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Chapter: Facilities

Modification No. 003

Subject: **Public Safety**

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- I. A safe and secure environment which will support and enhance the educational programs and services of the College should be provided at all times.
- II. It is the policy of the College to be responsive to the health and safety of the College community. Any problem concerning the health and safety of College students, employees, or members of the public on campus should be reported promptly to the appropriate College official.
- III. The Montgomery College Office of Public Safety is responsible for enforcing applicable College policies and applicable law on property owned or leased by the College. The office will maintain a 24-hour presence on all major campuses every day.
- IV. The College's Public Safety Officers will be well trained and respond as reasonably and respectfully as possible to circumstances that require their involvement. The College strives to balance the need for public safety and order on campus while respecting the rights of students, employees, and visitors.
- V. The Office of Public Safety will forward reports of alleged violations of College policy to the appropriate College official for required reporting under the Clery Act and reports of alleged violations of the Student Code of Conduct to the appropriate dean of student affairs.
- VI. When circumstances necessitate the involvement of external law enforcement agencies, the Office of Public Safety will fully cooperate by sharing documents and information about alleged crimes that occur on College property.
- VII. The President is authorized to establish procedures and programs to implement this policy.

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Board Approval: February 25, 1985; June 25, 2018; April 8, 2019

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Chapter: Facilities

Modification No. 007

Subject: **Public Safety**

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I. Public Safety

A. Responsibilities

1. The Office of Public Safety, through the Vice President for Facilities and Public Safety and the Senior Vice President for Administrative and Fiscal Services and the President, is responsible for providing for the safety and security of the College community and all College-owned facilities.
2. Campus security offices will be staffed twenty-four hours per day, seven days per week. Those offices are responsible for handling emergency situations in all areas of safety and security on each campus.
3. The public safety staff maintains the capability and readiness to respond to the College's safety and first aid needs, , and aid in the criminal investigation needs of the College.
4. The Vice President for Facilities and Public Safety is responsible for the development of operations manuals to guide public safety personnel.

B. Office of Public Safety

1. The Director of the Montgomery College Office of Public Safety shall have the responsibility to ensure the provision of safety and parking enforcement services to the college community. The final authority for determining certain public safety conditions of Montgomery College, identifying existing public safety hazards, and establishing the appropriate corrective actions shall rest with the director/chief in cooperation with appropriate units of the College. All matters affecting the public safety condition of the College shall be directed to the director/chief.
2. The Office of Public Safety shall maintain a close working relationship with local, state, and federal law enforcement agencies. This includes Mutual Aid Agreements and Memoranda of Understanding with local law enforcement agencies authorizing those agencies police officers to enforce laws at all times within the defined mutual aid area and elsewhere within Montgomery College when their assistance is requested. The Office of Public Safety will cooperate and assist with investigations involving college community members that are brought to its attention by other agencies, including offenses that occur outside the college boundaries.
3. The Office of Public Safety will prepare guidelines to address the various situations that may arise in the college environment. The guidelines will include, but are not limited to:
  - a. Overview of Public Safety at Montgomery College
  - b. External reporting requirements, including the Jeanne Clery Act
  - c. Emergency Guidelines

- d. General Public Safety Guidelines
- e. Parking Enforcement Guidelines
- f. Training Guidelines

In the event of an inconsistency or conflict, applicable law and College policies and procedures supersede any guidelines.

**II. Reporting and Notification Procedures**

Any employee of or visitor to the College who is informed of a potential health or safety problem will act in accordance with the following guidelines:

- A. In an emergency situation, College personnel, students, or visitors should immediately dial 911 then contact the campus Public Safety Office.
  - 1. Campus Public Safety will respond immediately by providing assistance and/or contacting the appropriate rescue squad or police department.
  - 2. The Director of the Office of Public Safety, or campus designee, will notify the campus vice president and provost, as well as other appropriate administrators at the earliest possible opportunity about the nature of the emergency and the type of assistance rendered.
  - 3. Public Safety will maintain written reports of all incidents which will be distributed to the appropriate administrators at the earliest reasonable opportunity.
  - 4. Communication to the general College community will take place in accordance with 62003CP-Public Information, Communications, and Marketing.
- B. In a nonemergency situation, College personnel and/or students should contact their supervisor, instructor, or appropriate campus administrator.
- C. When made aware of nonemergency reports, the Director of Public Safety, or designee, will immediately notify the campus vice president and provost, as well as other appropriate administrators, about the nature of the situation and any actions taken.

