



Electronic Surveillance is a term that refers to video-audio-digital components of multi-media surveillance and may include video camera surveillance in schools, other division property and school buses.

The Board understands that schools are considered to be a supervised environment where a reasonable degree of monitoring is both desirable and expected. Electronic surveillance is generally viewed as being useful in schools as a means:

- to enhance the safety and well-being of students and staff,
- to protect school property against theft and vandalism,
- to aid in the identification of intruders and persons breaking the law, and
- to assist with the maintenance of order.

The Board authorizes the use of electronic surveillance equipment on Division property where circumstances have shown that it is necessary for these purposes and its benefit are deemed to outweigh its impact on the privacy of those observed. It does so accepting its obligations to protect the personal privacy of individuals, in accordance with the Freedom of Information and Protection of Privacy Act, and any other applicable legislation.

Before electronic surveillance is installed, a report must be provided to the Superintendent/CEO or-designate, describing the circumstances that support the necessity of such electronic surveillance, including a discussion of less invasive alternatives. Where the Superintendent/CEO is satisfied that the use of electronic surveillance is appropriate and the criteria for its use can be met, authorizations with whatever reasonable conditions are deemed necessary, shall be given.

### **Procedures**

These guidelines and procedures are applicable to situations where electronic surveillance devices have been placed on Division property or on vehicles such as school buses.

These procedures are not applicable to instances where students or school officials record a specific event or for educational or research purposes.

### **Criteria for the Decision to Use Electronic Surveillance**

Before giving approval for the use of electronic surveillance devices, the Superintendent/CEO shall consider the following:

- Have less intrusive means of monitoring by staff been ineffective or unworkable?
- Is there a history of repeated incidents occurring in or around the facility?
- Do the physical circumstances of the school permit ready access by unauthorized individuals?
- Has there been a history of intrusion?
- Are staff satisfied that electronic surveillance will enhance the safety of students and staff and the security of the facility?



- Has consideration been given to the effects that electronic surveillance may have on personal privacy and the ways in which such adverse effects may be mitigated?
- Are the school administration and the person(s) responsible for the electronic surveillance familiar with the provisions of *The Freedom of Information and Protection of Privacy Act*?
- Are the provisions for signage and its location appropriate to the traffic patterns of the facility?

The use of electronic surveillance shall be continually monitored and the practice discontinued or modified whenever it is determined that such observation is no longer necessary.

## **1. Electronic Surveillance on School Property or Other Divisional Facilities**

### **a) Location, Operation and Control**

School division buildings and grounds may be equipped with electronic surveillance devices.

Electronic surveillance devices may be placed in areas where surveillance has proven to be necessary as a result of threats, prior property damage or security incidents.

Electronic surveillance devices placed outside shall be positioned only where it is necessary to protect external assets or to provide for the personal safety of individuals on school grounds or premises.

Electronic surveillance devices placed internally shall not be directed to look through windows to areas outside the building unless necessary to protect external assets or to ensure personal safety.

Electronic surveillance devices shall not be used to monitor inside change rooms and washrooms.

The school principal or designate shall be the one responsible to manage and audit the use and security of monitoring devices and recordings.

Only individuals authorized by the school principal or designate in accordance with division policy, shall have access to electronic surveillance devices, or be permitted to operate them.

### **b) Notification**

When electronic surveillance is used, signs must be installed. Signs should notify individuals of the area in which surveillance is conducted; hours during which surveillance is conducted and a telephone number for contact purposes.

Examples:

***For your safety, this area is under 24 hour electronic surveillance. Further information is available from the school office at 745-2003.***

***For your safety, this school bus is under electronic surveillance. Further information is available from the school office at 745-2003.***

All staff shall be made aware of the Division's electronic surveillance policies and procedures.

### **c) Covert Electronic Surveillance**



Covert electronic surveillance shall only be used in cases involving suspected criminal activity and will not be used to monitor, audit or evaluate the job performance of employees of the Division.

Covert electronic surveillance shall only be conducted in the Division with prior consultation with Police, the Board Chair and/or the Board's solicitor and must be authorized by the Superintendent/CEO on the grounds that covert electronic surveillance is essential to the success of the investigation and the need outweighs the privacy interest of the person(s) likely to be observed.

Covert electronic surveillance will not be authorized on an ongoing basis.

Electronic surveillance devices will be left in place only as long as necessary to identify the offender(s) and obtain sufficient evidence for discipline and prosecution.

Where circumstances permit, individuals who are not the intended targets of the electronic surveillance shall be notified of the use of the electronic surveillance in advance of, or during the electronic surveillance period by the Superintendent/CEO or principal.

Following the completion of any covert electronic surveillance, the Superintendent/CEO may disclose that electronic surveillance was implemented, identifying the location and the time period involved.

Individuals involved in the covert electronic surveillance operation or who are aware of it shall protect the confidentiality of the operation and the information obtained as a result of the electronic surveillance.

#### **d) Use of Electronic Surveillance Recordings**

A recording of actions by students may be used by the Board or administrators as evidence in any disciplinary action brought against students arising out of the student's conduct in or about the division's property.

Electronic surveillance recordings may be released to third parties or applicants in conformance with the provisions contained in the Freedom of Information and Protection of Privacy Act.

#### **e) Protection of Information and Disclosure/Security and Retention of Electronic Recordings**

All recordings not in use must be securely stored in a locked receptacle.

All recordings that have been retained shall be numbered and dated according to the camera site.

The principal, in conjunction with the Superintendent/CEO, must authorize access to any electronic recordings.

A log shall be maintained of all episodes of access to, or use of recorded materials.

Electronic recordings that contain personal information used to make a decision directly affecting an individual, however, may be retained for a minimum of one year.

The principal shall ensure that a release form is completed before disclosing electronic recordings to appropriate authorities or third parties, in accordance with applicable legislation. Such release forms shall include the individual or organization who is requesting the recording, the date of the occurrence and when or if the recording will be returned or destroyed by the authority or individual after use.



**f) Video Monitors and Viewing**

Only the administrator or individuals authorized by the administrator and members of the police shall have access to the recordings or to the electronic surveillance devices while they are in operation.

Electronic surveillance devices shall be in controlled access areas wherever possible.

**g) Access to Personal Information**

An individual who is the subject of electronic surveillance has the right to request access to the recording in accordance with the provisions contained under the Freedom of Information and Protection of Privacy Act. Access in full or in part may be refused on one of the grounds set out within the legislation.

**2. Electronic Surveillance on School Buses**

**a. Camera Location, Operation and Control**

The Operations Manager, in consultation with the Superintendent/CEO and school administrator may approve the equipping of school buses with electronic surveillance devices for monitoring student behavior.

The Operations Manager or school administrator shall be responsible to audit the use and security of surveillance devices.

Students shall be informed by the school principal at the beginning of each school year that student behavior on school buses may be recorded.

Electronic surveillance recordings may be released to third parties or applicants in conformance with the provisions contained in the Freedom of Information and Protection of Privacy Act.

An individual who is the subject of electronic surveillance has the right to request access to the recording in accordance with the provisions contained under the Freedom of Information and Protection of Privacy Act. Access in full or in part may be refused on one of the grounds set out within the legislation.

Freedom of Information and Protection of Privacy Act: <http://web2.gov.mb.ca/laws/statutes/ccsm/f175e.php>