



File EIH-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 ("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 will aid in protecting 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 (2) 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.



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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 ("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 areas 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.

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. For a purpose for 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 Privacy Act ("FIPPA").



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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.



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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). See also EJB.

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