

**NLSchools** refers to all public K-12 English schools and school-related facilities under the jurisdiction of the Department of Education, Education Operations Branch and all employees working therein providing services and supports to such schools, including those who work in the areas of school facilities, student transportation, program implementation, student services, and procurement.

## Policy Name

Video/Electronic Security Systems

## Policy Statement

The Department of Education supports the use of video/electronic security systems on school related property and on or in vehicles owned, operated or contracted by or for the department, where it is deemed necessary to protect the safety and security of students, staff and visitors and to protect student and school related property.

## Background

A video/electronic security system can be a valuable tool for promoting safe and secure teaching and learning environments. Such systems can support the implementation of [Safe and Caring Schools](#) policies and may help schools to respond to bullying behaviour, prevent or reduce theft and vandalism and provide a means for holding individuals accountable for criminal or unbecoming conduct while on school-related property. The use of video/electronic security systems on school related property balances the privacy rights of students and others with our obligation to provide safe learning and working environments and the need to protect NLSchools property from theft and vandalism.

## Scope

This policy applies to the use of video/electronic security systems in and around all schools and school-related facilities within NLSchools. It also applies to, properties, school buses and other vehicles owned, operated, or contracted by or for NLSchools. This policy does not cover recording of specific events (such as a sporting event or graduation ceremony) or where a class may be recorded for educational or research purposes.

## Definitions

### Video/Electronic Security System

For the purposes of this policy video electronic/security system refers to a video, physical or other mechanical, electronic, wireless, or digital surveillance system or device that enables continuous or periodic video recording or monitoring of individuals in school or school related buildings and premises.

### Personal Information

Personal information is recorded information about an identifiable individual, as defined in the [Access to Information and Protection of Privacy Act](#). Recorded information includes photographs, film, and videotape.

### Reception Equipment

Reception equipment is defined as equipment or device(s) used to receive or record the personal information collected through a video electronic/security system, including a camera or video monitor or any other video, audio, physical or other mechanical, electronic, or digital device.

### Storage Device

Storage device is defined as a videotape, computer disk or drive, CD ROM, computer chip or other device used to store the recorded data, or visual, audio or other images captured by a video electronic/security system.

### Covert Surveillance

Covert surveillance takes place without notice to the public and individuals will not generally be aware that they are being monitored.

## Policy Directives

1. Video/electronic security systems are intended to complement, and not replace, other forms of monitoring and supervision employed on school related property.
2. The approval of the Superintendent of Schools is required before a video/electronic security system is installed, changed, or expanded.
3. The relevant manager or school administrator is responsible for the day-to-day operation of the system in accordance with this policy and related administrative procedures.

4. Notification regarding the use of such systems must be carried out in accordance with administrative procedures outlined for this policy.
5. Signs shall be prominently displayed advising that a video/electronic security system is/may be in operation.
6. Surveillance recordings shall be treated in a confidential manner, access to them shall be restricted in accordance with administrative procedures outlined for this policy, and they must be stored in a secure manner.
7. Surveillance recordings may be:
  - a) Used as evidence in any disciplinary action for a student or employee.
  - b) Used for inquiries and proceedings related to law enforcement and the detection or deterrence of criminal offences.
8. Covert surveillance will only be used as a last resort in limited case-specific circumstances. Any covert surveillance on school related premises must be approved by the Superintendent of Schools.

## Administrative Procedures

### 1. Approval

- 1.1 The relevant school administrator or manager must submit a Video Surveillance Request Form to the Superintendent of Schools for approval of the installation, change or expansion of a video/electronic security system.
- 1.2 Prior to submitting a Video Surveillance Request Form, the school administrator should consult with their Director of Schools and their School Council to rationalize the request for video surveillance.
- 1.3 A floor plan, indicating location of cameras and the direction they are pointing, MUST accompany the Video Surveillance Request Form.
- 1.4 Approval must be granted prior to a system being installed, changed or expanded.
- 1.5 Once approval is granted, the school administrator or manager must consult with the school's Facilities Manager regarding the purchase/installation of a video/electronic security system, and purchases must be in compliance with the Public Procurement Act. All costs associated with the installation of a video/electronic security system in a school will normally be the responsibility of the school.

- 1.6 Once installation is complete and the system is operational, a username and password must be provided to the Director of School Facilities to allow system access.

## 2. Notification

- 2.1 Once a video/electronic security system is approved, notification must be provided in writing to the school council, parents/guardians and employees, that a system is approved for use and the expected start date of operation.
- 2.2 Signs advising that a video/electronic surveillance system is/may be operating must be displayed at entrances to buildings, at the front of school buses and in all areas that are subject to surveillance.
- 2.3 At the beginning of each school year, students and parents/guardians shall be informed of the use of a video/electronic security system through the normal means of communication (e.g. newsletter, school website, memo home).
- 2.4 Notwithstanding 2.1-2.3, video surveillance without notification may take place on school property, as authorized by the Superintendent of Schools.
  - a) Covert surveillance may be authorized on rare occasions as part of a time-limited investigation, such as an investigation into potential criminal conduct. Such surveillance should normally not exceed a two-week period, absent extenuating circumstances.
  - b) Covert surveillance may be authorized where it is considered to be the best available option under the circumstances and the benefits derived outweigh the potential violation of the privacy of individuals observed, and where it is deemed necessary to the success of the investigation and for the safety and security of students, staff and property.
  - c) The surveillance equipment shall be removed as soon as the matter has been resolved, or converted to a full notification system as per the steps outlined in this policy and procedures.

