



POLICY: Video Surveillance Policy

DRAFTED: December 22, 2019

ADOPTED: February 26, 2021

I. POLICY STATEMENT

North County Community College, sponsored by Essex County and Franklin County, is part of the State University of New York (SUNY) system. The establishment of personnel policies is the responsibility of the North Country Community College Board of Trustees, while ensuring compliance with those policies is the responsibility of the College administration. We maintain and affirm that the most equitable and fair policies are those that involve shared governance, and we are committed to engaging the College community in the development/modification of established policies wherever possible. This policy follows that process.

As part of the College's mission and desire to ensure the safety and security of our students and employees, the purpose of this policy is to establish guidelines for, and manage the use of and access to, the NCCC video surveillance system that is used to monitor and record public areas for the purposes of safety and security.

II. SCOPE

The policy applies to all full-time and part-time students and employees of the College, the Board of Trustees, and those affiliated groups which support the College, including the members and employees of the North Country Community College Association and the North Country Community College Foundation. It also applies to all members of the public on College property or any property used or leased by the College.

III. POLICY

The College reserves the right to place cameras on College-owned property where necessary and appropriate, as one strategy to protect the campus community. The purpose of this policy is to establish guidelines for, and manage the use of and access to, the NCCC video surveillance system that is used to monitor and record public areas for the purposes of safety and security. Cameras used as part of this may not make audio recordings. This policy does not apply to legitimate academic use of video cameras for educational purposes or to private video cameras owned and operated by members of the campus community.

IV. DEFINITIONS

- **Video surveillance**- The act of capturing motion picture images of a targeted area.
- **Video surveillance system**- The hardware (cameras, monitors, personal computers, wiring, network access points, servers, memory storage devices, etc.), and software that runs the cameras, computers, servers, and supports the capture and recording of video images on NCCC property.
- **Monitoring**- The viewing of live video images as they are happening.
- **Video information**- Any information captured by or stored within the video surveillance system.
- **Video surveillance system operator**- An employee authorized to access the NCCC video surveillance system.

V. GENERAL PRINCIPLES

- A. Video surveillance of public areas is widely used by law enforcement, private security organizations and on College campuses in the United States and is a critical component of a comprehensive security plan.
- B. The purpose of video surveillance cameras in public areas is to deter crime and to assist the College in protecting the safety and property of the College community. This can be accomplished by the presence of the cameras as well as the historical record they provide.
- C. Use of video surveillance for purposes other than safety and security undermines the acceptability of these resources for critical safety goals and is therefore prohibited.
- D. Video recording/monitoring for security purposes will be conducted in a professional, ethical, and legal manner and is not to include audio recordings. Video surveillance system operators will be appropriately trained in the responsible use of this technology. Violations of the procedures referenced in this policy will result in disciplinary action consistent with the rules and regulations governing employees of the College.
- E. Video monitoring of public areas for security purposes is limited to uses that do not violate the *reasonable expectation to privacy* as defined by law. Cameras will not be installed in areas where there is an *expectation of privacy*, which includes restrooms, locker rooms, dressing rooms, and similar designated areas.
- F. Installation and use of covert cameras may be used in special circumstances. Covert cameras will only be employed to aid in criminal investigations and require approval of the President or their designee.

VI. PROCEDURES AND PROCESS

A. Video Surveillance Camera Placement:

1. The College may establish temporary or permanent video surveillance cameras in public areas of College property. These cameras may not make audio recordings.
2. This policy does not apply to covert cameras used by a law enforcement agency for criminal surveillance as governed by New York Penal Law.
3. Cameras may not be established in private areas of the campus without obtaining a warrant and only subject to #2 above. Private areas include bathrooms, shower areas, locker and changing rooms, areas where a reasonable person might change clothing, or private offices.
4. Cameras shall not be directed or zoomed into the windows of any private residential building including residence halls.
5. Cameras shall not be directed or zoomed into the windows of any private building not on College property.

B. Notification to the Campus Community:

1. The campus community will be notified that cameras may be utilized. Postings may accompany cameras or simply be posted at the campus entrances, and this policy will be made available to all students, faculty, staff, and visitors and included in the College Catalog as well as located on our website.

C. Video Surveillance Camera Use and Nonuse:

1. Cameras are to be used exclusively for campus safety purposes.
2. Cameras are not to be used to monitor individual students, faculty, or staff, except as necessary for a criminal investigation and/or in accordance with the terms of a warrant. Cameras may be used to monitor a student or employee work area, such as an area with financial transactions. Cameras used to monitor a work area should not be able to view the contents of computer screens. If the cameras can pan to view computer screens, electronic shielding should be utilized so that these cameras are not used to monitor employee computer use.

3. Cameras may be used to prosecute violations on campus, provided that there is a video record of such behavior. However, in general, video surveillance is not to be used to collect data on students, such as parking patterns or student activity.
4. Cameras are not to be used to evaluate employee performance nor to monitor employees during their non-working time.

