

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE PORTAGE LA PRAIRIE SCHOOL DIVISION HELD FEBRUARY 8, 2007 AT 7:00 P.M.

CALL TO ORDER:

ROLL CALL: Y. J. Cuthbert (Chairperson) C. W. Morrison (Vice-Chair) C.A. Chandler
A. F. Dell J. J. Harrison S. L. Leslie
W.M. McLenehan P. R. Meier H.W. Barrett
N. T. Corrigan L. J. Taylor

ABSENT WITH REGRETS: J. E. McCallister

COMMITTEE OF THE WHOLE – 7:00 –8:00 P.M.

02:01:07 Motion:

A. Dell – J. Harrison

That the board resolve into committee of the whole, in camera.

Carried

02:02:07 Motion:

J. Harrison – A. Dell

That the board rise and report.

Carried

COFFEE BREAK

A. AGENDA:

02:03:07 Motion:

P. Meier – A. Dell

That the agenda for the meeting of February 8, 2007 be approved.

Carried

B. PREVIOUS MINUTES:

02:04:07 Motion:

C. Chandler – C. Morrison

That the minutes of the regular meeting of January 25, 2007 be approved.

Carried

C. DELEGATIONS/PRESENTATIONS

1. None

D. MOTIONS:

02:05:07 Motion:

P. Meier – C. Chandler

That the 2007-2008 school year be established as follows:

Fall Term: September 4, 2007 – December 21, 2007

Spring Term: January 7, 2008 – June 27, 2008

Total days = 196

Carried

02:06:07 Motion:

A. Dell – J. Harrison

That the tender for surveillance cameras be awarded to National Industrial Communications Inc. in the amount of \$126,362.00 plus taxes.

Carried

02:07:07 Motion:

A. Dell – M. McLenehan

That policies **ACD - Video Surveillance** and **ACD-R - Authorization For the Use of Video Surveillance** be approved as follows:

FILE:ACD

VIDEO SURVEILLANCE

The Portage la Prairie School Division recognizes it has an obligation to protect the safety and security of students, employees, visitors and its property and to maintain order in its schools, while at the same time balancing and respecting the personal privacy of its students, employees and visitors.

In carrying out its obligations, video surveillance is a tool which the Division may use as a means of protecting its students, employees, visitors and property from activities which are criminal in nature or contrary to the rules and policies of the Division which govern safety and security.

The Division recognizes that its duty of care to its students, employees, and visitors is paramount to all other duties imposed on the Division, and that the psychological benefit to students from feeling safe and protected while in the Division's care generally outweighs the psychological effect of being surveilled by plain view video surveillance.

FILE: ACD-R

AUTHORIZATION FOR THE USE OF VIDEO SURVEILLANCE

A request to implement plain view video surveillance shall be made by a school Principal by forwarding a copy of the request to the Assistant Superintendent. If the Assistant Superintendent is satisfied that the request is in the proper form and follows the procedural guidelines set out by the Division, the Assistant Superintendent shall forward a copy of the request to the Superintendent. ***Personal information may be collected by or for the Board for the purposes set out in subsection 36(1) of The Freedom of Information and Protection of Privacy Act, C.C.S.M. c.F175 (“FIPPA”).***

Upon receipt of the request from the Assistant Superintendent, the Superintendent shall determine whether the circumstances warrant and justify the use of plain view video surveillance. In making his or her determination the Superintendent shall consider all of the following criteria:

1. Are there reasonable and probable grounds to believe that plain view video surveillance would be beneficial to the safety and/or security of the students, employees, visitors and to protect the property of the Division?
2. Is video surveillance demonstrably necessary in relation to a perceived need, whether that need be its ability to audit, monitor or evaluate the safety and/or security of its students, employees, and visitors or to protect and maintain the property of the Division?
3. Would such video surveillance assist in the furtherance of the policies, goals and obligations of the Division and be effective in meeting the perceived need set out in paragraph (b) above?
4. Is there a less privacy-invasive way of achieving the same end which is within the budget and resource base and obligations of the Division?
5. Is the proposed location(s) for the video cameras a place where the persons affected would not have a reasonable expectation of privacy?
6. Is the loss of privacy proportional to the benefit gained?
7. Has the Parent Council been consulted and support this application?

