

Administrative
Regulation No.
1066

Classification:
General

Effective Date:
January 2024

Video Surveillance

1 | Purpose

The purpose of this administrative regulation is to:

- Outline the use of video surveillance technology (VST) to assist in maintaining a welcoming, caring, respectful and safe learning and work environment that respects diversity and fosters a sense of belonging for all members in school district property and work spaces.
- Ensure the video surveillance technology is used consistent with and the *Freedom of Information and Protection of Privacy Act*.
- Provide clarity and consistency in processes for approval, installation, use and management of video surveillance technology within the CBE.

2 | Scope

This administrative regulation applies to:

- All CBE students, staff, parents, volunteers, visitors, and contractors on CBE property.

3 | Compliance

All employees are responsible for knowing, understanding and complying with this administrative regulation.

Failure to comply with this administrative regulation may result in disciplinary action up to and including dismissal.

4 | Principles

The following principles apply:

- CBE is committed to creating welcoming, caring, respectful and safe learning and work environments that respect diversity and foster a sense of belonging.
 - Video surveillance technology is a complement to and not a replacement for other means of promoting welcoming, caring, respectful and safe learning and work environments.
- CBE may install and use video surveillance technology where it enhances safety of students, staff, or others, or deters damage to CBE property or assets; where circumstances have shown that it is necessary for these purposes, and its benefits outweigh the impact on the privacy of those affected.
- Approval, installation and use of video surveillance technology will comply with this administrative regulation.
- All information collected through video surveillance technology will be managed in accordance with applicable legislation and applicable CBE administrative regulations.

5 | Definitions

Authorized personnel: means those who have direct levels of permission and access within the video surveillance system.

CBE: means The Calgary Board of Education.

Exigent circumstance: means an emergency situation requiring swift action to prevent imminent danger to life or serious damage to property.

FOIP: means the *Freedom of Information and Protection of Privacy Act*.

Proponent: means the person (Principal or Director in most cases) submitting an application for the installation, replacement, expansion, or adjustment of video surveillance technology at a school or site.

Video Surveillance Technology or “VST”: means any electronic surveillance device, hardware, or software that is capable of recording, retaining, processing, or sharing visual, digital, location, or similar information or communications specifically associated with, or capable of being associated with, any specific individual or group.

6 | Regulation Statement

- Rationale**
- 1) Video surveillance technology (“VST”) is acknowledged as an exceptional measure to support safety and security of persons or property in and on CBE sites. VST may only be used where conventional measures for achieving public safety or asset protection objectives are:
 - a) Substantially less effective or are not feasible, and
 - b) The benefits of surveillance substantially outweigh the reduction of privacy inherent in collecting personal information using a video surveillance system.
- Evidence to support use**
- 2) There must be objective and verifiable evidence that the VST is needed in order to support public safety or asset protection.
 - 3) Evidence must include specific reported incidents of one or more of the following circumstances:
 - a) Theft,
 - b) Vandalism,
 - c) Violence / decreased safety of persons, and/or
 - d) Breach of security at a given site.
 - 4) Surveillance camera installation must be reflective of this evidence and only installed where it is deemed necessary given the verified and specific evidence.
Further detail in regard to placement of cameras is provided in the “Procedure” section of this administrative regulation.
- Oversight**
- 5) The Video Surveillance Technology Governance Committee (VSTGC) will be responsible for the review and approval of any VST being installed, replaced, adjusted or expanded at a CBE owned or operated facility, including a school.

- 6) The VSTGC will be comprised, at a minimum, of the following individuals:
 - a) Decision maker: Superintendent, Facilities & Environmental Services (FES)
 - b) Members:
 - i. Representative from Legal Services as delegated by General Counsel;
 - ii. Education Director as delegated by School Improvement;
 - iii. FES Director, as delegated by Superintendent, FES

- 7) The VSTGC will be supported by an advisory group of subject matter experts and the proponent, whose function will be to provide relevant information, as requested by the Governance Committee, in support of making a recommendation on a given application for VST.
 - a) Members:
 - i. Coordinator, FOIP (Freedom of Information and Protection of Privacy);
 - ii. Representative from Corporate Risk and Security, as delegated by Superintendent, FES;
 - iii. Representative from Information Technology Services (ITS), as delegated by Director, ITS;
 - iv. The proponent of the application for VST (Principal or Director responsible for non-school site)