**III. Special Police Officers**

- A. Special Police Officers (SPOs) are Office of Public Safety employees commissioned by the governor with designated police powers to arrest individuals who trespass or commit offenses on College property and authorized to conduct special investigations on behalf of the College.
- B. A special investigation includes allegations of a criminal nature that require a confidential internal inquiry into the facts of the allegation. A special investigation should not be used to address - and thereby excludes - violations that could otherwise be addressed through the College's existing policies and procedures.
- C. Requests for special investigations are approved by the appropriate senior administrator in consultation with the Office of General Counsel.
- D. Approved special investigations are submitted to the Director of Public Safety who will assign the case to a designated Office of Public Safety Special Police Officer.

- E. SPOs will conduct a thorough, fair, and impartial investigation, which may include speaking with witnesses, reviewing appropriate documents, and collecting evidence in accordance with appropriate College policy and procedure.
  - F. At the conclusion of the investigation, the SPOs will report their findings to the Director of Public Safety, who will share the findings with the appropriate senior administrator and Office of General Counsel.
  - G. Evidence of criminal activity will be turned over to the appropriate external law enforcement agency for review and further action as the information becomes known.
  - H. Any subsequent disciplinary action taken against an employee or student as a result of the findings will follow established College policies and procedures.
- IV. Access to and/or Trespassing on College Property
- A. The College has the authority under Maryland Annotated Code, Education Article, Sections 26-102 to deny access to its buildings or grounds to a person who:
    - 1) Is not a bona fide, currently registered student, or staff or faculty member at the College, and who does not have lawful business to pursue at the College;
    - 2) Is a bona fide, currently registered student at the College, but has been suspended or expelled from the College for the duration of the suspension or expulsion; or
    - 3) Acts in a manner that disrupts or disturbs the normal educational functions of the College.
  - B. Public Safety Officers have the authority under College policy and State law to demand identification and evidence of qualification from any person who desires to use or enter College premises.
  - C. Public Safety Officers, in cooperation and coordination with local law enforcement agencies, are authorized to issue, or cause to be issued, "no trespass orders" as notice to individuals denied access to College premises when such denial is ongoing. Orders will specify the scope and duration of the denial of access. Orders may apply to all College property and property used by the College, or they may be tailored to apply to a specific campus, location, building, or time frame.
  - D. A person who has received a trespass notice may submit a written appeal within five business days of receipt of the notice to the Director of Public Safety. The written appeal should include the person's reason for being on campus at the time, the person's future need to be on campus, and any other information the person wishes to be considered. The "no trespass order" remains in effect during the appeal period.
  - E. The appellant may also request a hearing, the date and time of which shall be set by the College. The hearing shall be held in private, except that the appellant may be accompanied by another individual to serve in an advisory capacity but who may not participate directly in the hearing. If the appellant intends to have an advisor who is an attorney, the College must be notified at least five business days in advance of the hearing.

- F. Following a review of the appeal and all related facts and circumstances, persons with knowledge of the incident(s) leading to the issuance of the trespass notice may be asked to be present at the hearing.
  - G. A decision regarding the appeal shall be rendered within five business days and such decision shall be sent to the appellant via certified mail, return receipt requested. The decision shall be final.
  - H. The Director of Public Safety or any Deputy Director of Public Safety may authorize entry of individuals denied access for good cause, and at the request of any Dean of Student Affairs, Campus Provost, or the Chief Human Resources Officer, shall authorize access to facilitate due process.
- V. Video Surveillance
- A. Purpose
    - 1. The purpose of this section is to regulate the use of video cameras to monitor and record College premises for purposes of safety and security.
    - 2. The primary purpose of video surveillance technology in campus safety and security is to deter crime and to assist in protecting the College community and College property.
    - 3. Exclusions  
This section does not apply to:
      - a. legitimate academic uses of video cameras for instructional or research purposes;
      - b. cameras used for journalism or media purposes;
      - c. approved video recording of athletic or performing arts events;
      - d. cameras used for video conferencing purposes;
      - e. cameras owned and operated by members of the college community.

