



Policy No. 212

VIDEO SURVEILLANCE

POLICY STATEMENT

For reasons of enhancing the safety of students, staff and others on school premises and deterring destructive acts, the Board of School District 87 Stikine authorizes the use of video surveillance equipment on School District property where circumstances have shown that it is necessary for these purposes and its benefit outweighs its impact on the privacy of those observed.

- i. The Board believes that video surveillance discourages unwantedⁱⁱⁱ and unlawful behaviours.
- ii. All recordings will only be used to facilitate the monitoring and safety of students and staff subject to the provisions of the BC Freedom of Information and Privacy Act.
- iii. Video recordings will not be used for disciplinary actions against employees or volunteers unless a criminal act, violation of a Board policy, Workers Compensation Act, or contract term has been committed.
- iv. The Board will ensure the privacy and integrity of staff and students are always upheld and that video surveillance is not conducted in areas that may jeopardize this.

GUIDING LEGISLATION/REGULATION

- BC School Act, Section 74.01
- BC Freedom of Information and Protection of Privacy Act (FIPPA)
- Canadian Charter of Rights and Freedoms, Section 7 & 8

REGULATION

School District 87 Stikine (the District) recognizes both its legal obligation to provide appropriate levels of supervision in the interests of student safety and the fact that students have privacy rights that are reduced but not eliminated while under supervision at school, the student residences, and during transportation in school buses. Video recordings are recognized to be subject to the provisions of BC Freedom of Information and Protection of Privacy Act.

1. Use

- a. Video cameras, owned by the District may be installed and used to monitor and/or record activity in/around District buildings, on District land and property, and on school buses for the purposes of protecting:
 - i. the safety of individuals in/around a school facility, on school land, or on a school bus;
 - ii. an individual's belongings in/around a school facility, on school land, or on a school bus; and

- iii. District-owned property.
- b. The District will seek approval of the Parents' Advisory Council (if established) for the school where the Board proposes to install and operate a video surveillance camera.
 - i. Parent Advisory Councils may make recommendations to a Board to install and operate a video surveillance camera in/around a school facility or on school land.
 - ii. Video surveillance camera locations must be authorized by the Superintendent or designate in consultation with the School Principal.

2. Notification

- a. The School Principal shall inform students, staff, and parents/guardians at the beginning of each school year of the Board's Video Surveillance Policy and the location of the video surveillance monitoring equipment including on school buses, if applicable.
- b. Public notification signs advising users of the presence of video surveillance must be prominently displayed in areas subject to surveillance.
- c. The following sign will be posted on every bus that is adapted to have a video camera:

FOR YOUR SAFETY, YOU MAY BE RECORDED BY A VIDEO
SURVEILLANCE CAMERA

- d. Video surveillance is not to be used in locations where appropriate confidential or private activities/functions are routinely carried out (ie: bathrooms, change rooms, sick rooms, private conference/meeting rooms, staff rooms, etc.).
 - i. The Superintendent **must** authorize any exception to this 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.
 - ii. Surveillance of such locations may **not** be authorized on an ongoing basis.
- e. The use of video cameras must be evaluated periodically by the Board to assess if the installation and operation of the video surveillance camera is accomplishing a purpose set out for their installation.

3. Security

- a. Only a designated staff member or agent of the District:
 - i. will install video cameras
 - ii. shall have access to the program that accesses the cameras
 - iii. shall handle the cameras or digital recordings

- iv. shall ensure the proper functioning of the surveillance system on a regular basis
- b. Digital recordings shall be stored on computers or digital video recording devices with access restricted to only the School Principal, the Superintendent or designated staff member or agent of the District.
- c. Digital recordings shall not be publicly viewed or distributed in any other fashion except as provided by this policy and appropriate/related legislation.

