

SECURITY CAMERA POLICY

POLICY #: 025

I. REASON FOR POLICY

The State UNIVERSITY of New York at Fredonia (“UNIVERSITY”) believes that safeguarding the personal welfare of its students and employees is of paramount importance at all campus locales and in all buildings. In an effort to discourage those behaviors which threaten personal safety or a potential loss of campus resources, selective use of security cameras are engaged at the UNIVERSITY.

II. POLICY STATEMENT

The UNIVERSITY reserves the right to place security cameras on campus where necessary and appropriate. The UNIVERSITY respects the privacy of the campus community members and strives to balance that privacy against safety needs on campus. Cameras extend the protection of UNIVERSITY Police, even when officers are not in an immediate area. Cameras are not a guarantee of safety but are a tool that assists UNIVERSITY Police. Cameras protect the campus community members from dangers by serving as deterrents and alerting police to dangers. Cameras are not intended to monitor or track the normal and routine behaviors of campus community members. The use of security cameras under this policy will be conducted in a manner consistent with all existing UNIVERSITY policies, including the Non-Discrimination Statement, the Sexual Harassment Policy, and the Domestic Violence in the Workplace Policy. This policy does not apply to legitimate use of video cameras for educational and/or business purposes, to cameras used for journalism, or to private video cameras owned and operated by members of the campus community. Legitimate academic and/or business use could include but is not limited to the following: event recording, guest lecturer recordings, lecture capture, live streaming, clinical observations, test proctoring, etc... All permanently installed cameras related to academic and/or business use will need to have public signage on display in the immediate vicinity of the cameras disclosing the presence of the cameras to the public. This policy does not apply to cameras used covertly by UNIVERSITY Police or another law enforcement agency for criminal surveillance as governed by the New York Penal Law. This policy does not apply to video cameras established for reasons unrelated to security and safety activity, including remote monitoring of facilities construction to ascertain project progress or campus public relations initiatives. However, the placement and purpose of webcams will be approved by the Chief of Police and appropriate Vice President or designee.

III. DEFINITION OF TERMS

Security Camera: a camera device that is capable of capturing images (not audio), viewable by the naked eye and transferring such images to a data storage system. Image capture may use any technological format.

Data Storage System: a computer or electronic device dedicated to the purpose of storing data.

Public Area: an area open for public use where there is not an expectation of privacy, such as the campus quad, an academic hallway, classroom, library study rooms, building entrances/exits, all outdoor areas.

Private Areas: areas such as bathrooms, shower areas, locker and changing rooms, areas where a reasonable person might change clothing, or private offices. The only exceptions are cameras used narrowly to safeguard money, documents, or supplies, from theft, destruction, or tampering.

Temporary Security Cameras: cameras that are established by UNIVERSITY Police to provide additional security for a campus event or situation, and that are not in place for more than 30 days.

Permanent Security Cameras: cameras which may be established as part of the campus infrastructure. Placement of permanent cameras requires joint approval by the Vice President for Student Affairs and the Chief of UNIVERSITY Police.

Unmanned Aircraft System (UAS): means an unmanned aircraft and associated elements (including communication links, video cameras and the components that control the unmanned aircraft) that are required for the pilot in command to operate safely and efficiently in the national airspace system (e.g. drones).

IV. CAMERA PLACEMENT

Fredonia's UNIVERSITY Police currently monitor security cameras located in public areas on campus. These cameras capture images only, no audio. Requests for placement of security cameras must be made to the Chief of UNIVERSITY Police. Approved requests will include joint approval from the Vice President for Student Affairs and the Chief of UNIVERSITY Police. All camera purchases occurring subsequent to the implementation of this policy must meet the guidelines of this policy. Placement of security cameras shall be the responsibility of the Chief of UNIVERSITY Police and/or the Vice President for Student Affairs and shall conform to applicable federal and state laws. This policy does not apply to cameras used covertly by UNIVERSITY Police or another law enforcement agency for criminal surveillance as governed by the New York Penal Law. Cameras may not be established in private areas of the campus without obtaining a warrant and are subject only to appropriate legal authority. Security cameras shall not be directed or zoomed into the windows of any private residential building including residence halls. Electronic shielding (privacy masking) will be used to the extent possible so that the camera does not have the ability to look into private windows. This policy prohibits the use of dummy or placebo security cameras.