D. Establishment of Video Surveillance Cameras on Campus

1. A multi-disciplinary team composed of representatives from the College community, including but not limited to, representatives from Academic Affairs, Facilities, Information Technology, Student Affairs, and the NCCC Association, will determine the placement and use of video surveillance cameras on each campus. That team will also seek to have representation from all three campuses and will communicate the plan to the entire campus community.

E. Video Surveillance Cameras Monitoring

1. Video may only be monitored by those approved by the College to do so. No students may be hired to monitor video. No unapproved employees may monitor or view video for any reason except as necessary in the course of an investigation or adjudication.
2. If the College feels it is necessary to aid in an investigation or search, small video clips or image stills may be released to the media or the public. Prior to releasing the video clip or image still, the face and identifying features of all those on video but not of interest to the investigation should be blurred.
3. Those approved to monitor video will receive training in effective, legal and ethical use of the monitoring equipment. These individuals will receive a copy of this policy, provide written acknowledgement that they have read and understand this policy and receive any and all updates or amendments to this policy.

F. Authorized Access and Use of Video Surveillance Footage

1. The President or their designee may authorize employees of the College *view-only* access to the video surveillance system when there is a defined operational reason for having access (e.g. student and employee safety, protection of assets, or the management of access to areas of the facilities).
2. All employees authorized to access video surveillance and monitoring of public areas will perform their duties in accordance with the procedures contained in this policy, other College policies and procedures, and relevant laws. Those employees include the President, Vice President for Academic Affairs, Vice President for Marketing and Enrollment, Associate Vice President of Student Affairs, Human Resources Director, Assistant Dean of Information Technology, and security personnel. In circumstances affecting the operations of either a campus or particular operations on campus (e.g. the Connector), Campus Coordinators and the Executive Director of the North Country Community College Association may also have access.
3. These authorized video surveillance system operators may facilitate the viewing of the video surveillance system by victims, witnesses, and any other relevant individuals during the course of an investigation.
4. Video surveillance system operators *will not* monitor individuals on the basis of race, color, national origin, religion, creed, age, disability, self-identified sex, gender identity or expression, status of being transgender, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, carrier status, military or U.S. veteran status, domestic violence victim status, prior criminal conviction, socioeconomic status, or any other differences among people which have been excuses for misunderstandings, divisiveness, or hatred or other characteristics protected by law and/or College Policy. Video surveillance system operators will monitor individual activities based upon

information developed by investigation, observed suspicious or criminal behavior, and not solely on individual characteristics.

5. Video surveillance system operators will not monitor individuals or groups based solely upon their exercise of the right to assemble in public and protest the actions of government or other groups. Video surveillance system operators will monitor gatherings only for protection of the group or the public from criminal activity.
6. Additional access to the video surveillance system as an authorized user may only be approved by the President or their designee.
7. Requests to view live video can be made to the Associate Vice President of Student Affairs. The request should identify the location and the purpose for the access consistent with this protocol.
8. Requests to review historic video information of an incident may be made to the Associate Vice President of Student Affairs or the Assistant Dean of Information Technology. Approval to review the information will be based on an evaluation of the request.
9. Requests for historic video information involving suspected criminal activity are made to sworn members of law enforcement with jurisdiction at the campus. Approval for review or release of the information to non-law enforcement personnel requires the approval of the President or their designee.

G. Requests to review recorded video information

Internal Requests

1. Video requested by NCCC video surveillance system operators is not subject to the records request procedures. It is the responsibility of the person retaining the information from the system to articulate the reason for the retention of the information, and to document the information retained in an appropriate Campus Safety report.
2. Video requested by persons other than video system surveillance system operators must be approved by the President or their designee, who will defer any inquiry regarding a criminal case or potential evidence to the appropriate District Attorney's office.
3. If the video relates to an issue involving employee conduct, then no video will be released without approval of the Director of Human Resources who, in conjunction with the College attorney, will determine if usage is legal and falls within the agreement between NCCC and its employees.

External Requests

1. Requests from governmental agencies for reasons of public safety will be accommodated immediately and not subject to a records release.
2. Requests from any other external agency (such as media requests, or requests of individuals or legal counsel) must be referred to the NCCC President's Office, which will instruct the Associate Vice President of Student Affairs or the Assistant Dean of Information Technology as to what video information is authorized for release and identify the entity that may receive it.

H. Storage of Video Surveillance Footage

1. NCCC video recorders and video information will be kept in secured locations, protected from unauthorized access.
2. All information captured by the NCCC video surveillance system is considered to be potential evidence and treated as such. Thus, video is generally retained for 90 days and will be treated as confidential.

3. After a request is made, the video system will be checked to determine that the requested video is available. If approvals for access to video footage are pending, then an archive copy must be made and stored as evidence pending the decision.

Reference Standards:

IACLEA Security Technologies Task Force Report CCTV

NCCC Freedom of Information Law (FOIL) Compliance policy

SUNY Video Surveillance Policy <https://system.suny.edu/media/suny/content-assets/documents/police/2008-97-SUNY-Video-Surveillance-Policy.pdf>