Monitoring of VST

- 8) The use of all video surveillance technology is subject to audit, monitoring and search by authorized CBE personnel

to ensure compliance with this regulation and applicable legislation

7 | Procedure

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| Installation | 1) | The installation, replacement or expansion of a video surveillance system requires the approval of the Video Surveillance Technology Governance Committee (VSTGC). |
| Request for VST | 2) | The proponent requesting a new installation, any changes or expansion of VST will submit an application, using the approved form, to the Manager of Corporate Risk and Security. |
| Approval | 3) | Only the VSTGC may approve the installation, expansion or replacement of any video surveillance technology. |
| Purchase | 4) | The purchase of VST: <ul style="list-style-type: none">a) May not be initiated until approval from the VSTGC is received;b) Must meet Calgary Board of Education acceptable standards as set out by Administrative Regulation 7001 - Purchase of Goods and Services.c) Must be implemented using technologies approved by CBE ITS. |
| Camera placement | 5) | Schools are not permitted to procure, install, amend, or expand VST directly, including for entry door cameras. |
| Camera placement | 6) | Video surveillance cameras must be positioned to address the identified problem(s). |
| Camera placement | 7) | Camera placements are determined in consultation with CBE Corporate Risk and Security and must align with CBE design standards. |
| Surveillance limitations | 8) | Video surveillance cameras must not be directed towards property or windows of property adjacent to CBE owned or operated property. |

- VST features** 9) Available features of VST such as facial recognition may be limited. The VSTGC will determine available features.
- VST on Busses** 10) If VST is used on CBE-owned buses, the requirements of this regulation shall apply.
- Posting signs** 11) If VST is used on CBE-owned or operated property, approved signage should be prominently posted at each entrance, and reasonably, at high traffic access points to the property notifying people that the property is under video surveillance.
- Annual notification** 12) Where VST is installed or used at a school or CBE site, annual notification of students, parents / guardians and staff is required. This notification should include that:
- a) Video surveillance technology is installed at the school or site; and
 - b) Personal information collected by video surveillance may be disclosed for disciplinary, legal, legislative or law enforcement purposes or in accordance with a court order or the enforcement of a CBE administrative regulation.
- Limited review of recordings** 13) Video surveillance recordings shall only be reviewed by authorized personnel, except as per the provisions in this Administrative Regulation.
- 14) Reviewing of recordings must occur in a secure space out of public view.
- Authorized personnel** 15) In a school, authorized personnel are the Principal and Assistant Principal.
- 16) At a non-school site, authorized personnel is the Director as delegated by the applicable Superintendent.
- 17) For security monitoring and equipment maintenance purposes, the Superintendent, FES, and the Superintendent, Finance / Technology Services, may authorize personnel to reasonably access VST footage in the fulfillment of their duties.
- 18) Technical support personnel, as designated by the Manager of Application

Services, will be permitted to view video footage only when necessary to diagnose, troubleshoot, and resolve technical issues.

Privacy breach 19) If there is breach of privacy there is an obligation to report this to the Manager, Corporate Risk and Security and the FOIP Coordinator following the CBE (internal) process.

Real-time monitoring prohibited 20) Real time monitoring by any persons, including authorized personnel, is prohibited except in exigent circumstances.

Entry door cameras 21) Real time video surveillance may be used to monitor locked entry doors of schools and facilities. Only employees appointed by the principal or the administrator responsible for the school or facility will monitor, in real time, entry cameras in order to respond to requests to enter the school or facility.

Viewing recordings 22) VST recordings may be viewed by authorized personnel for valid purposes including but not limited to:

- a) Supporting the safety and security of the CBE's schools and facilities,
- b) Disciplinary, legal, legislative or law enforcement purposes,
- c) Enforcement of administrative regulations, or for a use consistent with those purposes, or in accordance with a court order.

Parent or student viewing recordings 23) A parent / legal guardian requesting to view video recordings that includes their child may be allowed to do so, if for a valid purpose, and consistent with FOIP. The principal is responsible for ensuring that information shared with parents / legal guardians is consistent with CBE's administrative regulation on information sharing.

Viewing may be refused or limited where it is deemed that it would be an invasion of a third party's personal privacy, would give rise to a concern for a third party's safety, or on any other grounds recognized under FOIP.

- 24) Any recording viewed by a parent or student must have already been archived and, if other students or staff are in the recording, faces blurred prior to authorized personnel showing the recording to a parent or student.
- Third party viewing recordings**
 - 25) If VST recordings are to be viewed by a third party, such as an unauthorized staff member, it must only be for valid investigatory reasons and must have been reviewed by authorized personnel prior to allowing a third party to view.
 - 26) An authorized staff member is to be directly present if recordings are viewed by a parent, student, unauthorized staff member, or third party.
- Request for recordings as per FOIP**
 - 27) An individual whose personal information has been collected and recorded by VST may request access to their own personal information in accordance with the FOIP Act.
- No retention on a mobile device**
 - 28) Recording of VST recordings by a secondary device (smartphone or other video recording device) is strictly prohibited. This applies to authorized personnel as well as any persons viewing recordings.
 - 29) Any saved or archived VST recording or still image is to be saved to a secure location and must not be retained, in any form, on an individual mobile device (e.g. phone or laptop).
- Archiving recording or still images**
 - 30) VST recordings or still images captured from VST recordings that are used in an investigation and result in an administrative or disciplinary action, must be archived.
 - 31) Archived recordings or images must be retained as per this Administrative Regulation.
- Retention**
 - 32) If VST recordings have been viewed and archived for an administrative purpose, disciplinary action, or law enforcement, the footage must be retained for the longer of the following two times:
 - a) For one (1) year from the date of viewing, or

