

VIDEO SURVEILLANCE

AS 37.0
2008 09 30

POLICY:

Value Statement

The Nipissing-Parry Sound Catholic District School Board is committed to ensuring safe learning and working environments for students and employees.

Policy Statement

The Nipissing-Parry Sound Catholic District School Board authorizes the use of video surveillance equipment to monitor Board property to enhance the safety of students and staff.

Administrative Procedures

The following administrative procedures have been developed pursuant to the Ontario Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and the Information and Privacy Commission Guidelines for Using Video Surveillance Cameras in Schools (December 2003).

1.0 Rationale For Surveillance Cameras

Video surveillance cameras are used to accomplish the following goals:

- To enhance the safety of students and staff
- To protect Board property against theft or vandalism
- To assist in the identification of intruders and of persons endangering the health, well being or safety of school community members

2.0 Guiding Principles

- 2.1 The following personnel are authorized to implement video surveillance system in the discharge of their duties: Principal (or a person designated by the Principal), and Board Supervisory Officers. The Superintendent of Business is responsible for the overall Board video surveillance program.
- 2.2 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 at the perimeter of the video surveillance areas so that the public has reasonable and adequate warning that surveillance is or may be in operation before entering any area under video surveillance (Appendix A).

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<p>2.3 The closed circuit television (CCTV) system within Board facilities may operate continuously. All recorded images are the property of the Board.</p> <p>2.4 Video surveillance shall not be used to monitor staff performance.</p> <p>2.5 Cameras will not monitor inside change rooms or washrooms.</p> <p>2.6 Where applicable and appropriate, this policy shall be incorporated into training and orientation programs of the Board.</p> <p>3.0 Design, Installation And Maintenance Of Video Surveillance Equipment</p> <p>3.1 The Board shall maintain control of, and responsibility for, the video surveillance system at all times.</p> <p>3.2 Surveillance cameras will be installed only in public areas such as entrances, exits, general work areas, hallways, classrooms, gymnasiums, labs, shops, offices and reception areas. The equipment shall operate up to twenty-four (24) hours a day/seven (7) days a week, within the limitations of system capabilities (e.g. digital, tape), power disruptions and serviceability/maintenance.</p> <p>3.3 Cameras shall be installed so that their field of view avoids adjacent buildings which are not on Board property. Cameras shall not be installed in washrooms or change rooms; however, they may be located in adjacent corridors to monitor traffic into these areas.</p> <p>3.4 Signs shall be posted in visible locations notifying the public of the presence of video cameras. Information shall also include contact names and telephone numbers.</p> <p>3.5 An information notice shall be distributed to students, and made available to all parents and guardians (Appendix B), which will detail the legal authority which permits the use of surveillance equipment.</p> <p>3.6 Video monitors will be situated in a controlled access location outside of public view. Only designated personnel shall have access to this location and to video recorded material.</p> <p>3.7 Video recorded material shall be stored in a controlled access location. It must be dated and identified with a unique sequential number.</p> <p>3.8 Periodic maintenance of video surveillance equipment shall be the responsibility of the Plant Department, according to a schedule that will ensure efficient operation of the system.</p>	

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- 3.9 Video surveillance equipment may be installed in any location (with the exception of change rooms and washrooms) in accordance with sub-sections 3.2 and 3.3, without notice, as part of a specific investigation where criminal activity is suspected, with the authorization of the Superintendent of Business.
- 3.10 Any agreements between the Board and service provider should state that records dealt with while delivering a video surveillance program are under the Board's control and are subject to MFIPPA, and that a failure to comply with this requirement may be considered to be a breach of contract.