## 3. Installation

- 3.1 Newly-constructed schools that come equipped with video surveillance equipment must submit a Video Surveillance Request Form, accompanied by the floor plan indicating camera location, as per 1.1 and 1.2 of the

Administrative Procedures, at the request of NLSchools, or **prior** to utilizing video surveillance system. The deadline to file the application is 30 days from date of occupancy.

- 3.2 All video surveillance equipment must be installed by qualified staff.
- 3.3 Cameras must **not** be installed in instructional areas.
- 3.4 Cameras must **not** be installed in areas where there is a higher expectation of privacy, such as change rooms and bathrooms.
- 3.5 Cameras are **not** permitted to be used in gymnasiums during school hours.
- 3.6 Recording of sound (audio) is not permitted except for special circumstances as authorized on a temporary basis by the Superintendent of Schools.

#### **4. Storage**

- 4.1 Surveillance recordings must be stored in a secure place with restricted access. This would normally be in a protected electronic folder or in the office of the principal, assistant principal or manager.
- 4.2 Network-connected systems must only be on the firewall-protected intranet system, password protected and not be openly accessible on the Internet. School administrators/managers must consult with the Computer Support Specialist assigned to the building with respect to the security of the video electronic/security system.
- 4.3 Exported copies of surveillance recordings (e.g. to USB drive or DVD) should be labeled and dated and kept physically secure. Upon review of video surveillance, if the content is deemed sensitive it must be encrypted prior to storage.

#### **5. Access and Use**

- 5.1 Video surveillance monitors must be located such that the imagery is not publicly viewable.
- 5.2 Surveillance recordings may be reviewed for the purposes of determining adherence to policy or school rules.
- 5.3 Surveillance recordings may be used as evidence in any disciplinary action of a student or employee.

- 5.4 The parent/guardian of a student (or the student if 19 years of age or older), or an employee, may be permitted to view some or all of a surveillance recording where the individual is a subject in the recording, unless the review might violate the privacy of a third party. In that case, the review should not take place unless authorized by the [Manager of ATIPP](#). The viewing must be conducted in the presence of the school administrator or manager. The student/parent/guardian, or the employee, shall be entitled to have an advocate present while the recording is being viewed.
- 5.5 Surveillance recordings may be used for inquiries and proceedings related to law enforcement and the detection or deterrence of criminal offences. The Police may view recordings as part of an investigation.
- 5.6 Notwithstanding 5.4, viewing of the surveillance recording may be refused or limited on grounds that it would:
- Give rise to a concern for the safety of a third party; or
  - Be protected from disclosure under federal or provincial legislation or by court order.
- 5.7 Copies of recordings may be provided to law enforcement officials as part of an investigation. Where an incident raises the prospect of a legal claim against the Government, a copy of the surveillance recording will be sent to the Government's insurers or lawyers. Copies of recordings may be provided to other parties in accordance with legislation or upon court order.
- When a copy of a recording is provided, a release form must be completed by the relevant manager or school administrator, in consultation with the [Manager of ATIPP](#).
- 5.9 Surveillance recordings will not be sold, publicly viewed or distributed in any other fashion except as outlined in this policy or legally authorized.
- 5.10 A log must be maintained that documents who accesses/views surveillance recordings, and the date and time.

## 6. Retention and Disposal

- 6.1 Surveillance recordings shall be disposed of after 30 days, with the following exceptions:
- Recordings used in disciplinary matters shall be retained for one year

following the conclusion of the matter.

- b) Recordings used in law enforcement investigations/legal proceedings shall be retained for a period of one year following the conclusion of the matter, or until such time as legally required.
  - c) Recordings are retained at the request of the Superintendent of Schools.
- 6.2 Surveillance recordings shall be disposed of in such a manner that the information cannot be reconstructed or retrieved. This would normally be through erasing, overwriting or shredding, according to industry standards.

## 7. Audits

The school administrator or manager is responsible for ensuring that the video/ electronic security system is operated appropriately. The [Manager of ATIPP](#) or designate may periodically conduct a review of the use of an approved video/electronic surveillance system, to ensure consistency with the information provided on the [Video Surveillance Request Form](#) and compliance with this policy and related procedures.

Government will take appropriate action in the event that the system or surveillance recordings are being used in a manner contrary to this policy.

## 8. Video Surveillance on Buses

- 8.1 The installation and/or uninstallation of video or audio surveillance equipment of any kind on a school purpose vehicle under the [Agreement for Student Transportation](#) requires the written approval of the Superintendent of Schools.
- 8.2 When a video/electronic security system is installed on a bus, written notice must be provided to the parents/guardians of students who regularly use that bus when cameras are actively recording.
- 8.3 Signs advising that a video/electronic surveillance system is/may be operating must be displayed at the front of school buses.
- 8.4 Any video surveillance equipment installed on a school bus or private vehicle servicing NLSchools, and the recorded information itself, is the sole property of the Department of Education, Education Operations Branch.
- 8.5 Surveillance recordings from a camera installed on a school bus shall be

stored directly on a hard drive secured in a durable case that is fastened to the interior of the school bus and under lock and key. Only employees authorized by the Superintendent of Schools shall have a key. In most cases, an authorized Student Transportation Division employee shall facilitate the viewing of surveillance recordings upon request from the Principal in accordance with this policy and regulations. In some cases, the Principal may be authorized to have a key.

- 8.6 Section 5, Access and Use, of these administrative procedures applies to video surveillance on buses.
- 8.7 Section 6, Retention and Disposal, of these administrative procedures applies to video surveillance on buses.
- 8.8 Section 7, Audits, of these administrative procedures applies to video surveillance on buses.