

The Board of Education, School District No. 48 (Sea to Sky) believes that effective information collection, retention and distribution practices are necessary operational and organizational components.

The Board wishes to have transparent and open communication with all stakeholders, and believes that mutual sharing of information with all educational partners and the wider community is a key to success. It also recognizes its responsibility to protect the privacy of its staff, students, and parents/guardians, and understands maintaining sensitive data in digital and analog formats is necessary for its business practices.

This policy governs the collection, retention and distribution of information, and includes but is not limited to, requirements set out in the School Act, the Freedom of Information and Protection of Privacy Act (FIPPA), and Canadian Anti-Spam Legislation (CASL).

The Superintendent or designate will review the School District's methods of information collection, retention and distribution on an annual basis and will make recommendations to the Board on any material changes.

1. Freedom of Information and Protection of Privacy Act (FIPPA)

FIPPA is legislation which regulates the collection, use, disclosure and security of personal information (regardless of how it is recorded) in the custody or control of public bodies. The School District is required to follow the guidelines set out in FIPPA and is also subject to additional provisions in the School Act governing privacy matters.

1.1 *General Privacy*

- 1.1.1 Personal information is to be collected for the purpose of instruction and administration only. Permission must be granted by the subject of that information prior to it being used for any purpose other than why it was collected;
- 1.1.2 School staff are required to use the blind copy function when sending emails to groups of non-employee stakeholders, unless clear permission has been granted to share email addresses within that group;
- 1.1.3 Any online tools used in schools are subject to FIPPA laws and guidelines, and require specific parental consent. The FIPPA Consent for Web 2.0 Tools must be completed any time student information will be stored on servers residing in the United States. This form will be distributed to parents/guardians by the school;
- 1.1.4 The Board is required by law to protect the privacy of students and their families. Use of personal images and/or content requires annual parent/guardian media consent. There are

two types of media consent, each requiring a signed release form:

- 1.1.4.1 Consent for Access from Outside Media which includes non-school district newspaper, television, or other media, and must be considered separately from;
- 1.1.4.2 Personal Information Consent pertains to inside media and school information which would include but not be limited to school or district newsletters, yearbooks, and websites.

These consent forms will be distributed to parents/guardians annually at school start up.

## 1.2 *Requests for Information*

The Board recognizes its obligations to respond to requests for access to records, including records containing personal information, openly, accurately and completely, and to make every reasonable attempt to assist applicants with their requests.

The decision to grant complete or partial access to records, or to refuse access will be made by the Superintendent of Schools or designate, and guided by the relevant provisions of FIPPA.

Requests for access to information, including access to personal information under FIPPA must be directed in writing to the Privacy Officer designated by the Superintendent, and must provide sufficient detail to enable the School District, with reasonable effort, to identify the records sought. The Privacy Officer will:

- a. acknowledge receipt of the request;
- b. determine whether information is routinely accessible;
- c. log the request, create a file and track records;
- d. refer the request to the area responsible for the information to conduct a search for responsive records;
- e. determine whether information in the records falls under exceptions in FIPPA;
- f. prepare records for disclosure to the applicant.

The Privacy Officer will notify applicants if there will be a delay in responding, if the request is denied, or if fees will be incurred for services. Any fees charged relating to records location, retrieval, production and copying will be based on the [Schedule of Maximum Fees](#) in the Freedom of Information and Protection of Privacy Regulation.

- 1.2.1 The Superintendent of Schools is the head of the School District for purposes of FIPPA;
- 1.2.2 The Board authorizes the Superintendent to name a designate to administer FIPPA and make day to day operational decisions about matters falling under FIPPA.

1.3 *Student Information System*

The Board acknowledges that to achieve the most efficient and effective support of student learning and school and district business practices, an electronic student information system is needed to manage demographic, scheduling, and achievement data. In order to meet the expectations of school funding regulations and student safety, the Board of Education requires a minimum set of information to be provided by parents and recorded in the student information system for each.

Both FIPPA and the School Act require that the Board protect the privacy of student records by ensuring reasonable security arrangements are in place to prevent unauthorized access.

In order to meet this obligation within the student information system, appropriate security and restriction of user access needs to be in place. Users will only be granted access to information they need to perform their job, and may only use that information for the performance of duties related to their position in the School District. Users must complete training in FIPPA and navigation of the student information system.

