

STUDENT SERVICES	6000
VIDEO SURVEILLANCE PROCEDURES	6070

1. Policy

It is the policy of Lakehead District School Board to utilize video surveillance on school board property, to ensure the safety of students and staff, as a deterrent to negative behaviour (i.e., theft or vandalism), and to monitor unauthorized individuals on Board property.

2. Definitions

For the purpose of this policy and corresponding procedures:

- 2.1 Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) means the legislation that governs access to and the privacy of Board records containing personal information.
- 2.2 Personal Information is recorded information about an identifiable individual collected and disclosed in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- 2.3 Reception Equipment refers to the equipment or device used to retrieve, whether wired or wirelessly, 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.
- 2.4 Retention Period is the period of time during which a specific record or record series must be kept before records in that series may be disposed of.
- 2.5 Retention Schedule is a list of all the record classifications and their corresponding retention periods. The schedule also identifies which records are deemed vital, which are archival, and who is the responsible department or official record holder.
- 2.6 Video Surveillance Systems is a video, physical or other 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 property. (In schools this would usually include analog video, digital and closed-circuit camera systems.)

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3. Guiding Principles

- 3.1 This procedure applies to all Lakehead District School Board staff who collect, use, retain, and disclose personal information related to students and Board employees, and to operations and procedures in all facilities within the Lakehead District School Board.
- 3.2 This procedure applies to the operation of any video system installed on any Board site for the purpose of surveillance.
- 3.3 The video taping of school events such as graduation, theatrical productions or other similar events by the parents/guardians and families of students is considered acceptable and is not addressed by this procedure.
- 3.4 Authorized videotaping for educational, instructional and/or research purposes are considered acceptable and are not addressed by this procedure.
- 3.5 The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) governs the collection of personal information, including the images captured on a video surveillance system.
- 3.6 The following personnel are authorized to implement video surveillance systems in the discharge of their duties:
 - 3.6.1 principals/vice principals (or a person designated by the principal);
 - 3.6.2 superintendents; and
 - 3.6.3 director of education.
- 3.7 Notice signs shall be installed at all properties with video surveillance systems, in accordance with the notification requirements of the MFIPPA. Signs will be prominently displayed so the public has reasonable and adequate warning that surveillance is or may be in operation before entering the area.
- 3.8 The closed circuit television (CCTV) system within Board facilities may operate continuously. All recorded images are the property of the Board.

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3.9 Cameras will only be used when administration has indicated that surveillance is necessary.

3.9.1 In determining the need for surveillance, administration may consider the following:

- a history of incidents;
- the physical circumstances of the school; and
- whether surveillance would be effective in dealing with or preventing future incidents.

3.10 Cameras will only be used for the following intended purposes:

3.10.1 video surveillance cameras will be used to monitor/record for the safety of students, staff and visitors;

3.10.2 video surveillance cameras will be used as a deterrent to destructive acts;

3.10.3 video surveillance records may be used as evidence in any disciplinary action brought against any student arising out of the students conduct and for the enforcement of school rules;

3.10.4 video surveillance records may be used as evidence for any criminal act; and

3.10.5 video surveillance shall not be used to monitor employee performance.

3.11 Schools will ensure that proper procedures are followed regarding disclosure retention, disposal and security of video surveillance records.

4. Planning Criteria For Video Surveillance Systems

Any agreements between Lakehead District School Board and service providers must indicate all video surveillance programs are under the Board's custody and control and are subject to these policies and procedures.

5. Design, Installation and Operation of Video Surveillance Equipment

5.1 The equipment will be installed in such a way that it only monitors those spaces that have been identified as requiring video surveillance. Cameras should not be directed to look through the windows of adjacent properties.

5.2 Equipment will not monitor the inside of areas where students, staff and the public have a higher expectation of privacy, such as in change rooms or washrooms.

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- 5.3 Reception equipment should be kept in a strictly controlled access area. Only controlling personnel, or those authorized in writing, should have access to the controlled access area and reception equipment.
- 5.4 Video monitors should not be in the position that enables public viewing of the images displayed.
- 5.5 Video recorded material shall be stored in a controlled access location outside of public view. Only designated personnel will have access to this location and to video recorded material.

6. Confidentiality

- 6.1 Access to the personal information collected under a video surveillance system on a given site is only afforded to Board authorized employees and contracted service providers with specific duties pertaining to the supervision, operation and maintenance of the system and for the proper, secure storage and destruction of video recordings regardless of the software medium used to store images.
- 6.2 Any agreements between the Board and service providers shall state that the records dealt with or created while delivering a video surveillance program are under the Board's control and are subject to the MFIPPA.

