

## **Purpose**

To provide guidelines for Rocky View Schools' (RVS) public use of images (i.e. pictures, videos) and the work (i.e. art, achievement, interviews) of staff, students, visitors, contractors or other individuals.

## **Background**

The Freedom of Information and Protection of Privacy Act (FOIP Act) governs how RVS, as a public body, uses, protects and discloses Personal Information.

## **Definitions**

- Personal Information:** Recorded information that may be used to identify an individual as outlined in the FOIP Act. Includes:
- name;
  - home or business address or;
  - home or business telephone number;
  - race, national or ethnic origin, colour;
  - religious or political beliefs or associations;
  - age, sex, marital status or family status;
  - identifying number (i.e. Student Number, Staff ID);
  - symbol or other particular assigned identifier;
  - fingerprints, biometric information, blood type, genetic information or inheritable characteristics;
  - individual's health and health care history, including information about a physical or mental disability;
  - information about the individuals' education, financial employment or criminal history;
  - photograph(s);
  - opinions about the individual;
  - the individual's personal view or opinions except if they are about someone else (may be expressed through art, images, writing or other works).

## **Stock Photo's**

**For the purposes of this Administrative Procedure,** Stock photography refers to photos/images collected by RVS that are used to enhance publications, websites and other types of material. RVS will only use these images/photos for purposes that the individual(s) appearing in the image/photo has consented to.

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## Procedures and/or Principles

### 1. Collection of images, work, multimedia or other private information

- 1.1. Schools and classrooms are not public places. Schools are responsible for protecting the privacy of students while they are at school. Visitors to the school are not permitted to take pictures, videos, and/or interview students in the school during typical school operation.
  - 1.1.1. Staff, volunteers, contractors, and/or visitor Personal Information is also protected under the FOIP Act. See AP182 for additional information.
- 1.2. Schools activities, where public spectators have been invited to attend or participate, are considered public events. It is permissible for anyone attending a public event to take videos/pictures and/or interview students.
  - 1.2.1. If a student does not have a signed AF144-A form on file with RVS, the Parents/Guardians or the independent student must be notified of the public event. The Parent/Guardian must provide written consent (form AF144-G may be used) and submit it to the school, in order for the student to attend the public event.
- 1.3. All Copyrights are to be considered when publishing any video, multimedia or other work. Rocky View Schools licensing does not allow for musical performances of copyrighted works to be published online. Any music used in online videos must comply with Copyright laws. Proof of licensing payments and musical licenses for use in online videos must be maintained with the consent forms for all videos or multimedia that uses copyrighted material.

### 2. Consents

- 2.1. Consent must be obtained for the use of Personal Information or Work to be used in social media, YouTube videos, on the internet, in RVS publications/newsletters or to be displayed publicly.
  - 2.1.1. Consent for use of Personal Information, including images and videos, for the delivery of an educational program *within* the classroom is not required.
- 2.2. Consent should be obtained, whenever possible, for the disclosure of Personal Information that has been collected by Rocky View Schools to a third party.
- 2.3. Consents from all contributors or individuals that participated in an event must be kept on file and tracked for all Personal Information that has been or will be used in or published on a public forum. See additional tracking requirements in section 3.
- 2.4. Annual Staff/Student/Visitor/Volunteer/Contractor Consent (AF144-A (Student), AF144-C (Staff), AF144-D (Visitor/Volunteer/Contractor))
  - 2.4.1. This consent occurs either:
    - on an annual basis for students/visitors/volunteers; or
    - once (at the time of hire or contract signing) for staff and contractors.
  - 2.4.2. These consent forms state the use is specifically to “showcase student/school achievement and projects”. This does not allow for the use of images or work as stock photos (as defined in this Administrative Procedure). The work, images or multimedia

must be directly linked to promoting student/school/staff/contractor achievement within Rocky View Schools.

- 2.4.3. Individual(s) Personal Information including name, photographs, videos, interviews, other Personal Information, work or activities may be displayed on the internet or through media in order to achieve 2.4.2. This includes posting of videos on RVS social media sites or YouTube Channels.

