



The Limestone District School Board supports the appropriate use of videoconferencing for educational and business purposes, with a focus on privacy and security issues.

The Board benefits through the proper utilization of a videoconferencing system. Videoconferencing can be used by administrators and other staff to conduct meetings, professional development, and interviews. Videoconference technology also allows for sessions to be recorded for future use, which may include instructional or promotional activities; however, it is important that the requirements of the *Municipal Freedom of Information and Protection of Privacy Act* be addressed prior to recording a videoconference.

Videoconferencing offers various possibilities for program delivery to students including virtual field trips, discussing lifestyle and culture with students in other countries, and sharing of educational resources. Videoconferencing reduces travel time, cost, and safety-related issues associated with travel.

1. Personal Information

- 1.1. Personal information is defined in the Municipal Freedom of Information and Protection of Privacy Act and includes any information about an identifiable individual except for business title and contact. A simple image on a video system that is clear enough to identify a person or the activities in which they are engaged is classified as personal information and is protected under the Acts.
- 1.2. Appropriate steps need to be taken to ensure that personal information is protected whenever videoconferencing is used.

2. Confidential Information

- 2.1. Beyond the risk of exposing personal information there is also the risk of exposing confidential Board information if the equipment is not used correctly or properly



secured.

3. Inappropriate Content

- 3.1. It is possible for videoconferencing to be used for activities that are unsuitable for students. It is important that students are properly supervised and that connections are only made with trusted and approved sites to ensure activities are appropriate and to ensure student safety.

4. Inadvertent Release or Disclosure of Information

Sound and images that are broadcast could be captured as snapshots or videos from the system at the other location to which it is connected and could be intercepted. The video could then be posted to the Internet or otherwise used for purposes for which it was not intended.

5. Risks of Using Videoconferencing

- 5.1. Videoconference sessions open a window to the classroom or meeting room; therefore, staff must ensure that they know who is participating in the videoconference. Additionally, because videoconferencing technology allows for recording of conference sessions, it is important that controls are put in place to ensure that the conference is not recorded unless appropriate steps and measures have been put in place.

6. General Guidelines

- 6.1. Videoconferencing will not be used in any way to upload, post, reproduce, or distribute any information, software, or other material protected by copyright or any other intellectual property right without first obtaining the permission of such right holder.

Videoconferencing systems will not be used for surveillance, either live or recorded.



- 6.2. Staff using the videoconferencing system should be provided with training in advance so that they are familiar with the features and are aware of the security and privacy issues.
- 6.3. Videoconferencing sessions shall not be recorded in any way or in any medium without the written permission of all individuals involved. Copyright and privacy legislation may be breached if images, video, or sound are recorded without permission or if recordings are used for purposes other than those agreed to, or in any other form or medium.
- 6.4. Recorded information shall only be used for the purpose for which consent was provided.
- 6.5. Video recordings are the property of the Board.
- 6.6. Where videoconferencing is used to record a public meeting (e.g., a Board meeting), meeting participants and the general public should be notified that the session is being recorded and informed of how it will be used. Notification shall include the intended use of the recorded images and the use of such records shall be limited to the purpose identified at time of recording.

Sample wording: “Please be advised that your image may be captured [optional: “and recorded”] during the proceeding videoconference. This information is collected under the Education Act for the purposes of providing educational programming [optional: “it may be used in the classroom for the purposes of assisting in instruction”]. Questions about the collection may be addressed to the Board’s Privacy Coordinator (Manager of Human Resources) at 613-544-6925, ext. 243.

Videoconferencing should be conducted using one of the three Board-approved videoconferencing software applications: Google Meet, Microsoft Teams (formerly Skype for Business), or Adobe Connect. These three applications allow any data collected, including recordings, to be stored securely and access is protected by the Board. Videoconferencing cannot be conducted using personal equipment, or over



the public Internet as this is difficult to control and increases the security and privacy risks associated with videoconferencing. Other third-party applications should also not be used unless the privacy policy has been reviewed in advance and it is deemed by the Board to meet the industry's highest security standards.

