CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO
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BOARD ADMINISTRATIVE PROCEDURE

ADMINISTRATIVE PROCEDURE

1007 Video Surveillance

DIRECTIONAL POLICY

Positive Communications

Title of Administrative Procedure:

Video Surveillance

Date Approved:

April 2024

Projected Review Date:

April 2029

Directional Policy Alignment:

This administrative procedure aligns with the proposed Directional Policy entitled Positive Communications and ensures records and information are managed securely and effectively and that appropriate measures are taken to maintain the confidentiality of those records.

Alignment with Multi-Year Strategic Plan:

This administrative procedure aligns with the Multi-Year Strategic Plan objective of Protecting by establishing procedures that assist with maintaining the safety and security of students, staff, volunteers and the public within our learning environments and other Board facilities.

CDSBEO Strategic Plan 2020-2025

Purpose

The purpose of the Administrative Procedure is to promote a safe school and workplace environment by utilizing video surveillance at Board facilities when necessary to monitor Board property, assist in detecting and deterring unacceptable behavior or activities, and to provide a historical record to assist in investigations(s) while upholding the essential and legislated rights of privacy of individuals.

1. Principles

1.1. CDSBEO will be responsible for its video surveillance system and will maintain control over it.

1.2. This procedure is not intended to address or apply to:

- Instances where school staff video record a specific event (such as a school fun fair or graduation ceremony).
- Instances where a classroom is video recorded for educational or research purposes (e.g., where a student teacher is required to record his or her lesson as part of an assignment for a work placement).
- Instances where video is incidentally taken by hand-held devices owned by students.
- Instances where a closed-circuit system is installed where no recording of video is contemplated (for example, cameras solely related to door security).
- The initiation and use of video surveillance for strictly employment-related purposes and the examination and use of video surveillance for employment-related purposes.

1.3. While video surveillance shall not be used with the intent to monitor staff performance, supervisors have an obligation to report if a staff member is observed on video to be negligent or involved in a possible criminal activity.

2. Planning Criteria for Video Surveillance

2.1. The Superintendent of Business or designate in consultations with the Freedom of Information and Privacy Officer will be responsible to review and approve the request for additional video surveillance in Board facilities.

2.2. The following will be considered when approving video surveillance in Board facilities:

- Verifiable and specific incidents of vandalism or safety concerns must exist prior to the installation of video surveillance equipment.
- Video surveillance should be used only once it has been determined that conventional methods of maintaining a safe and secure environment have been proven not to provide the level of safety that is required.

2.3. Where the Board is considering the installation of surveillance cameras for the first time, the Board may consult with all appropriate and relevant stakeholders.

3. Notification of the Installation of Video Surveillance Equipment

3.1. Once installation of video surveillance program is approved (per Section 2), the Superintendent of Business or designate will:

- Notify the Freedom of Information and Privacy Officer.

- Ensure signs are prominently displayed at the facility. This signage will provide students, staff, and the public reasonable warning that video surveillance is in effect. The signs will be compliant with the notification requirements of the Municipal Freedom of Information and Protection of Privacy Act.

3.2. Any agreements between the board and any third-party video surveillance service providers shall state that the personal information contained within the delivery of a video surveillance program are under the board's control and subject to provincial privacy legislation.

4. Installation & Operations

4.1. The Superintendent of Business or designate will approve the location or relocation of cameras on Board property.

4.2. The installation of video surveillance systems:

- Will be restricted to public spaces, such as hallways, entrances, open general offices, cafeterias, and perimeters of buildings; will not be installed in washrooms or change rooms or where students, staff and authorized visitors have a high expectation of privacy.
- May be installed in rooms with large inventories of equipment, as well as labs, shops, offices, receiving and reception areas.
- Will avoid orientation toward adjacent buildings not owned/operated by CDSBEO.
- May be installed in adjacent corridors to monitor traffic in and out of these areas.

4.3. The location of each camera will be reviewed periodically to determine if the installation is still justified.

4.4. The equipment will operate when motion is detected twenty-four (24) hours, seven (7) days a week within the system's capabilities and limitations.

4.5. Video monitors (reception equipment) will be in a strictly controlled access area. Only authorized and designated staff will have access to the reception equipment and area. Monitors will not be in any area that allows public viewing.

4.6. An annual inspection is required for all video surveillance systems to ensure the video surveillance system is functioning as expected. Additional monitoring applications may be used to help identify any system issues that arise.

5. Access and Disclosure

5.1. The Superintendent of Business or designate will act as a Board Office "authorized administrator" of video surveillance footage and will require secure access.

5.2. The Principal or designate will act as a school facility "authorized administrator" of video surveillance footage and will require secure access.

5.3. Access to video surveillance includes reviewing recorded videos.

5.3.1. Video surveillance access should be focused around individuals who are directly

related to the reason surveillance footage is being accessed.

5.3.2. Disclosure of video surveillance includes downloading or providing a copy of recorded video.

5.3.3. If video surveillance footage is **disclosed**, the authorized administrator must complete the "Video Surveillance Access Log" located on mycdsbeo.com.

