

Every year, a third party, professional photographer takes pictures of my students. What special considerations do I need to observe as principal?

This practice has become part of school and family life for many years. Even though this may be a tradition, the taking of such photographs is not “expressly authorized by statute”. Therefore, let parents know that school photographs will be taken and obtain consent of parents by having them sign, authorize and pay for the photographs. If these photographs will be used in school yearbooks or composites, include this information as part of the parent consent process. Stipulate that access and privacy provisions form part of any third-party service provider contract compliance of any 3rd party photographer.

From time to time, media wish to take photographs of students in various school settings. May they?

The media is a third party; therefore express, written consent is required from the parents of any student under the age of 18 years where a student is being identified.

What about photographs taken by school staff and parents, at sports events, concerts, presentations, barbecues, etc.?

Often the goal may be to include images in school newsletters and websites. Clearly, a workable policy should be implemented for the taking of photographs by board employees. “Volunteers” acting in this capacity are considered “employees”. When non-board employees such as parents, relatives and students are involved, a workable policy should be developed in consultation with the stakeholders. Considerations should apply to all forms of images i.e. photographs, digital images, films, posting to the Internet, etc. The policy should be based on the consent of the photographed subject or their parent/guardian. Parents may be concerned about the use of such images within the school community or beyond. As such, they have the right to request that images of their child not be taken or used without consent. MFIPPA 2 (1)

Principal’s Best Practice: Many schools send informed consent notices to parents with respect to photographs. Parents choose an option that best serves their needs. The principal may compile a shortlist of those families who chose “B” and keep it available for use at various times/events.

An example of choices may be:

OPTION “A”: YES, this is to confirm that I/We consent to the display and/or publication of school-related information about my/our child/ren as described in any of the activities listed on the Background Information Sheet for the current school year. **OR**

OPTION “B”: NO, this is to confirm that I/We DO NOT consent to the display and/or publication of school-related information about my/our child/ren as described in any of the activities listed on the Background Information Sheet for the current school year.

Date: _____ Parent/Guardian Signature: _____