Where the Superintendent is satisfied that the above criteria are met, he or she may take the recommendation to the Board of Trustees for their final approval.

Where the use of plain view video surveillance has been approved to be used in any school, signs shall be placed in a visible area in all entrances to the school advising that the school is subject to video surveillance.

When collecting personal information directly from the individual whom the information is about the Board shall inform the individual of

- 1. The purpose for which the information is collected;***
- 2. The legal authority for the collection; and***
- 3. The title, business address and telephone number of an officer or employee of the Board who can answer the individual’s questions about the collection. (Section 37(2) of The Freedom of Information and Protection of Privacy Act, C.C.S.M. c.F175 (“FIPPA”).***

Installation and Implementation of Video Surveillance

The actual installation and implementation of video surveillance shall be conducted in accordance with the following principles:

1. The placement of the cameras shall be such to minimize intrusion into the privacy of individuals who may be viewed by the cameras.
2. The minimum number of cameras necessary to survey the area shall be used.

3. Where possible, cameras will only operate at such times where they are necessary in achieving the Division's goals.
4. Only that recorded evidence which is necessary to identify the offender(s) and, where applicable, provide evidence for discipline or prosecution shall be retained and all other recorded evidence shall be destroyed.
5. The recorded evidence shall only be made available to those individuals or organizations that have a legitimate right to access the evidence.
6. Any request to move a camera from its current location must be made by the principal or his/her designate to the Superintendent of Schools. This request must clearly state the reason(s) for moving the camera(s) in question. Upon receiving the request, the Superintendent, if he/she is convinced of its merit, shall forward the request to the Operations Committee of The Board of Trustees. The Operations Committee, if in agreement with the merit of the request, shall submit the request to the Board of Trustees for consideration.

Personal Information may be collected by covert video surveillance for purposes set out in subsection 36(1) of The Freedom of Information and Protection of Privacy Act, C.C.S.M. c.F175 ("FIPPA") and additionally as authorized by the Board. Circumstances include where there are reasonable and probable grounds that criminal activity is taking place or in such other extreme cases. Video surveillance will not be used to monitor, audit or evaluate the job performance of employees of the Division.

Use of Surveillance Records

The Division may only use video surveillance records:

1. for the purpose for which the information was collected or compiled;
2. for a purpose which is consistent with the purpose for which the information was collected or compiled if the use or disclosure has a reasonable and direct connection to that purpose and is necessary for performing the statutory duties of, or for operating an authorized program or carrying out an activity of, the Division;
3. if the subject whose image the video surveillance records has captured consents to its use; or
4. ***for a purpose for which the video surveillance records may be disclosed by the Division under section 44, 46, 47 or 48 or for a use approved under section 46 of The Freedom of Information and Protection of Privacy Act, C.C.S.M. c.F175 ("FIPPA").***

Retention of Surveillance Records

Surveillance records shall be retained for a maximum of two (2) years so that the individual who is the subject of the surveillance has a reasonable opportunity to obtain access to it.

In determining what is a reasonable period of time the following factor shall be taken into consideration:

1. the existing guidelines established by Manitoba Education *Guidelines on the Retention and Disposition of School Division/District Records*.

In the case of plain view surveillance, video images may be stored as digital images which will be overwritten as a result of the technical capability of the equipment used. Notwithstanding the foregoing, the digital images shall not be overwritten until two weeks has elapsed from the date when they were first recorded.

If there has been a request for access to video surveillance records made in accordance with FIPPA, that record shall be retained until such time as a final determination has been made as to the validity of the applicant's request.

The Secretary-Treasurer of the Division shall make such arrangements to protect the video surveillance records by making reasonable security arrangements against such risks as unauthorized access, use, disclosure or destruction.

Video surveillance records will be maintained in a clean, dry, secured location.

Video surveillance records will be serviced by knowledgeable staff and will not be made available to the public except under access conditions determined by provincial legislation and Division Policies.

