Policy Name: Video Surveillance

Part 1. Policy:

Minnesota State Community and Technical College uses video surveillance cameras on the Detroit Lakes, Fergus Falls, Moorhead, and Wadena Campuses as one resource to enhance safety and security of persons and property. All video surveillance camera installations must be approved in advance by designated college personnel, as described in this policy, except in the case of an emergency that makes such consultation impractical. The placement and use of video surveillance cameras must conform to applicable state and federal laws in addition to system and campus policies. The use of dummy or placebo cameras is prohibited. Video surveillance cameras shall not have audio monitoring or recording capabilities enabled. Video monitoring of public areas for security purposes will be limited to uses that do not violate the reasonable expectations of privacy, as defined by law.

Part 2. Scope:

This policy applies to all personnel and departments of Minnesota State Community and Technical College in the use of its equipment for video surveillance, monitoring and recording on M State-owned, leased or controlled properties; this policy does not apply to the use of video applications for academic, research or educational purposes of Minnesota State Community and Technical College, or to security cameras installed by authorized financial institutions to monitor ATM machine usage on campus.

Part 3. Management and Use of Video Surveillance:

The primary purpose of video surveillance is to assist in the daily operations of campus security and safety in providing a safe and secure environment to Minnesota State Community and Technical College stakeholders. The information obtained through video monitoring will be primarily used for security and law enforcement purposes. Surveillance equipment will not be used for routine monitoring of the workplace unless expressly directed by the MnSCU Office of General Counsel or the Attorney General’s Office, in consultation with Labor Relations if appropriate. Information obtained through surveillance may be used in support of disciplinary proceedings against Minnesota State Community and Technical College personnel or students, or by Minnesota State Community and Technical College for other appropriate purposes such as litigation.

The installation and monitoring of video cameras and equipment will be administered by the Chief Information Officer (CIO) in conjunction with the Chief Financial Officer (CFO) in a manner consistent with this policy and applicable professional standards. The CFO may authorize the use of video surveillance in a temporary location upon request of a college official if a specific safety or security risk exists; if the request concerns the investigation of individuals, the CFO shall consult with system legal counsel prior to approval. The CFO shall
consult with system legal counsel if requested by law enforcement to install video surveillance for a criminal investigation.

In public areas, signage giving notice of use of video surveillance cameras may be posted as deemed appropriate by the CFO.

If concern over camera placement should arise, concerned persons may submit a petition to the CFO for the removal or relocation of an existing camera. The CFO will review petitions regarding camera location(s) and determine whether the policy is being followed. The CFO will determine the appropriateness of an installation by weighing the concerns of the person(s) making the request and the safety and security of the entire community. The CFO will weigh whether the potential increment in community security outweighs any likely infringement of individual privacy.

Part 4. Principles:

The following principles shall apply regarding the use of video surveillance at Minnesota State Community and Technical College under this policy:

- All recording or monitoring of the activities of individuals or groups by authorized college security cameras will be conducted in a manner consistent with applicable systems and college policies, and will not be based on an individual’s race, gender, ethnicity, sex, disability, or other personal characteristics that are protected by Board Policy 1.B.1.
- All recording or monitoring of video records will be conducted in a professional, ethical, and legal manner. Campus security and other personnel with authorized access to video recordings shall receive a copy of this policy and will receive training on the effective, legal, and ethical use of the monitoring equipment.
- All recording or monitoring for security and safety purposes shall be conducted only in areas where the public does not have a reasonable expectation of privacy. (e.g., not living spaces).
- Recorded images made by video surveillance cameras will be securely maintained by the college pursuant to its records retention schedule. The alteration of video images is strictly prohibited.

Part 5. Limiting Use, Disclosure and Retention of Recordings:

The CIO is responsible for controlling access to the video surveillance monitors and recordings consistent with applicable privacy laws. Video surveillance data maintained by Minnesota State Community and Technical College may be nonpublic or private data on individuals under the Minnesota Government Data Practices Act and the Family Educational Rights and Privacy Act (FERPA). Disclosure of video surveillance data to law enforcement must be authorized

1 Video surveillance data may be nonpublic or private “security information” as defined by Minn. Stat. § 13.37 Subd. 1 (a) or private personnel or educational data pursuant to Minn. Stat. §§13.43, Subd. 4 and 13.32, Subd. 3, and FERPA, 20 USC 1232g, which may be accessed, used and disclosed to third parties only as consistent with those laws.
in advance by system legal counsel unless such consultation is impracticable in the event of a health or safety emergency. Nothing in this policy shall prevent reporting real-time observations of conduct that appears to constitute criminal activity to law enforcement.

Recorded images will be stored in a secure location with access by authorized personnel only. A log shall be created by the CIO and maintained by authorized designee(s) of all instances of access to or use of surveillance records. The log shall include the date and identification of the person or persons to whom access was granted.

Video surveillance data shall be maintained with appropriate security in accordance with the college’s records retention schedule, and will then be destroyed in a secure manner, unless retained as part of a Minnesota State Community and Technical College proceeding, a criminal investigation, or court proceeding (criminal or civil), or other use as approved by the CIO or designee(s). The CIO is responsible for securely retaining any surveillance data, including a video recording, which may be required for evidentiary purposes. If a copy of a recording is required for evidentiary purposes, campus personnel shall consult with the MnSCU Office of General Counsel or the Attorney General’s Office on protocols that may be required for authentication or other purposes and shall use a permanent storage device such as a CD, DVD or USB drive and physically label the device with the date, time and location of the recorded incident. No copies of monitoring files, other than those needed for back-ups or evidentiary purpose may be made without specific authorization.

Part 6. Violations:

Any individual who has concerns about the possible violation of this policy may discuss the matter with the CIO or the CFO. Any individual found to have violated this policy may be referred for discipline under the applicable personnel or student conduct process.

Individuals who are believed to have tampered with or destroyed video surveillance equipment or recordings, or individuals who have accessed video surveillance records without authorization may be subject to discipline under the applicable personnel or student conduct process and criminal prosecution, as appropriate.
VIDEO SURVEILLANCE POLICY Questions

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