5.3.4. If video surveillance footage is disclosed, please see Section 6 for additional retention requirements.

5.4. Video surveillance footage may be **accessed** and **disclosed** by the authorized administrator for the following reasons:

- To aid in an investigation undertaken by an institution or a law enforcement agency in Canada with a view to a law enforcement proceeding.
- There is a reasonable basis to believe that an offence may have been committed and the disclosure is to enable an institution or a law enforcement agency in Canada to determine whether to conduct such an investigation.
- To assist in an internal investigation, safety, or security related incident if appropriate.
- To provide disclosure of video footage in response to a freedom of information request or for any legally prescribed purposes.

5.5. The authorized administrator may only access video surveillance for the purpose of providing it to law enforcement in the following circumstances:

- Police have verified/proven that the request is in support of an ongoing criminal investigation (i.e., warrant, requisition of evidentiary etc.)
- It is deemed to be an urgent circumstance preventing imminent harm to an individual(s).

6. Retention

6.1. The video surveillance system will be designed to delete all recorded videos within 30 days of recording.

6.2. If video surveillance is disclosed in any form, the School Principal is responsible for ensuring that the video data will be downloaded into a controlled access location where it will be retained for a minimum of one year, except where legislation or law enforcement has instructed a defined retention period.

7. Access to Personal Information

7.1. Any individual whose personal information has been recorded by video surveillance has a right of access to their personal information, in accordance with MFIPPA, using a formal Freedom of Information Request for Information Form. Access may be granted in whole or in part to the individual unless an exception is applied under the MFIPPA

legislation (i.e., where disclosure would constitute an unjustified invasion of another individual's privacy). Access to an individual's own personal information may also depend on whether any exempt information can be severed from the record.

8. Concealed Monitoring/Surveillance

8.1. Concealed surveillance occurs when surveillance devices are used without notification to the individuals.
8.2. Concealed monitoring may be initiated when it is the only available option under the circumstances and the benefits derived from the personal information obtained far outweigh the violation of privacy of the individuals observed.
8.3. Concealed monitoring/surveillance may be initiated by the Board with the approval of the Director of Education or designate.

Responsibilities

The Board of Trustees is responsible for:

- Ensuring alignment with the Positive Communications Directional Policy.
- Reviewing the Video Surveillance Administrative Procedure as part of its regular policy and procedures review cycle and as required by legislation.

The Director of Education is responsible for:

- Ensuring the implementation of and compliance with this Administrative Procedure.
- Approving any use of concealed monitoring/surveillance.

Superintendent of Business or designate is responsible for:

- Approving the location or relocation and installation of cameras on Board property based on the principles outlined within this policy.
- Notifying the Freedom of Information and Privacy Officer of the installation of video surveillance equipment.
- Ensuring authorization and access to video surveillance information is as outlined in this administrative procedure.
- Ensuring the Video Surveillance system is inspected and maintained on a regular basis.

Superintendent of Schools are responsible for:

- Ensuring principals are consistent with the application of this Administrative Procedure.
- Understanding the location of cameras in school buildings, the privacy rights of

individuals in schools and knowledge of this administrative procedure surrounding access, disclosure, and retention.

Principals and Vice-Principals are responsible for:

- Ensuring authorization and access to video surveillance information is as outlined in this administrative procedure.
- Ensuring school signage and video surveillance systems are visible and in good repair.
- Understanding the specific instances where access / disclosure of video surveillance is appropriate and following the log and notification requirements as set out in this administrative procedure.
- Referring any inadvertent disclosure of personal information collected by video surveillance to the Freedom of Information and Privacy Officer.
- Completing the disclosure log and downloading video surveillance files to a controlled access location when video surveillance is disclosed.

Progress Indicators:

- Appropriate authorizations are obtained for access to video surveillance information.

Definitions

Personal Information: Recorded information about an identifiable individual which includes, but is not limited to, information relating to an individual's race, colour, national or ethnic origin, sex, and age.

Reception Equipment: Refers to the equipment or device used to receive or record the personal information collected through a video surveillance system, including a camera or video monitor or any other video, audio, physical, or other mechanical, electronic, or digital device.

Record: Any information, however, recorded, whether in print form, on file, by electronic means or otherwise and including photographs, film, microfilm, videotape, machine-readable record, and any record that can be produced from a machine-readable record.

Video Surveillance System: A video, physical, or mechanical, electronic or digital surveillance system or device that enables continuous or periodic video recording, observing, or monitoring of individuals in school buildings and on school premises (per IPC Video Surveillance Guidelines).Within the school board/authority, the surveillance system includes hand-held, portable digital devices used by principals and vice-principals to record school incidents for investigative purposes. Additional components of the surveillance system include portable video cameras that are used to record incidents on designated school buses from time to time as required.

Storage Device: Refers to a video tape, computer disk or drive, CD-ROM, computer chip, or other device used to store the recorded data or visual, audio, or other images captured by a video surveillance system.

Personal Information: Recorded information about an identifiable individual, which includes, but is not limited to, information relating to an individual's race, colour, national or ethnic origin, sex, age, and disabilities. Any image on a video surveillance system that is clear enough to identify a person or the activities in which they are engaged in is "personal information" under the legislation.

References

- Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- Guidelines for the Use of Video Surveillance, The Information and Privacy Commissioner of Ontario (October 2015 or most current version)