### 2.5. Third Party “Promotional” Consent (AF144-E Third Party Promotional Events)

- 2.5.1. Consent Form AF144-E is used to obtain consent to from RVS staff, students, volunteers, visitors or other RVS contractors to participate in events where a third party will be collecting images, Personal Information or work, film, photographic, or audio recordings of RVS students, staff, and/or visitors that may be used in public promotional activities of the Third Parties. Consent Form AF144-E must be completed by each participant prior to the event.
- 2.5.2. Copies of the completed Consent Form AF144-E must be retained in the student, staff, volunteer or contractor file with a copy of all forms to be retained by the Business and Operations Department ([busops@rockyview.ab.ca](mailto:busops@rockyview.ab.ca)). The retention period is outlined in AP185.
- 2.5.3. The specific event and promotion must be outlined on the form.

### 2.6. Stock Photo Release (AF144-F Stock Photo / Image / Multimedia Release Form)

- 2.6.1. This form is used to obtain consent from individuals appearing in a specific image/photo that will be used publicly by RVS as a Stock Photo for promotional purposes as defined above. If an image/photo may be used as a stock photo / image this consent must be sent to all individuals that appear in the photo.
- 2.6.2. RVS does not provide compensation to persons for use of their images or Personal Information shown in stock photos/images.

## 3. Tracking of Authorization for use of Photo’s, Images or Multimedia

- 3.1. Individuals may withdraw consent for RVS’ use of their work or images.
- 3.2. The withdrawal of consent must be in writing and must include the name of the individual, the details of the use of personal information to which consent was given that is being withdrawn, date of consent and time period for which consent was granted, school or location the student/staff/volunteer or visitor was attending, and any other details requested to assist RVS in locating and redacting/removing the image or other personal information from the public forum and otherwise complying with the withdrawal of consent by ceasing to use the personal information based on the consent.
- 3.3. Requests for corrections of Personal Information that is posted publicly should follow the process outlined in AP180.
- 3.4. The use of photo’s, images, work, or multimedia must be retained with the applicable consent form(s) and tagged appropriately for tracking purposes.

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3.5. A best practice guideline for schools has been included in the resources section below.

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**Version: II**

**References**

- i. External Legislation:
  - The Education Act Section 33, 52, 53, 65, 68, 197, 222
  - Freedom of Information and Protection of Privacy Act
  - FOIP Regulation 200/95
  - Copyright Act
- ii. RVS Policies and Procedures:
  - AP140 – Responsible Use of Technology
  - AP143 – Teachers’ Digital Presence
  - AP144 – Public Use of Student Images/Work
  - AP146 – Standardized E-mail Signature Block & Best Practice for Corporate E-mail
  - AP147 – Use of RVS Computer Devices
  - AP180 – FOIP Requests for Information or Correction to Personal Information
  - AP182 – Protection of Privacy
  - AP185 – Records Management
  - AP190 – Copyright
- iii. RVS Forms:
  - AF144-A Public Use of Student Images, Student Work or Multimedia
  - [AF144-C Public Use of Staff Images, Work, Multimedia](#)
  - [AF144-D Public Use of Volunteer/Visitor Images, Work, Multimedia](#)
  - [AF144-E Third Party Promotional Events](#)
  - [AF144-F – Stock Photo / Image / Multimedia Release Form](#)
  - [AF144-G – Attendance at Public Events \(required only if AF144-A does not allow use of images\)](#)
  - RVS’ Terms of Service
- iv. RVS Handbooks and Manuals
  - RVS Internal Guidelines for Tracking of Photo’s, Images, Multimedia and/or use of Personal Information
  - [FOIP FAQs for Schools](#)
  - [Service Alberta – Privacy Best Practices \(Chapter 7\)](#)
  - [Q&A Guide](#)
- v. Contact/Branch
  - Business and Operations ([busops@rockyview.ab.ca](mailto:busops@rockyview.ab.ca))
  - Communications Department ([RVS@rockyview.ab.ca](mailto:RVS@rockyview.ab.ca))

