



TITLE: CAMERA SURVEILLANCE

1.0 Rationale:

District School Board Ontario North East believes the use of surveillance camera in/on Board property is to enhance the safety of students and staff and protect school property against vandalism.

The Board recognizes the provision of the Municipal Freedom of Information and Protection of Privacy Act.

They also recognize that schools are considered to be a supervised environment where a reasonable degree of monitoring by school staff is desired and expected.

2.0 Definitions:

Institution is defined in section 2 of the *Municipal Act* by way of a list of public bodies that are deemed to be institutions and are therefore subject to the *Act*. "School Boards" are included in the definition. Section 2 of the provincial Act states that an "institution" refers to any ministry of the government of Ontario. Therefore, both public and separate school boards, as well as provincial schools, are subject to the *Acts*.

Personal Information is defined in section 2 of the *Acts* as being 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. Therefore a simple image on a video surveillance system that is clear enough to identify a person, or the activities in which he or she is engaged in, will be classified as "personal information" under the *Acts*.

Record is defined in section 2 of the *Acts* to mean any information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes: a photograph, a film, a microfilm, a videotape, a machine-readable record and any record that is capable of being produced from a machine-readable record.

Video Surveillance System refers to a video, physical or other mechanical, electronic or digital surveillance system or device than enables continuous or periodic video recording, observing or monitoring of individuals in school buildings and on school premises. In these Guidelines, the term video surveillance system includes an audio device, thermal imaging technology or any other component associated with recording the image of an individual.

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.

Storage Device refers to a videotape, 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.

3.0 Policy:

District School Board Ontario North East is committed to ensuring that their work places are safe and property is protected from vandalism or theft.

PROCEDURES:

ADMINISTRATIVE REGULATIONS

1.0 Purpose

- 1.1 This policy is developed for the purpose of implementing the objectives and law as maintained in the Municipal Freedom of Information and Protection of Privacy Act. It is not to be interpreted in any way as being inconsistent with the Act or as to limit or restrict the rights under the Act. The following are specific statements regarding the purpose of the policy.
- 1.2 To establish the principles and mandatory requirements in order to maintain a safe environment that is free from bullying.
- 1.3 To protect the school property from theft or vandalism.
- 1.4 To support the Administration in the identification of intruders and persons breaking the law.
- 1.5 To establish a procedure to notify the public that the equipment is in place.
- 1.6 To establish stringent privacy controls.
- 1.7 To establish timelines for maintaining video tapes.

2.0 Scope

- 2.1 This policy applies to all of the schools and Board offices where surveillance cameras are installed.
- 2.2 Service providers of student transportation with surveillance cameras are to adhere to the policy.

3.0 Conditions

- 3.1 All doors including main entrances shall be locked at all times.
- 3.2 The Director of Education or Designate is responsible for the privacy obligation under the Municipal Freedom of Information and Protection of Privacy Act. The Director of Education or Designate will advise school administrators each year of the need to comply with the Act and Policy.
- 3.3 All Surveillance camera installations must be Board approved.
- 3.4 The plan for Board approval must designate the specific areas of installation and surveillance.
- 3.5 The plan must include the name of the person authorized to operate the

system.

- 3.6 Times of operation of cameras will be defined.
- 3.7 Signs shall be posted on all main doors of entrance notifying students, staff and community visitors of the surveillance cameras.
- 3.8 Board employees and service agencies (ie. police) will have access to the personal information collected only where it is necessary to the performance of their duties and where the access is necessary and proper in the discharge of the Board's function. The Board shall maintain control of and responsibility for the video surveillance system.
- 3.9 Each school who presently has camera surveillance, shall submit to the Board a review of the operational procedures for the compliance with this policy.
- 3.10 No school shall have cameras that are not connected to a recording device.

4.0 Retention/Disposal

- 4.1 The records dealt with or created by the video surveillance program are to be under the Board's control and are subject to the Acts.
- 4.2 All tapes or other storage devices that are not in use shall be stored securely in a locked receptacle located in the controlled-access area (main office). Each storage device that has been used shall be dated and labelled with a sequential number or other verifiable symbol. (Appendix A)
- 4.3 Access to the storage devices shall be limited to the Principal of the School or Designate. Logs shall be kept of all instances of access to, and use of, recorded materials, and maintain an accurate audit trail.
- 4.4 The real-time viewing of the recorded information is limited to the Principal and a Designate. Circumstances that warrant a review should be limited to instances where an incident has been reported/observed or for investigation of a potential crime.
- 4.5 The real-time viewing of the monitors shall be by the Principal or a limited number of office individuals.
- 4.6 Recorded information that has not been viewed for law enforcement, school or public safety purposes shall be erased on a standard schedule. The tapes not needed for investigation shall be erased every 60 days.
- 4.7 Recorded information that has been viewed for law enforcement, school or public safety purposes per Section 5 of Policy Regulation 823 under the Municipal Act (section 5(1) of Ontario Regulation 460 under the Provincial Act) requires that the personal information must be retained for one year.

- 4.8 The school shall store and retain information for evidentiary purposes according to the procedures until the law enforcement authorities request them. The records of the stored information shall be detailed on Appendix B. The form shall be completed before disclosure. This form will be monitored by the Principal or Designate.
- 4.9 After time lapse of storage, the records must be securely disposed in a manner that personal information cannot be reconstructed. These methods may include burning, shredding or magnetically erasing of the personal information.

5.0 Complaints

- 5.1 Any complaints in regards to breach of the policy shall be directed to the Director of Education or Designate.
- 5.2 Any breach that is knowingly or deliberately enacted will be subject to discipline. The discipline will be a penalty up to and including termination.

6.0 Access to Personal Information

- 6.1 Any student, staff member or member of the public that has been recorded by a video surveillance camera has the right of access to his or her personal information under section 36 of the Municipal Act (section 47 of the Provincial Act). The access may be granted by one's own personal information in whole, or part, unless an exemption applies under section 38 of the Municipal Act (section 49 of the Provincial Act).

7.0 Access to Personal Information

- 7.1 The heads of institutions (Principals) may refuse (subsection 3(8b) if the disclosure would constitute an unjustified invasion of another individual's privacy.

Therefore, access to an individual's own personal information may depend on whether any exempt information can be reasonably severed from the record by such methods as digitally "blackening out" the images of other individuals whose images appear on the videotapes.

8.0 Auditing and Evaluating the Use of Video Surveillance

- 8.1 The use of video surveillance equipment is subject to *annual* audits to verify the compliance with operational procedures and policies.
- 8.2 Once every three years the Director of Education or Designate will review and evaluate the video surveillance program.

9.0 Covert Surveillance

- 9.1 Covert surveillance occurs wherever surveillance cameras are set up without notification. The practice of covert surveillance is one that has the potential of being highly privacy-invasive and must only be used as a last resort in limited case specific circumstances.
- 9.2 Prior to the use of covert surveillance the recommendation must be presented to the Board with a comprehensive assessment of the privacy impacts associated with such an initiative. The covert surveillance must be time-limited.

Storage/Release Form

School: _____

Principal: _____

Tape Number/code: _____

Date of Tape: _____

Request for Release: _____

Date: _____

Personal/Authority: _____

Rational:

Outcome of release to Authority:

Date returned by authority: _____

Date tape destroyed after use: _____