



## POLICY ON VIDEO SURVEILLANCE

(adopted January 15, 2010)

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Note: The masculine gender is used throughout this policy solely in order to simplify the text.

### 1. Introduction

The Central Québec School Board, through its strategic plan, strives to provide a healthy, safe and caring learning and working environment. Video security systems can be a complement to other means used to promote and foster such an environment. It is acceptable to employ video security surveillance systems at the Board Office and in schools and centres when alternative solutions less prejudicial to privacy have been considered and have proved difficult to implement or ineffective.

Video surveillance must comply with the Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information because such surveillance activities involve the collection, retention, use, disclosure and disposal of personal information.

It is the intent of this policy to set out procedures intended to maintain control of and responsibility for any video surveillance systems installed at the Board Office or in the schools and centres and to ensure compliance with rules and regulations established in this regard.

### 2. References

- 2.1 Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information (R.S.Q., c. A-2.1 hereinafter referred to as the "Access Act"
- 2.2 Les règles d'utilisation de la vidéosurveillance avec enregistrement dans les lieux publics par les organismes publics, Commission d'accès à l'information du Québec, juin 2004

### 3. Definitions

- 3.1 *Nominative information* is defined in section 54 of the Access Act as being information concerning a natural person which allows the person to be identified. Therefore, a simple image on a video surveillance system that is clear enough to identify a person, or the activities in which he is engaged in, is nominative information.
- 3.2 *Policy* refers to the Central Québec School Board's Policy on Video Surveillance.
- 3.3 *Reception equipment* means any equipment or device used to receive or record the nominative 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.

- 3.4 *Record* means 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. *Recorded information* has the same meaning.
- 3.5 *Storage device* means 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.
- 3.6 *Video surveillance system* means a video security surveillance system used by the School Board, and includes 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 the premises of the Board Office and the schools and centres. The expression includes an audio device, thermal imaging technology, or any other component associated with recording the image of an individual.

#### 4. General Statements

- 4.1 Video surveillance systems are resources that may be used by the School Board at selected schools, centres and the Board Office to:
- 4.1.1 promote the safety of students, staff, and community members;
  - 4.1.2 protect the School Board's property against theft or vandalism;
  - 4.1.3 aid in the identification of intruders and of persons breaking the law.
- 4.2 In the event of a reported or observed incident, the review of recorded information may be used to assist in the investigation of the incident.
- 4.3 The decision to maintain in place a video surveillance system must be reviewed at least annually.
- 4.4 This policy is not intended to deal with or apply to:
- 4.4.1 instances where specific school or centre events are videotaped (e.g. a school fair or graduation ceremony);
  - 4.4.2 instances where students participate in curriculum related projects using various forms of media such as video-taping;
  - 4.4.2 isolated instances where a classroom is videotaped for education or research purposes (e.g. where a student teacher is required to record his lesson as part of an assignment for a work placement).
- 4.5. Video surveillance systems may, from time to time, be used in school buses under contract with the School Board, through the use of hidden video cameras.
- 4.5.2 The School Board's Transport Department, in consultation with the schools and the transport companies, will determine when and where a video surveillance system will be used.
  - 4.5.3 Cameras may be used in buses to promote the safety of students and to protect the transport company's property.

- 4.5.4 The School Board's transportation rules that are sent to students and parents will mention that video surveillance may be in place in vehicles.

5. Collection of Nominative Information Using a Video Surveillance System

Video surveillance systems collect nominative information about individuals. The School Board has the authority to collect nominative information in accordance with law and regulations which stipulate that no person shall collect personal information on behalf of the School Board unless the collection is:

- 5.1 expressly authorized in accordance with this Policy;
- 5.2 used for the purposes of law enforcement;
- 5.3 necessary for the proper administration of the School Board's administrative offices, schools and centres.