Videoconferencing systems need to be secure to prevent unauthorized users or hackers from gaining access to the system and transforming the videoconferencing system into video surveillance units by viewing, recording, or publicly broadcasting presumably private videoconferences. Refer to use guidelines for videoconferencing equipment.

7. Videoconferencing for Staff

- 7.1. Staff will be notified by the meeting organizer when videoconferencing is going to be used. The notification should include information on who will be participating in or viewing the event.

If the videoconference is to be recorded, staff must be made explicitly aware that the conference is being recorded and of the purposes for which the recording is to be used.

8. Videoconferencing Involving Students

- 8.1. Schools must take responsibility for informing parents or guardians when videoconferencing is being used by teachers with the students. It is recommended that schools collect written parental consent. All participants or parent(s)/guardian(s) of participants must be made aware that the videoconferencing is taking place and their consent obtained.

- 8.2. Where videoconferences are arranged with external groups, it is important that the external group be approved by the Board and the school principal prior to the start of the conference.

- 8.3. Prior to the start of the videoconference, external parties shall sign an agreement



which sets out restrictions regarding access to the videoconference and the recording of the videoconference. Where conferences are recorded, the agreement shall clearly identify the purpose and use of the recording. Video recordings shall only be used for the purpose identified in the consent form.

- 8.4. All videoconferences should be approved in advance by the school principal. The school shall keep an annual log of sessions including date, time, and with whom the session is held. The conference host will fill out the tracking form.
- 8.5. Schools must take responsibility for all students and any other individuals involved in video conferencing sessions.
- 8.6. Students shall not be allowed to use videoconferencing equipment unsupervised by a teacher or education assistant. The teacher should assume the normal role as class teacher and shall not assume that the presenter is able to see everything that is happening in the classroom. Any issues with behavior must be controlled by the class teacher, not the presenter.
- 8.7. Students should not use headsets during videoconferencing, as these may not allow adequate teacher assistance or supervision.
- 8.8. Videoconference sessions with students shall not be recorded in any way or by any media, not consistent with the Act without the written permission of all individuals involved and the permission of a superintendent.
- 8.9. A sample notice is set out below. The content of such notice will depend on the purpose of the collection and how it will be used/disclosed:

Please be advised that your image may be captured [optional: “and recorded”] during the proceeding video conference. This information is collected under the Education Act for the purposes of providing educational programming [optional: “and it may be used in the classroom for the purposes of assisting in instruction”]. Questions about the collection may be addressed to the Manager of Information Technology at 220 Portsmouth Avenue or 613-544-6925 ext. 249, or the Board’s



Privacy Coordinator (Manager of Human Resources) at 613-544-6925, ext. 243.

Notice may be provided at or before the time of the collection.

9. Restriction on Use or Disclosure

MFIPPA requires that personal information should normally only be used for purposes identified in the collection notice, unless individuals have provided consent for the information to be used for other purposes, or unless one of the other exemptions under MFIPPA applies. Should you have questions about the appropriate use of a video conference recording, please contact the Board's information and privacy coordinator.

10. Security

- 10.1. MFIPPA requires that personal information be secured in a reasonable manner to prevent its loss or unauthorized use or disclosure. The Board recognizes three approved videoconferencing software applications: Google Meet, Microsoft Teams (formerly Skype for Business), and Adobe Connect. All three applications provide secure data storage and are accessed only by a Board account, with the appropriate permissions.
- 10.2. From time to time, the Board may retain external companies to provide video conferencing services or rely upon the external conferencing party to collect and record such data. Steps should be taken to apprise third parties of the Board's obligations under MFIPPA and to secure agreement from such companies or external conferencing parties to handle any collected personal information in accordance with the requirements of the Act. A draft agreement is attached at the end of this policy as Appendix "A."
- 10.3. In addition, it is possible that external conferencing parties may wish to record conferences for their own purposes. In order to best protect the privacy of the participants (students, teachers, and staff), the Board should obtain clear agreement with the conferencing party regarding the issue of recording (i.e.,



whether recording will be permitted and how any such recordings will be used). A second draft agreement is attached at the end of this policy as Appendix “B.”