1.4 *Access to and Retention of Student Records*

In accordance with the School Act and the Freedom of Information and Protection of Privacy Act, the Board of Education believes that the appropriate persons should have access to student records and that it has a duty to ensure that legal custodial direction is respected regarding access. Further, the Board believes that the storage, retrieval and appropriate use of student records should ensure the confidentiality of information and privacy for students and their families. The Board of Education recognizes the necessity to maintain records on students in order to provide appropriate instructional and educational services.

- 1.4.1 The school principal is responsible for the maintenance and retention of the student record while a student resides in school. Students and parents/guardians who wish access to a student record should contact the school principal. Viewings of student records must occur under the supervision of the school principal;

- 1.4.2 Student and district records shall be maintained and disposed of according to the guidelines established by the Ministry of Education, and found in [Policy 805.1 Retention & Disposal of School District Documentation](#).
- 1.5 *Sharing Information with Health Care Professionals*  
District and school staff will refer to the [Information Sharing in the Context of Child and Youth Mental Health and Substance Use in BC Best Practices Guide](#) when considering the need to share student information.
2. Canadian Anti-Spam Legislation (CASL)  
Canadian Anti-Spam Legislation (CASL) forbids the dissemination of Commercial Electronic Messages (CEMs) without express consent from the recipient. This law applies to many common school and Parent Advisory Council practices, such as distributing notice of food, yearbook, and soft good sales, field trips, or any other activities that require a fee or payment.
  - 2.1 Consent to receive electronic messaging must be obtained each time a student enrolls at a new school. Permission for CEMs may not be collected through electronic means as this constitutes a violation of CASL. More detailed [CASL](#) information can be found on the school district website.
  - 2.2 If school staff or Parent Advisory Councils wish to send such messages electronically, they must:
    - 2.2.1 Send messages only to parents/guardians via the approved email address provided, who have given their consent to receive CEM's and;
    - 2.2.2 Keep parents/guardians informed of CASL and what information will be included in each type of message.
3. Information Distribution  
The Board will make every reasonable effort to provide the public with information about its schools and district business quickly, accurately, responsibly, and as often as is practicable.
  - 3.1 With regard to Board matters, the Chairperson of the Board shall be the official spokesperson, except when this duty is specifically delegated to the Superintendent of Schools.
  - 3.2 With regard to district matters, the Communications Officer, under the supervision of the superintendent, will be responsible for obtaining, reporting on, and responding to notable school and district events and programs, including social media and news releases pertaining to matters of educational significance to the district as a whole. News releases will be prepared by the Communications

Officer, and approved by the Superintendent of Schools or designate, prior to being made public.

- 3.3 With regard to schools, communications about events, personnel, students, and programs in individual schools are prepared by Principals, who are encouraged to release such information as frequently and in as positive a manner as possible with their school community. It is expected that facts and backgrounds will be checked with the Communications Officer to ensure that the releases prepared by the schools are accurate and appropriate, and that all students' names and images have been approved for publication.
- 3.4 All staff are required to have the approval of their school Principal, or immediate supervisor prior to sending information home that may be potentially sensitive or political in nature. If the Principal knows or suspects a particular issue is sensitive, he/she must have the approval of the Superintendent of Schools or designate, prior to public release.
- 3.5 At all public meetings of the Board of Education, the Board of Education welcomes attendance by members of the public, including representatives of the local press, and will make available to the public all meeting agendas and minutes along with all attachments, by posting them to the district website.

#### 4. Video Surveillance

The Board recognizes there may be a need to use video surveillance as a means to collect information for the promotion of safety and/or to protect School District property. However, this need must be balanced with a reasonable expectation for personal privacy. The following will guide the use of video surveillance:

Video Surveillance cameras may be installed and operated on school district busses, in any School District facility, or on school land for the purposes of protecting:

- a. the safety of individuals in a school facility or on school land;
- b. an individual's belongings in a school facility or on school land; and;
- c. school property.

On School District busses, when video surveillance is used, the following will apply:

- 4.1 The School District will provide notice to students and parents/guardians that a video surveillance system is in place in the District's school buses. This notice will be included with the annual publication of school bus routes on the School District website.