There are also exceptions where cameras may be installed in testing locations, lab environments or other academic environments. All exceptions must be approved by the Senior Vice President for Academic Affairs and the Senior Vice President for Student Affairs in consultation with the General Counsel and the Senior Vice President for Administrative and Fiscal Services. Signage will be posted indicating video recording in these areas. These exceptions will be documented and available for review upon request.
  - B. Responsibilities
    - 1. The Vice President for Facilities and Public Safety has the responsibility to authorize the use of video equipment for public safety and security purposes at the College. All new installations will follow established procedures.
    - 2. The campus offices of Public Safety are authorized to oversee and coordinate the use of video equipment for public safety and security purposes at the College.

3. The campus offices of Public Safety will monitor new developments in relevant law and in security industry practices to ensure that video monitoring at the College is consistent with the highest standards and protections.

C. Camera Location, Operation and Control

1. Requests for installation of video surveillance devices must be sent in writing to the Vice President for Facilities and Public Safety. The request will be reviewed and forwarded with a recommendation to the Senior Vice President for Administrative and Fiscal Services who will consult as needed with the College General Counsel and Senior Vice President for Academic Affairs and the Senior Vice President for Student Affairs (in cases involving assessment centers or academic purposes) and inform the appropriate Vice President/Provost.
2. An inventory of camera/video surveillance locations will be conducted annually by the Office of Central Facilities and reported to the Senior Vice President for Administrative and Fiscal Services, and Senior Vice President for Academic Affairs and the Senior Vice President for Student Affairs.
3. All recording or monitoring of video records for security will be conducted in a manner consistent with state and federal laws, and all existing College policies and procedures including, Affirmative Action, Sexual Misconduct, IT Acceptable Use and other relevant policies and will never be based on personal characteristics including race, gender, sexual orientation, national origin, disability, or other protected classifications.
4. Personnel involved in video monitoring will be appropriately trained and supervised in the responsible use of the equipment.
5. Video monitoring of areas for security purposes at the College is limited to locations that do not violate the reasonable expectation of privacy as defined by law.
6. Except as provided herein, all video camera installations will be visible. Use of hidden cameras may be requested as part of an investigation into a serious criminal offense or a pattern of criminal activity. The Vice President for Facilities and Public Safety and Senior Vice President for Administrative and Fiscal Services, in consultation with the General Counsel, may approve the use of hidden cameras where it is demonstrated that the hidden camera is necessary to promote the safety and security of the College community and protect College property and that the need for such camera outweighs the privacy interest of any person likely to be observed. If the camera has been installed and activated as a result of a specific investigation, it shall be the responsibility of the Campus Facilities Director to ensure that the device is removed promptly at the end of the investigation.
7. No audio shall be recorded by cameras at any time.
8. No cameras should be used as a means of surreptitiously evaluating employee performance.
9. Campus Facilities will post signage at appropriate campus entrances. Signage will be installed at all of the entrances to buildings where cameras are installed and on campus grounds where cameras are in use. Signage will state:

“PREMISES SUBJECT TO SURVEILLANCE”

D. Retention and Disposal

1. The images from video cameras used for safety and security purposes will generally not be monitored, but will be stored and kept for the purpose of review in the event that a problem is brought to the attention of Public Safety.
2. Recorded images will be stored temporarily on appropriate storage media and will be kept in a secure location accessible to authorized personnel on an as needed basis.
3. Recorded images will be stored for a minimum of 30 days after which they are subject to being overwritten or destroyed unless retained as part of a criminal investigation or court proceeding, or other bona fide use as approved by the Vice President for Facilities and Public Safety.

VI. Education

Education is a key element of this policy and procedure. The President is authorized to provide institutional leadership and guidance for developing education programs to increase knowledge and share information and resources to promote college safety and enhance preparedness. Periodic drills related to emergency preparedness and active shooter scenarios will be conducted by the Office of Public Safety, in collaboration with other public safety agencies, as determined by the President. The College will provide education and information, as appropriate, for students and employees to enhance understanding and increase awareness of the College’s Public Safety Policy and Procedures. Any mandatory education requirements will be announced and posted on the College’s website.

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Administrative Approval: February 25, 1985; April 26, 1985; July 24, 2001; April 30, 2008; February 15, 2010; August 13, 2010 (administrative correction only); April 19, 2019.