b) For one (1) year from the date of the final resolution of the incident, but no longer than 3 years and disposed of according to this regulation.

33) If video surveillance information has not been viewed and archived for an administrative purpose, disciplinary action, or law enforcement, the information will be retained for 30 calendar days and then deleted.

a) For VST not capable of a 30 day retention period (pre-2023 installed), video surveillance information will be retained for 21 days and then deleted.

**Transitional
Secure
Storage for
older tech**

34) If a video surveillance system in use in a CBE owned or operated school or facility that utilizes videotapes or discs for recording, the principal or Director of that facility or their Calgary Board of Education designate must ensure that all of the following conditions are in place:

- a) All video recording devices other than a video surveillance camera must be located in a secure location;
- b) All removable videotapes and/or video storage devices must be stored securely in a locked receptacle located in a Calgary Board of Education controlled access area, accessible only to the principal, assistant principal or Director or the Director's designate, as the case may be;
- c) Each videotape or video storage device that has been used must be dated and labeled with a unique, sequential number or other verifiable symbol;
- d) Access to all video recording devices, videotapes and/or video storage devices and the video access log is restricted to the principal, authorized personnel in Corporate Risk and Security, the CBE FOIP Coordinator, or the CBE designate of any one of them, for the performance of their duties.

Log requirement for pre-2023 installed VST

- 35) If a video surveillance system is in use in a CBE owned or operated school or facility, the principal or Director of that facility or their CBE designate must ensure that a log is kept of all access to, and use or disclosure of videotapes and video storage devices and access to the log must be restricted to the principal or Director or their CBE designate;

Disposal of VST information

- 36) After the retention period has expired, video surveillance information must be disposed of in such a way that the personal information cannot be reconstructed or retrieved.
- 37) Corporate Risk and Security will ensure disposal of video surveillance information.

- Review of VST equipment** 38) The use of VST at a site or site type will be reviewed on a schedule as established by Corporate Risk and Security, to determine if the installation is still justified.
- Training** 39) Training will be provided and required annually for authorized personnel and others as deemed necessary on the appropriate use of VST and their responsibilities.
- Maintenance** 40) Maintenance of VST will follow maintenance schedules as determined by Facilities and Environmental Services and Information Technology Services.
- Disclosure to law enforcement** 41) Any request from law enforcement authorities, including a School Resource Officer (SRO), for release of specific footage of CBE surveillance video must be referred to Corporate Risk and Security, who shall ensure that the Law Enforcement Disclosure Form is completed before the video recording can be reviewed or released.
- 42) Corporate Risk and Security will determine if the law enforcement request is reasonable and may seek the support or advice of CBE Legal Services in making this determination.
- Exclusions** 43) This Administrative Regulation does not apply to surveillance cameras used for law enforcement purposes as a case-specific investigation tool where there is legislative authority or a court order authorizing the surveillance.

8 | History

Approval	July 1, 2007
Review	January 2029
Revision/Review Dates	Effective date: September 2007 1 st amendment: February 2008 Revision: January 2024

9 | Related Information

- Provincial Legislation:
 - Freedom of Information and Protection of Privacy Act;
 - Education Act;
- CBE Administrative Regulations:
 - 1061: Responsible Care and Security of Information;
 - 1062: Responsible Use of Electronic Information Resources;
 - 4027: Employee Code of Conduct;
 - 4038: Harassment, Sexual Harassment and Discrimination;
 - 6005: Student Code of Conduct;
 - 6006: Progressive Student Discipline;
 - 6031: Welcoming, Caring, Respectful and Safe Learning and Work Environments;
 - 6047: Vandalism and Damage to School Property;
 - 7001: Purchase of Goods and Services
- Related Governance Policies
 - OE-2: Learning Environment/Treatment of Students
 - OE-4: Treatment of Employees
 - OE-6: Asset Protection
 - OE-9: Facilities
- Related Forms, FAQ, Matrix
 - Law Enforcement Disclosure Form
 - Video Surveillance page – CBE Staff Insite