Destruction of Surveillance Records

Provided that the time period for the retention of video surveillance records has elapsed, the Division may destroy such records.

Electronic records should be destroyed by deleting them from PC, mini or mainframe configurations. Floppy disks containing information due for destruction should be erased or physically destroyed (cut in half or pulverized). Hard drives used for the purpose of storing surveillance records are to be destroyed upon disposal of the accompanying CPU. In cases where faulty hard drives are removed from CPU's for replacement, the faulty hard drive is to be destroyed.

A log of records destroyed that meets the requirements of subsection 17(4) of PHIA must be kept for the destruction of records that contain personal health information. For all other records, school division/district policies and procedures should specify that a log of records destroyed be maintained. The log should include a description of the records, the date range and amount of records, and the date, method and person responsible for destruction. (Manitoba Education Guidelines on the Retention and Disposition of School Division/District Records).

The Division shall not destroy any video surveillance records with the intent to evade a request for access under FIPPA.

Carried

E. SUPERINTENDENT'S DEPARTMENT REPORT:

HB

1. Youth Career Opportunity Expo – March 8
2. Bike Helmet Initiative
3. Winnipeg Symphony Orchestra performance - YQS

NC

1. Funding Announcement - information

LT

1. January 2007 enrollment report (-17 from last month, -25 from last year) - copies
2. Brandon University student teachers
3. MAST Convention – registrations due Feb. 15

4. Memo from City re: Centenary Winners
5. MAST – Board Ballots
6. MAST – Workshop Registration, March 9
7. Correspondence re: request for I.A. facility at EAMS – (copies)
8. Bus cancellations – inclement weather
9. Long Service Tribute Dinner – Tuesday, June 19th

F. OTHER BUSINESS

1. No report

G. INFORMATION ITEMS: – copies

1. School Newsletters – Highlights
 - ECVS** - Book Fair Feb. 14 & 15
 - EAMS** - Student Support Group off to Delta Feb. 7 & 8
2. Free Press Article “2 More Divisions Facing Tax Hikes”

INFORMATION ITEMS: - copies on file

1. School Newsletters – Highlights
 - FLR** - I Love to Read Month, Preschool Valentine Party
 - YQS** - Division-wide Jr. High school dance to be held March 1
 - LVS** - Pre-School Party to be held Feb. 28 at 2:30 p.m.
2. Daily Graphic articles: “School Board to Consult Parents About Little Black Book”
“Portage School Marks Historic Milestone”
3. Free Press article: “Kids Faced With School Outside New Neighbourhood”
4. Minutes of the FLR Parent Advisory Council meeting held November 21, 2006
5. Correspondence from Minister of Education re: some aspects of The Public Schools Act
6. Correspondence from Campaign Life Coalition Manitoba re: Little Black Book
7. NSBA Conference – information re: speakers
8. MAST e-mailed items:
 - Salary Bulletin No. 01-2007, Interlake S.D. & Non-Teaching employees
 - Salary Bulletin No. 03-2007, Kelsey S.D. & Teachers
 - Changes to Employment Standards Code for April 30
 - MAST Executive Meeting Highlights, Feb. 5/07
9. E-mail messages received:
 - From M. Slykerman, re: Little Black Book

H. UPCOMING MEETINGS:

February 22	Board Meeting
March 8	Board Meeting

March 15-17	MAST Annual Convention – Wpg.
March 22	Board Meeting
April 12	Board Meeting
April 14-17	National School Boards Association Conference in San Francisco
April 26	Board Meeting
May 10	Board Meeting
May 24	Board Meeting
June 14	Board Meeting
June 28	Board Meeting

I. NEWS MEDIA QUESTIONS:

C.F.R.Y.	Randell Mauricio
Daily Graphic	Angela Brown

J. COMMITTEE OF THE WHOLE:

02:08:07 Motion:

A. Dell – P. Meier

That the board resolve into committee of the whole, in camera.

Carried

02:09:07 Motion:

C. Morrison – C. Chandler

That the board rise without reporting.

Carried

K. ADJOURNMENT:

The meeting was adjourned by the chairperson at 9:55 p.m.

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