



## REGISTER OF OFFICIAL DOCUMENTS

### Video Surveillance Policy

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## Table of Contents

<b>1. Introduction .....</b>	<b>3</b>
<b>2. References.....</b>	<b>3</b>
<b>3. Definitions .....</b>	<b>3</b>
<b>4. Installation of a Video Surveillance System .....</b>	<b>4</b>
<b>5. Access, Use, Disclosure, Retention, Security and Disposal of Records .....</b>	<b>5</b>
<b>6. Bus transportation.....</b>	<b>6</b>
<b>7. Modification.....</b>	<b>7</b>
<b>Addendum A: Request for Installation of a <i>Video Surveillance System</i> .....</b>	<b>8</b>



## 1. Introduction

The Lester B. Pearson School Board makes every effort to maintain safe and secure learning environments for students, staff and community members. Video cameras and other means are used to this effect.

Video cameras are employed only when alternative solutions less prejudicial to privacy have been considered and have proved difficult to implement or ineffective.

This policy outlines the rules governing the implementation and the use of video cameras in the School Board. It describes the approval process to install such systems and to access the recordings.

This policy does not apply when a specific event is recorded (such as a school fair, or graduation ceremony) or isolated instances where a classroom is recorded for educational or research purposes (for example, where a student teacher or *stagiaire* is required to record his or her lesson).

## 2. References

- The Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information (hereinafter referred to as the “Access Act”)
- *Civil Code of Quebec* (L.R.Q., c. C-1991, sections 35 and 36)
- Charter of Human Rights and Freedoms (L.R.Q. c. C-12, section 5 and 46)

## 3. Definitions

*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 or she is engaged, is nominative information.

*Video Surveillance System* designates any device that enables recording or real time monitoring.



## **4. Installation of a Video Surveillance System**

### **4.1. Applicable rules**

- 4.1.1. A *Video Surveillance System* can only be installed when it is necessary in order to achieve the following objectives:
  - a) Maintain order, security or discipline;
  - b) Protect against bullying and violence, in accordance with the law;
  - c) Protect property against theft, vandalism or drug trafficking;
- 4.1.2. Clearly written signs prominently displayed at the entrances, exterior walls, and the interior of buildings in which a *Video Surveillance System* has been installed shall provide students, staff, and the public reasonable and adequate warning that video surveillance is in effect.
- 4.1.3. *Video Surveillance Systems* shall not monitor areas where students, staff, and the public have a higher expectation of privacy, including but not limited to, change rooms and washrooms.
- 4.1.4. *Video Surveillance Systems* should not be directed to view or record through the windows of adjacent buildings or, as much as possible, onto adjacent property and must be installed in such a way (e.g., angle, breadth and depth of field) so as to achieve the minimal collection of personal information.
- 4.1.5. Video cameras installed at Lester-B.-Pearson School Board do not capture sound. However, in exceptional circumstances, when this would be the only solution to achieve one of the objectives listed in section 4.1.1, and with the prior consent of the Director General, a Video camera with sound capture may be installed. In such a case, a sign indicating that sound capture is in effect must be installed near the camera.
- 4.1.6. All video monitors and storage devices must be installed in a strictly controlled access area to ensure that only authorized individuals have access to the images.



## 4.2. Authorization process

- 4.2.1. For Schools and Centres, the form entitled “Request for Installation of a *Video Surveillance System*” (Addendum A) must be completed by the Principal or Centre Director and approved by the Regional Director. For the Head Office, the form must be signed by a Director of Services and approved by the Director General.
- 4.2.2. When the installation of a *Video Surveillance System* is part of a project that is financed through capital funds managed by the Equipment Services department, the Director of this department authorizes in writing the installation of all *Video Surveillance Systems* included in the project, in compliance with this Policy and the Equipment Services standards.

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

- 5.1. Real-time access to a video camera is strictly prohibited except for the monitoring of a school or daycare entrance door or when there are reasonable grounds to believe that a particular situation needs to be monitored for one of the following reasons:
  - a) to ensure the safety of pupils, staff, and community members;
  - b) to protect school property against theft or vandalism;
  - c) to aid in the identification of intruders and of persons breaking the law or the school code of conduct.
- 5.2. A recording obtained through the use of a *Video Surveillance Systems* may only be accessed when it is necessary to review a situation for one of the reasons mentioned in section 5.1, or in order to provide evidence in case of a potential dispute or when the access is required by law.
- 5.3. For Schools and Centres, only an In-School/Centre Administrator may have access to the information transmitted or recorded by a *Video Surveillance System*. In the case of an entrance door, the school's or daycare's employees are also authorized to access the information transmitted live by the video camera.



- 5.4. For the Head Office, all access to the information transmitted or recorded by a *Video Surveillance System* must be authorized in writing by the Director General.
- 5.5. All recordings must be stored securely in a locked receptacle located in a controlled access area.
- 5.6. The maximum retention period for recorded information shall be forty-five (45) calendar days. This timeframe is based on experience, risk assessment, privacy considerations and equipment capabilities. Recorded information will be routinely erased in a manner in which it cannot be reconstructed or retrieved.
- 5.7. Notwithstanding the foregoing, the School Board may store and retain the recorded information beyond the above mentioned 45 days when it is required by law or in order to preserve evidence when litigation is reasonably foreseeable.
- 5.8. Old storage devices must be securely disposed of in such a way that the nominative information cannot be reconstructed or retrieved. Disposal methods could include shredding, burning or magnetically erasing the nominative information.
- 5.9. A camera must be removed without delay when the goals for which the installation was authorized are achieved or when its presence is no longer justified in accordance with the criteria established by this Policy.

## **6. Bus transportation**

- 6.1. This policy applies to *Video Surveillance Systems* that may be installed in school buses.

The form entitled “Request for Installation of a Video Surveillance System” (Addendum A) must be completed by the Principal or Centre Director and approved by the School Board, through its Transportation Department, when the installation of a *Video Surveillance System* in a school bus is requested.



- 6.2. In all cases, a *Video Surveillance System* must be installed temporarily and used only for the period of time that is necessary to achieve the goals for which the installation is authorized.
- 6.3. All recordings are strictly confidential and can be accessed only by the school administrators.

## **7. Modification**

- 7.1. Addenda, if any, are not part of this Policy and may be modified at any time for administrative purposes.