- 4.2 On any bus equipped with video surveillance equipment, one or more decals advising that a camera system is in place will be prominently displayed on the interior of the bus.
- 4.3 Only supervisory staff and designated mechanical staff shall have access to the key that opens the camera boxes, and only these employees shall handle the digital storage.
- 4.4 Only supervisory staff related to the incident in question may observe surveillance video unless otherwise required through a criminal investigation

In School District facilities and on School District land, when video surveillance is used, the following will apply:

- 4.5 Video surveillance camera locations must be authorized by the building administrator (school Principal or building supervisor, or the Superintendent of Schools). Any change in camera locations must be authorized in the same manner.
- 4.6 Any installation after September 2010 must also have the approval of the Parent Advisory Council for the school proposing to install the video surveillance camera(s). However, approval of the Parent Advisory Council is not required in cases where the installation is on a temporary basis for a specific investigative purpose.
- 4.7 A Parent Advisory Council may also make recommendations to the Board to install and operate a video surveillance camera in a school facility or on school land for the purposes indicated in this policy.
- 4.8 Before video surveillance is introduced at a new site, a report must be provided to the Superintendent of Schools describing the circumstances that indicate the necessity of having surveillance at that site, including a discussion of less invasive alternatives.
- 4.9 The periods of surveillance of public areas should be minimized.
- 4.10 Public notification must be prominently displayed indicating that there are some public areas of the building that are subject to video surveillance. Notice must include contact information of the building administrator or designated staff person who is responsible for answering questions about the surveillance system. Any exception to this, such as for a time-limited specific investigation into criminal conduct, must be authorized by the Superintendent of Schools on the grounds that covert surveillance is essential to the success of the investigation and the need outweighs the privacy interest of the person likely to be observed. Covert surveillance may not be authorized on an ongoing basis.

- 4.11 Video surveillance is not to be ordinarily used in locations where appropriate confidential or private activities/functions are routinely carried out (e.g. bathrooms, private conference/meeting rooms). Any exception to this must be authorized by the Superintendent of Schools 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. Surveillance of such locations may not be authorized on an ongoing basis.
- 4.12 Except in cases where the surveillance is temporary and for a specific investigation, the Superintendent shall conduct an annual review that assesses if the installation and operation of video surveillance cameras is accomplishing the purposes set out in this regulation and to ensure that this policy and procedures are being adhered to. The Superintendent will make an annual report to the Board in June, on the use of video surveillance in the school district.
- 4.13 Video monitoring is to be restricted to the uses indicated in this policy. The Board does not authorize the improper use of video surveillance and will take appropriate action in any cases of wrongful use and/or abuse of this policy.
- 4.14 Students, staff, parents, and other community members are not permitted to make audio or video recordings on school property without principal permission and the consent of the subject.
5. Access to Students  
The following regulation provides specific instructions regarding access to a student, and the circumstances when a student may be interviewed on school premises by administrators, police officers, or other approved authorities.
- 5.1 *Outside Agency Investigations*
- 5.1.1 In cases where child abuse is suspected, the police and/or social worker may interview the student under the legislative mandate for the protection of children;
- 5.1.2 When required by police under [Criminal Code](#) (129b), which states that police have the right to require others to assist them when arresting a person or preserving the peace. Should this occasion arise, the administrator should request the interview be delayed until such time as the school can obtain the presence of the parent or guardian. In emergent situations where safety is likely to be compromised by a delay, an adult employee may act *in loco parentis* for an interview with a student;

5.1.3 Other than in emergencies, police should be advised that school authorities would prefer that interviews be conducted outside of school hours and, if possible, at the student's residence.

5.2 *School-Related Investigations*

5.2.1 In facilitating police access to student witnesses, victims and suspects in a school-related investigation, the administrator is exercising his/her authority for school purposes;

5.2.2 The police are expected to advise a student between the ages of 12 - 17, of his/her right to consult with a lawyer, a parent, or other appropriate adult selected by the student;

5.2.3 The administration is required to contact the parents/guardians, even if the student objects to parents/guardians being notified. In instances where a student does not want parents/guardians present, he/she must make arrangements with the police to be interviewed at another location;

5.2.4 Administration and staff members should not accept the role of "appropriate" adult in the investigation of a school-related incident.

A student facing criminal charges wishing to obtain legal advice can do so by calling the "Brydges" line staffed through the Legal Service Society (1-866-458-5500).

Adopted: December 13, 2017  
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