4. Viewing of Digital Recordings

- a. The School Principal must authorize access to all video records.
- b. The School Principal shall be the one responsible to manage and audit the use and security of monitoring cameras, monitors, recordings, computers used to store images, and all other video records.
- c. Only the School Principal, the Superintendent, and/or others designated by the Superintendent shall have access to video monitors or be permitted to operate the controls.
- d. Remote access to video monitoring will only be provided to individuals approved by the Superintendent.
- e. A **Surveillance Video Access Log**¹ shall be maintained detailing all episodes of access to, or use of recorded materials. The log shall indicate:
 - i. the name and title of the person who accessed the video recordings;
 - ii. the time and date the digital recordings were accessed;
 - iii. the time and date that was observed;
 - iv. the area/camera(s) that were being observed;
 - v. the reason for accessing the video recordings; and
 - vi. if copies of any of the recordings were made.
- f. If copies of a video recording are made, details of this shall be disclosed on a **Surveillance Recording Release Form**².
- g. Video monitors used to view digital recordings shall be in a private room.
- h. Students and/or parents/guardians may be shown segments of a recording under the following conditions:
 - i. Parents/Guardians may request to view a segment of a recording that includes their child/children but may do so only in the presence of the principal or the Superintendent's designate.

¹ Surveillance Video Access Log – District Forms

² Surveillance Recording Release Form – District Forms

3 Policy 201 – Student Code of Conduct

- ii. Students may view segments of a recording relating to themselves, if they are capable of exercising their own access to information rights under the BC Freedom of Information and Protection of Privacy Act.
- iii. A student or parent has the right to request an advocate be present.
- iv. Viewing may be refused or limited:
 - where viewing would be an unreasonable invasion of a third party's personal privacy;
 - where viewing would give rise to a concern for a third party's safety; or
 - on any other ground recognized in the BC Freedom of Information and Protection of Privacy Act

- i. The School Principal or Superintendent shall ensure that a ***Surveillance Recording Release Form*** is completed before disclosing recordings to appropriate authorities or third parties. Any such disclosure shall only be made in accordance with applicable legislation.
 - i. Such release forms shall include:
 - a. the individual or organization who is requesting the recording;
 - b. the reason for the request;
 - c. the date of the occurrence; and
 - d. when or if the recording will be returned or destroyed by the authority or individual after use.

- j. Recordings may only be viewed by:
 - i. designated staff members
 - ii. parents/guardians and students, or by authorized staff members or agents responsible for the technical operations of the system (for technical purposes only)
 - iii. any other appropriate agency or individual that has a legal right to view the recordings

5. Use of Video Recordings

- a. A video recording of actions by students may be used by the District as evidence in any disciplinary action brought against students arising out of the student's conduct in or about District property.
- b. Video recordings of students, staff, or others may be reviewed or audited for the purpose of determining adherence to District policy, administrative procedures and school rules.
- c. Video recordings may be released to third parties or applicants only after a "Recording Release Form" is completed and in conformance with the provisions

contained in the BC Freedom of Information and Protection of Privacy Act and any rules or regulations there under.

- d. The District may use video surveillance and the resulting recordings for inquiries and proceedings related to law enforcement, deterrence, and student discipline.
- e. The District shall not use video monitoring for other purposes unless expressly authorized by or under an Act or enactment.

6. Disclosure

- a. Recordings shall not be disclosed except in accordance with this policy.
- b. Disclosure of video records shall be on a need-to-know basis, to comply with the District's:
 - i. policy objectives, and/or
 - ii. administrative procedures, specifically:
 - promotion of the safety and security of students
 - protection of District property
 - deterrence
 - prevention of criminal activities and the enforcement of school rules and District policy.

7. Retention of Digital Recordings

- a. Where an incident raises a prospect of a legal claim against the District, the recording, or a copy of it, shall be sent to the District's insurers or legal counsel.
- b. Digital recordings shall be erased within six months unless they are being retained at the request of the School Principal, Superintendent or designate, staff member, parent/guardian or student for documentation related to a specific incident or are being transferred to the District's insurers or legal counsel.
- c. Digital recordings retained, under 7.a, shall be erased as soon as the incident in question has been resolved, except that if the recording has been used in the making of a decision about an individual, the recording must be kept for a minimum of one year as required by the BC Freedom of Information and Protection of Privacy Act unless earlier erasure is authorized by or on behalf of the individual.

8. Video Monitoring on School Buses

- a. The Superintendent may approve the equipping of school buses with video monitoring devices for monitoring student behaviour.
- b. The School Principal(s) may act as the Superintendent's designate of the school buses.
- c. All other procedures remain the same as the school-based video surveillance recordings.

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Board Policy 201 – Code of Student Conduct