. Recordings may never be sold, publicly viewed, or distributed in any other fashion except as provided for by this Administrative Procedure or as authorized or required by court order, subpoena or other applicable laws.
- 5.4. The District reserves the right to make footage available to police to assist in police investigations as authorized by *FIPPA*.

6. Viewing of Recordings:

- 6.1. Playback devices used to view or listen to video footage will be located in secure areas where monitoring or viewing equipment is not accessible to third parties or the public.
- 6.2. The District shall only use and disclose video footage to the extent it is authorized or permitted to do so under *FIPPA*.
- 6.3. In the ordinary course, access to video footage shall be limited to the Facility Administrator or contracted service providers engaged to install or maintain the Video Equipment.
- 6.4. Employees, Students and parents may request access to video footage in which they appear, and access shall be provided in accordance with *FIPPA*. If an employee or student is facing any disciplinary action, they may authorize their union representation or other advocate to also view the recording.
- 6.5. The District reserves the right to refuse to provide access to footage where doing so would unreasonably interfere with the privacy of another individual.
- 6.6. The District may share footage with its legal counsel and insurers for the purposes responding to claims or complaints that may be made or to third parties where necessary to carry out investigations.

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7. Retention of Recordings:

- 7.1. Recordings are ordinarily destroyed within 60 days of creation, but may be retained longer if needed for legal, administrative, operational, disciplinary or investigation purposes. The Facility Administrator is responsible for making decisions about the retention of footage.
- 7.2. The District retains footage for a one year period if it is used to make a decision that significantly affects an individual in accordance with the requirements of *FIPPA*.
- 7.3. Where footage may be relevant to a legal claim involving the District or third parties, the District's practice is to retain footage for up to two years or until the relevant limitation period has expired in order to ensure relevant evidence is preserved as needed.

8. Review:

- 8.1. Each Facility Administrator is responsible for the proper implementation and control of the surveillance system.
- 8.2. The Superintendent or designate shall conduct a review at least annually to ensure that this Administrative Procedure is being adhered to on the use of video surveillance in the District.
- 8.3. The Board conducts an annual review of its video surveillance systems in accordance with the requirements of section 74.01(3) of the *School Act*.