4.0 Managing Recorded Data

- 4.1 Where real-time viewing of the monitors takes place, the authority to view the monitor may only be delegated by the Principal, and/or a Board Supervisory Officer.
- 4.2 Video recorded material on a portable device which may contain elements of proof shall be stored in a locked, secure location to ensure integrity of information, and to be available should Police authorities request them. Access to the recorded material shall be limited to the Principal (or a person designated by the Principal) and/or a Board Supervisory Officer.
- 4.3 Access to the digital video recorder (DVR) should be limited to the Principal (or a person designated by the Principal) and/or a Board Supervisory Officer. Part A - Video Information of the Instance of Access Form (Appendix C) should be filled out when accessing the DVR to copy a video image to a portable device.
- 4.4 Recorded data on the DVR shall be maintained for a maximum of thirty (30) days.
- 4.5 A portable device on which video recorded material is stored (including, computer drive, CD ROM, USB flash drive or any other device used to store video recorded material) must be securely disposed of by the Principal (or a person designated by the Principal) and/or a Board Supervisory Officer in such a way that the personal information cannot be reconstructed or retrieved. Part C - Destruction of Video Recorded Data of the Instance of Access Form (Appendix C) must be completed.
- 4.6 If video recorded material on a portable device is required as part of an on-going school investigation, it shall be retained for at least one (1) year.
- 4.7 The Principal (or a person designated by the Principal) and/or a Board Supervisory Officer shall approve the release of records when police services request to view, or to take a copy of, video images. In all cases when video images are released as part of a Police investigation, Part B - Release of Video Recorded Data of the Instance of Access Form (Appendix C) must be

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completed, and the Board shall maintain a copy of the materials released, for a period of five (5) years.

4.8 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 video recorded material in question with school personnel. However, the confidentiality of others must be protected.

4.9 Any student, staff member or member of the public who has been recorded by video surveillance equipment has a general right of access to his or her personal information under section 36 of MFIPPA. This right is recognized. One exemption that may apply is contained in subsection 38(b) of MFIPPA, which grants the heads of institutions the discretionary power to refuse access where disclosure would constitute an unjustified invasion of another individual's privacy.

Access to an individual's own personal information in these circumstances may depend upon whether affected third parties consent to the disclosure, or whether any exempt information can be severed from the record.

One way in which exempt information may be severed is through digitally "blacking out" the images, where technically possible, of other individuals whose images appear on the recording(s).

4.10 The application of the frivolous or vexatious request provisions of the MFIPPA would occur in very rare circumstances. It can be concluded that a request for access to a record or personal information is frivolous or vexatious if:


(i) the opinion is, on reasonable grounds, that the request is part of a pattern of conduct that amounts to an abuse of the right of access or would interfere with the operations of the school/facility, or

(ii) the opinion is, on reasonable grounds, that the request is made in bad faith or for a purpose other than to obtain access.

4.11 Every three (3) years, the Superintendent of Business shall review the procedures in respect to the use and security of video surveillance recorded material, and whether the deployment of cameras continues to be justified.

4.12 Principals shall respond to any inadvertent disclosures of personal information based on direction provided by the Superintendent of Education. Any breach of the policy shall be reported to the Superintendent of Education.

NOTICE OF SURVEILLANCE

 <p>Nipissing- Parry Sound Catholic District School Board</p>	<p>For your protection these premises are under</p> <p>VIDEO SURVEILLANCE</p> <p>For further information contact School Principal at 494-8600 or Superintendent of Education at 472-1201</p>
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“SAMPLE”

MEMORANDUM

To: All Students, Parents and Guardians

From:

Date:

Re: VIDEO SURVEILLANCE

[Insert school name] is equipped with a video surveillance system to protect the well-being and security of students, staff and visitors, and as a deterrent to vandalism, criminal or other illegal activities. The use of video surveillance is part of an overall plan to create a safe and nurturing learning environment for all of our students.

All information obtained by video surveillance is confidential and will only be provided to police authorities when criminal or other illegal acts are suspected. All video recorded material will be destroyed within thirty (30) days of being recorded unless it is used as part of an investigation.

All information is managed in accordance with the Nipissing-Parry Sound Catholic District School Board policy for Video Surveillance and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). All Board policies are available on the Board's website www.npsc.edu.on.ca.

For more information, please contact the Principal at *[insert phone number]* or the Superintendent of Education at 472-1201.



**Video Surveillance
Instance of Access Form**

Video Data Identification Number: _____

Part A – Video Information
School : _____
Copy Date: _____
Location of Camera: _____
Date of Incident: _____
Surveillance Period: (time and duration) _____

Part B - Release of Video Recorded Data (Police)
Date: _____
Released to: (name and title) _____
Released by: (name and title) _____
Reason for Release: _____

Date of Returned Video: _____

Part C - Destruction Of Video Recorded Data Log
Date: _____
Date of Destruction: _____
Destruction by: _____

- If video recorded material on a portable device is required as part of an on-going school investigation, it shall be retained for at least one (1) year.
- If video images are released as part of a Police investigation, the Board shall maintain a copy of the material released, for a period of five (5) years.