6. Implementation of a Video Surveillance System

In designing, installing and operating a video surveillance system, the School Board, as part of its general, overall responsibility for video surveillance systems, will consider the following:

- 6.1 Reception equipment such as video cameras, or audio or other devices should only be installed in identified public areas where video surveillance is a necessary and viable detection or deterrence activity. The equipment will operate up to twenty-four (24) hours, seven (7) days a week, within the limitations of system capacities (e.g. digital, tape), power disruptions or maintenance.
- 6.2 The equipment should 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 buildings or, as much as possible, onto adjacent property.
- 6.3 If cameras are adjustable by operators, this should be restricted, if possible, so that operators cannot adjust or manipulate them to include spaces that are not intended to be covered by the video surveillance system.
- 6.4 Equipment will never monitor the inside of areas where the students, staff and the public have a higher expectation of privacy, including but not limited to change rooms and washrooms.
- 6.5 Clearly written signs prominently displayed at the entrances, on exterior walls and the interior of buildings in which a video surveillance system has been installed, will provide students, staff and the public reasonable and adequate warning that video surveillance is, or may be, in effect. Signage will inform individuals of the School Board's legal authority to collect nominative information and the principal purposes for which the nominative information is intended. The business address, telephone number and email address of the School or Centre Principal and the Secretary General will also be included for anyone who wishes more information.

- 6.6 The School Board will endeavour to be as open as possible about the video security surveillance systems in operation and, upon request, will make available to the public, information on the purpose of the video surveillance system as well as the policies and regulations that have been put in place.
- 6.7 Reception equipment will be placed in a strictly controlled access area. Video monitors will not be placed in a position that enables anyone other than the authorized person(s) to view them. Only personnel authorized in writing by the School or Centre Principal or the Secretary General will be permitted access to such controlled access areas and the reception equipment.
- 6.8 The regular preventative maintenance program for reception equipment is under the jurisdiction of the Coordinator of Buildings and Equipment who will ensure that the equipment is operating in accordance with manufacturer's specifications, that it is focused properly and that any issues or concerns are dealt with in a timely manner.

## 7. Access, Use, Disclosure, Retention, Security and Disposal of Records

- 7.1 Any information obtained through the use of video surveillance systems may only be used for the purpose set out in the Policy and for the following:
  - 7.1.1 to promote the safety of students, staff and community members;
  - 7.1.2 to protect School Board property against theft or vandalism;
  - 7.1.3 to aid in the identification of intruders and of persons breaking the law.
- 7.2 The information collected may not be retained or used for any other purposes.
- 7.3 Video surveillance systems create a record by recording nominative information. Therefore, the Board Office and each school and centre having such a system must implement the following procedures:
  - 7.3.1 Video surveillance systems may not be used for monitoring staff performance.
  - 7.3.2 Storage devices that are not in use must be stored securely in a locked receptacle located in a controlled access area. Each storage device that has been used should be dated and labeled. For this purpose, a Storage Device Register will be created and maintained (Appendix 1).
  - 7.3.3 Only the School or Centre Principal, or their designate, authorized in writing by name and position, or the Secretary General or his designate may review the information.
  - 7.3.4 Only the above named authorized persons will have access to the storage device. There must always be at least two (2) authorized individuals working together in all instances of access to, and the use of recorded material. This access must be recorded in an Access to and Viewing of Recorded Material Register (Appendix 2).
  - 7.3.5 Normally, access to recorded material will be limited to when an incident has been reported or observed or to investigate a potential crime. Real-time viewing of monitors may only be carried out by those persons specified in paragraph 7.3.3 and for a very specific purpose.

- 7.3.6 Recorded information, whether or not it has been viewed, will be kept for twenty-eight (28) calendar days. This timeframe is based on experience, risk assessment, privacy considerations and equipment capacities. At the end of the twenty-eight (28) day period, the recorded information will then be erased in such a manner that it cannot be reconstructed or retrieved.
- 7.3.7 Notwithstanding paragraph 7.3.6, the School Board will store and retain beyond the twenty-eight (28) day period, any recorded information necessary for evidentiary purposes according to standard procedures until law enforcement authorities require them. In this case, the Secretary General will be responsible for storing the recorded information. A Recorded Information Release Form will be completed before any recorded information is disclosed to the authorities (Appendix 4). The form will indicate who took the recorded information, under what authority, when the information was recorded, and whether it will be returned or destroyed after use.
- 7.3.8 Old storage devices must be securely disposed of in such a way that the nominative information cannot be reconstructed or retrieved. Disposal methods may include shredding, burning or magnetically erasing the nominative information. Before disposal is completed, a Storage Device Disposal Register must be filled out (Appendix 3).
- 7.3.9 Any student, staff member or member of the public who has been recorded by a video surveillance system has a right of access to nominative information concerning him.