V. SECURITY CAMERA USE AND NONUSE

Security cameras are not to be used to monitor individual students, faculty, or staff, except as necessary for a criminal investigation and/or except as 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, even if there is only one student, faculty, or staff member employed in that work area. Cameras used to monitor a work area will not be used to view the contents of computer screens. Use of security cameras shall be accompanied by signage indicating use of such cameras with signage appropriate to the facility and camera placement. Signage content and placement must be approved by UNIVERSITY Police. The use of Unmanned Aircraft Systems (UAS) or drones, with or without cameras, are prohibited unless approved by the Chief of UNIVERSITY Police. All UAS approved for use at the UNIVERSITY must have the appropriate FAA registration and operate in accordance with federal and state privacy, property rights and safety laws. Security cameras not under the direct control of the UNIVERSITY Police Department on campus are prohibited unless used for a valid business purpose and approved by the Chief of

Police and appropriate Vice President in writing. All requests for security camera recordings and or images must be made in writing to the Chief of UNIVERSITY Police.

VI. SECURITY CAMERA MONITORING

Video or camera images may be monitored only by Fredonia's UNIVERSITY Police or other select personnel as authorized by the Chief of UNIVERSITY Police. Whenever "other select personnel" monitor video or camera images, there will be a notice provided to University Police, including the basis for the monitoring. No unapproved employees may monitor or view video or camera images for any reason except as necessary in the course of an investigation or adjudication. If UNIVERSITY Police feels it is necessary to aid in an investigation or search, small video clips or image stills may be released to an approved party. 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 will be blurred. All Fredonia UNIVERSITY Police Officers, and other select personnel as authorized by the Chief of UNIVERSITY Police and Vice President of Student Affairs, approved to monitor video or camera images shall receive a copy of this policy and provide written acknowledgement that they have read and understand this policy. Officers and authorized personnel will receive any and all updates or amendments to this policy.

VII. VIDEO OR OTHER STORAGE MEDIA

Video tapes or other media will be stored and transported in a manner that preserves security. Current and archived tapes or media shall be kept locked and secured. Recorded images not related to or used for an investigation shall be kept confidential and destroyed on a regular basis. Recorded images will be retained for a minimum of thirty days and a maximum of one year. Cameras purchased prior to the implementation of this policy will be granted a variance to this policy if recorded image retention is less than thirty days. All recorded images used for an investigation or prosecution of a crime shall be retained until the end of the proceeding and appeal period unless directed otherwise by a court of law. All new camera purchases will be expected to conform to a recorded image retention minimum of thirty days, as well as comply with campus hardware standards. No recorded image shall be altered in any manner. The only narrow exception allows for faces of nonparticipants in an incident to be blurred for privacy reasons in the event a video or still image is provided to the media.

VIII. SECURITY CAMERA EQUIPMENT MAINTENANCE

The Information Technology Services (ITS) department is responsible for the equipment maintenance and repair as related to servers, clients, databases, networking, cameras and application support for the system. In the event that equipment may require disposal, replacement, or update, UNIVERSITY Police must be consulted prior to any action being taken.

IX. DESTRUCTION OR TAMPERING WITH SECURITY CAMERA EQUIPMENT

Any person who tampers with or destroys a security camera or any part of the security system may be prosecuted in the criminal justice system, as well as the campus judicial system or face discipline in accordance with the terms and conditions of the collective bargaining agreement (if any) that governs their employment with the UNIVERSITY.

X. COMPLIANCE

It is the responsibility of all members of the college community to observe this policy. Anyone found to be in non-compliance will be subject to sanctions or discipline as determined by the laws of New York, and/or campus administrative procedures or in accordance with the terms and conditions of the collective bargaining agreement (if any) that governs their employment with the UNIVERSITY.

XI. RELATED DOCUMENTS, FORMS AND TOOLS, IF ANY

New York State's Public Officers Law and Penal Code laws constitute the authority regarding this policy. The Consolidated Laws of New York State can be found at:

<http://public.leginfo.state.ny.us>

XII. RESPONSIBILITY FOR ENFORCEMENT

Responsibility for enforcement of this policy is the Vice President of Student Affairs within the Office of Student Affairs.

XIII. AUTHORITY FOR POLICY

Authority for policies is the President's Cabinet.