11. Retention

11.1. MFIPPA requires that personal information such as video conference recordings be retained for a minimum of one year from their use, unless one of the limited exemptions which permit shorter retention periods applies. If the personal information is not recorded during the video conference, this requirement is not applicable.

12. Access

Video conference recordings are subject to the access provisions of MFIPPA. Any formal access requests made for such recordings should be forwarded to the Board’s privacy coordinator (Manager of Human Resources) for consultation and response 613 544-6925, ext. 243.



Appendix A

Agreement for Third Parties Providing Video Conferencing Services to the Board

The Limestone District School Board (the “Board”) wishes to retain
_____ (the “Third Party”) for the purposes of providing video
conferencing services.

The purpose(s) of the video conferencing is/are as follows (check applicable purposes):

- ☐ To facilitate instruction within the classroom.
- ☐ To facilitate instruction between the classroom and other groups (e.g., classes in other schools).
- ☐ To facilitate meetings between board staff.
- ☐ To facilitate external communications between board staff and external parties.
- ☐ To record the above noted conference(s).
- ☐ Other [describe]: _____

The Board is subject to the *Municipal Freedom of Information and Protection of Privacy Act*. In order to ensure the Board’s obligations under the Act are met, we ask that you confirm your agreement to comply with the following requirements, to which the Board is subject, when handling personal information (as defined by the Act) pursuant to a retainer from one or more of the Board’s schools:

1. _____ will collect only personal information necessary to administer the services retained by the school.

Administrative Procedure 194

Videoconferencing – Privacy and Security Guidelines



2. _____ will only use or disclose personal information for purposes consistent with the stated purposes for its collection or as otherwise permitted by law and authorized by the Board.
3. _____ will take all reasonable measures to prevent unauthorized access, loss or theft of personal information and will notify the Board immediately of any such event.
4. Upon request of the Board, _____ will return or destroy any personal information in any form it maintains as necessary to provide the stated services.
5. _____ will notify the Board of any access request or request for correction made for personal information collected by _____ on behalf of the Board.

Please confirm your agreement to comply with these requirements by returning a signed copy of this letter.

I, _____ on behalf of _____
acknowledge the legal requirements imposed on the Board and agree on behalf of _____
that the third party will comply with the requirements
identified above when handling personal information on behalf of the board. I understand
that failure to do so may result in a discontinuance by the Board of the third party's
services.

Dated this _____ day of _____, 20_____.

For the Board

For the Third Party



Appendix B

General Agreement for External Conferencing Parties

The Limestone District School Board (the “Board”) and _____
 (“external party”) wish to conduct a video conference (check applicable purpose(s))

- ☐ To facilitate instruction within the classroom.
- ☐ To facilitate external communications between board staff and external parties.
- ☐ Other [describe]: _____

In order to ensure the Board protects the privacy interests of the conference participants, the conferencing parties agree (check applicable option):

- ☐ That neither party shall record the video conference.
- ☐ That only the Board shall record the video conference.
- ☐ That only the external party shall record the video conference, subject to restrictions in this agreement as set out below.
- ☐ That both parties shall record the video conference subject to restrictions as set out below.

Restrictions on Recording:

Where either party has authorization from the other to record the video conference as set out above, use and disclosure of the record will be restricted as follows:

- Recordings will only be used within the classroom for instructional purposes by each party.
- No copies of recordings will be permitted without express written consent of the other party.

Administrative Procedure 194

Videoconferencing – Privacy and Security Guidelines



- Images or other information from recordings will not be published or disseminated in any matter, including electronically or in print, without express written consent of the other party.
- Recording will be maintained in a secure manner so as to prevent theft or unauthorized access, use, or disclosure.
- Upon request by the other party, any recording will be destroyed.
- Each party will notify the other of any unauthorized access, theft, use, or disclosure.

As a condition of participating in the video conference, the parties agree to comply with the terms set out in this agreement.

Dated this _____ day of _____, 20_____.

For the Board

For the Service Provider