7. Formal Access Request Process

- 7.1 All requests for video records should be directed to the appropriate superintendent for processing.
- 7.2 A person requesting access to a record should make a request in writing and submit it to the appropriate superintendent. The individual requesting the information must:
 - 7.2.1 provide sufficient detail, such as the approximate time and date, the location, if known, of the incident, to enable an experienced employee of Lakehead District School Board, upon reasonable effort, to identify the record; and
 - 7.2.2 at the time of making the request, pay the prescribed fees as provided for under the MFIPPA.

The Board may levy additional fees to prepare and redact, as per the MFIPPA, any information that is outside of the scope of the request.

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8. Access: Law Enforcement

- 8.1 If access to a video surveillance record is required for the purpose of a law enforcement investigation, the requesting police officer shall make a request in writing to the appropriate superintendent or designate. The superintendent or designate will provide the recording for the specified date and time of the incident. A copy of the request will be kept by Lakehead District School Board according to the records retention schedule.
- 8.2 The superintendent or designate, will record the following information:
 - 8.2.1 the date and time of the original, recorded incident including the designated name/number of the applicable camera and DVR. (For example: Westgate CVI, main hallway, camera 1);
 - 8.2.2. the time and date the record was copied and provided to the requesting police officer; and
 - 8.2.3 the name and title of the individual who made the copy for the requesting police officer.

9. Viewing Images

When recorded images from the cameras must be viewed by law enforcement or for investigative reasons, this must only be completed by an individual(s) authorized by Lakehead District School Board in a private, controlled area that is not accessible to other staff and/or visitors.

10. Retention, Secure Storage, Access To, and Disposal of Video Records:

- 10.1 Video recorded material on a portable device, that is encrypted, which may contain elements of proof shall be stored in a locked, secure location to ensure integrity of information, and to be available should law enforcement request them. Access to recorded material shall be limited to the principal/vice principal (or person designated by the principal), or a superintendent.
- 10.2 Access to the digital video recorder (DVR) should be limited to the principal/vice principal (or person designated by the principal) and/or a superintendent.

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- 10.3 A portable device on which video recorded material is stored (including a computer drive, CD ROM, USB drive, or any other device used to store video recorded material) must be labeled and securely stored and, in accordance with the record retention schedule, be securely disposed of in such a way that the personal information cannot be reconstructed or retrieved.
- 10.4 If video recorded material on a portable device is required as part of an ongoing school investigation, it shall be retained for a least one year and in accordance with the records retention schedule.
- 10.5 Whenever video recorded material is used as part of an investigation or disciplinary action involving a student, the student and his/her parent/guardian shall be permitted to view the recorded material in question with school personnel. However, the confidentiality of others must be protected.
- 10.6 Principals shall respond to any inadvertent disclosures of personal information. Any breach of this policy shall be reported to the appropriate superintendent.

11. Training:

- 11.1 All staff who have access to video surveillance will receive training in accordance with the roles and responsibilities under this policy.
- 11.2 All staff at sites which have video surveillance will receive training on video surveillance, the Board's obligations, their responsibilities under the MFIPPA, and how and if they may access video footage.

12. Covert Surveillance

Notice signs shall be installed at all properties with video surveillance systems, in accordance with the notification requirements of the MFIPPA. Signs will be prominently displayed so the public has reasonable and adequate warning that surveillance is or may be in operation before entering the area. Any exception to this, such as specific investigation into criminal conduct, must be authorized by the appropriate superintendent. It must be demonstrated that covert surveillance is necessary to the success of the investigation, and the need for such surveillance outweighs the privacy interest of the persons likely to be observed. Covert surveillance should only be used as a last resort. Covert surveillance should only occur for limited periods of time. Covert surveillance is not otherwise permitted.

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13. Review

These procedures will be reviewed in accordance with Policy Development and Review Policy 2010.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
	February 22, 2005	Education Act
	<u>Date Revised</u>	Safe Schools Act
	January 24, 2012	Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
	February 28, 2017	Personal Health Information Protection Act (PHIPA)
		Ontario Student Records
		Guideline for Video Surveillance and Cameras in Schools (Ontario Information and Privacy Commissioner)
		Privacy and Information Management (PIM) Toolkit