

## **Use of Video and Audio Monitoring**

### **Placement and notification**

1. Video surveillance equipment may be installed in and around BOCES buildings where there is a legitimate need for video surveillance, as approved by the Executive Director or designee.
2. Equipment will not be used or installed in areas where the public and/or staff have a reasonable expectation of privacy, such as restrooms.
3. Video recording equipment may be in operation 24 hours per day on a year-round basis at any and all times, whether or not the facilities or buildings are in use.
4. Conduct and comments in publicly accessible places on BOCES property may be recorded by video and audio devices.
5. The BOCES shall notify staff and the public that video surveillance systems are present. Such notification will be included in staff handbooks and signs will be prominently displayed in appropriate locations.
6. Specific notification will not be provided when a recording device has been installed or is being utilized in a building.

### **Use**

1. The use of video surveillance equipment on BOCES grounds shall be supervised and controlled by the Executive Director and the Director of Technology.
2. Staff are prohibited from unauthorized use, tampering with or otherwise interfering with video recordings and/or video camera equipment. Violations will be subject to appropriate disciplinary action. Disciplinary action shall be consistent with applicable Board policies and regulations and may include, but not be limited to, written reprimand, suspension, demotion or dismissal for staff depending upon the nature and severity of the situation.
3. The Executive Director or designee will review the use and operations of the video surveillance system on a periodic basis.
4. Video recordings may be used as evidence that a staff member or other person has engaged in behavior that violates state law, Board policies and/or BOCES rules.

### **Storage/security**

1. The BOCES shall provide reasonable safeguards including, but not limited to, password protection, well-managed firewalls and controlled physical access to protect the video surveillance system from hackers, unauthorized users and unauthorized use.
2. Video recordings will be stored for a minimum of 7 days after the initial recording. If the designated BOCES administrator and/or designee know no reason for continued storage, such recordings will be erased.
3. Video recordings held for review will be maintained in their original form pending resolution of the incident. Recording media will then be released for erasure, copied for authorized law enforcement agencies or retained in accordance with applicable law and Board policy.

4. To ensure confidentiality, all video storage devices that are not in use will be stored securely in a locked receptacle located in a controlled access area. All storage devices that have been used will be numbered and dated. Access to the storage devices will be limited to authorized BOCES personnel.
5. Video recordings held by the BOCES as personnel records shall be maintained in accordance with applicable law and Board policy.

### **Viewing requests**

Requests for review of video recordings that are considered a personnel record will be as follows:

1. All viewing requests must be submitted in writing. Requests for viewing will be limited to those staff and/or BOCES officials with a direct interest in the recording as authorized by the designated BOCES administrator. Only the portion of the recording concerning the specific incident at issue will be made available for viewing.
2. Written requests for viewing may be made to the designated BOCES administrator within 4 days of the date of recording.
3. Approval or denial for viewing will be made within 2 days of receipt of the request and so communicated to the requesting individual.
4. Recordings will be made available for viewing within 3 days of the approval of the request.
5. Actual viewing will be permitted only at BOCES sites including a BOCES administrative office, unless otherwise required by law.
6. All viewing will include the designated BOCES administrator or designee.
7. To the extent required by law, a written log will be maintained of those viewing video recordings including the date and location of viewing, reasons for viewing, date the recording was made and the viewer's signature.
8. Recordings will remain the property of the BOCES and may be reproduced only in accordance with applicable law and Board policy.

### **EAST CENTRAL BOCES BOARD REGULATION**

Adopted: June 17, 2020