## 8. Training

This Policy will be incorporated into training and orientation programs where appropriate and applicable.

## 9. Evaluation of the Use of Video Surveillance Systems

The School Board will ensure that the use and security of video surveillance systems is subject to regular verification. The School Board will endeavour to address any deficiencies or concerns identified through the verification as soon as possible.

## 10. Responsibilities

10.1 The School Board is responsible for:

- 10.1.1 implementing and monitoring this Policy.
- 10.1.2 installing a video surveillance system at the Board Office or at a school or centre should it be deemed necessary.
- 10.1.3 assuming the financial responsibility for all costs when the School Board chooses to install a video surveillance system. Installation costs are the responsibility of the school or centre if it chooses to install a video surveillance system.
- 10.1.4 making arrangements as required with school bus transport companies for the installation of a video surveillance system.
- 10.1.5 assuming the costs of the verification of the use of video surveillance systems.

10.2 The Secretary General is responsible for:

- 10.2.1 providing legal advice related to the School Board's obligations under this Policy.
- 10.2.2 reviewing governing board resolutions approving the installation of a video surveillance system.
- 10.2.3 overseeing an verification of the use of video surveillance systems.

10.3 The School and Centre Principals are responsible for:

- 10.3.1 preparing a report regarding public order and the security of persons, places and/or property. The report will include the designation of the places targeted for video-surveillance and their relation to the risk and real dangers identified in the report.
- 10.3.2 presenting the report to the governing board and consulting fully with them prior to the installation of a video surveillance system.
- 10.3.3 ensuring the proper use of a video surveillance system in accordance with this Policy.
- 10.3.4 maintaining the confidentiality and security of the information .
- 10.3.5 ensuring that access to the information is restricted to the principal and an individual designated, in writing, by the School or Centre Principal and to the Secretary General and his designate.
- 10.3.6 Maintaining confidential registers as specified in paragraph 7 for a period of at least seven (7) years.

10.4 The Governing Board is responsible for:

- 10.4.1 Receiving and reviewing the report prepared by the School or Centre Principal concerning the implementation of a video surveillance system.
- 10.4.2 Approving, by resolution, the plan for the installation of a video surveillance system if the school or centre wishes to have such a system.
- 10.4.3 Reviewing at least on an annual basis, in conjunction with the school or centre principal, the decision to install a video surveillance system, taking into consideration the following factors:
  - 10.4.3.1 whether the initial reasons still exist.
  - 10.4.3.2 whether the expected results have been achieved.
  - 10.4.3.3 whether the conditions of use are adequate and adapted to the situation.
  - 10.4.3.4 whether the type of cameras used and their number are appropriate.
  - 10.4.3.5 whether more appropriate alternative actions, compatible with existing rights to privacy may be found.

## 11. Coming Into Force

This Policy comes into force on January 15, 2010 and will be reviewed on an annual basis if required.

February 16, 2010

In-Use/Used Storage Device Register

School/Centre

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<b>Device Number</b>	<b>Date</b>	<b>Current Location</b>	<b>Current Use</b>

Access to and Viewing of Recorded Materials Log

<b>Device Number</b>	<b>Date</b>	<b>Name of Viewer</b>	<b>Supervisor</b>	<b>Reason for Viewing</b>



Storage Device Disposal Record

Device Number	Date	Destruction Method	Principal	Sector Director	Person Responsible for Destruction

Recorded Information Release Form

Date	
School/Centre	
Principal	
Device Number	
Date of Recording	
Information Released to	
Organization	
Reason for Information Release	
Expected Date of Information Return	
Information Disposal Method	
Information Disposal Date	
Signature of Individual Receiving Information	
Signature of CQSB Counsel	