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Policy Name: Recording Lectures and Other Classroom Activities

Policy Number: None

Functional Area(s) Responsible: Academic & Student Affairs

Owner(s) of Policy: Academic & Student Affairs

Most Recent BOT Approval Date: March 3, 2021

Most Recent Review Date: Spring 2023

Most Recent Review/Revision Type: none minor/non-substantive substantive/extensive

Policy Statement:

Finger Lakes Community College prohibits the unauthorized recording of classroom lectures and activities. This policy attempts to balance the various interests involved when recording classroom lectures which include the privacy rights of students and faculty, the intellectual property rights of copyright owners regarding the recorded lecture and any copyrighted materials used in the lecture, and the desire to provide students with innovative tools to improve student learning.

Reason(s) for Policy:

To improve student learning and retention, while respecting the intellectual property and privacy rights of faculty and students.

Applicability of Policy:

This policy applies to all faculty members who voluntarily agree to record their classroom lectures/activities at Finger Lakes Community College and students accessing, participating in, or making an authorized recording of a classroom lecture.

Definitions:

Classroom Lecture: A classroom lecture, meeting, or activity is facilitated by a faculty member in their role as an instructor in a physical classroom setting, virtual classroom setting, or an external setting as part of a course with enrolled students.

Recording: The capturing of any part or the entire amount of a classroom lecture including the audio, video, discussion, or pictorial portions of the lecture.

Participants: Participants including but not limited to students and authorized guests will be deemed “participating” in a class once they have logged into or entered a class session including but not limited to in person communication, video presence, audio presence, participation in chats etc.

Related Documents:

- United States Copyright Office: <http://www.copyright.gov/>
- The Copyright Clearance Center: <http://www.copyright.com/>
- FLCC Intellectual Ownership in Creative Works and Patentable Inventions Policy
- The TEACH Act: <http://guides.lib.utexas.edu/copyright/teachact>
- FLCC Meder Library's Reference area has additional information on federal copyright law

- FLCC Network Usage Policy
- Digital Millennium Copyright Act
- Higher Education Opportunity Reauthorization Act
- FLCC Student Code of Conduct
- New York Wire Tapping Law: <https://www.nysenate.gov/legislation/laws/PEN/250.00>

Procedures:

I. Authorized Recording of Classroom Lectures

1. Faculty members are authorized to make audio and/or video recordings of class meetings for instructional purposes related to their courses at Finger Lakes Community College. Faculty members must notify the students prior to the start of each recording that the class session is being recorded.
2. Participants may request to record class meetings as part of an accommodation under the Americans with Disabilities Act. Students may request that the faculty member provide such a recording of a class meeting if the faculty member voluntarily records their class.
3. Faculty may ban all recordings in classes that are part of a program where students sign a confidentiality agreement, for example but not limited to Nursing, Chemical Dependency Counseling, Human Services etc. When permission is granted, it must be coordinated among Finger Lakes Community College, the faculty member, and the student.

II. Use of the Video or Audio Recording

1. A recorded classroom lecture may not be used for any purpose except to meet the educational objectives of that particular class. If a student receives permission from a faculty member to record a class meeting or receives a recording from a faculty member, the student must agree not to transfer the recording to a computer, internet, or other electronic device, or distribute the recording or a derivative work of the recording to any other person, or use the recording for any purpose other than the student's own personal education. Unauthorized downloading, file sharing, editing, or distribution of all or any portion of a recorded class meeting may be deemed a violation of the Student Code of Conduct and other applicable policies and laws.
2. A faculty member's audio and/or video recordings of his/her lectures that includes participants may only be used by Finger Lakes Community College students for their personal educational benefit. The faculty member shall control how the recorded lecture is used at Finger Lakes Community College. For example, what classes may use it, the retention period, other faculty who can access it, etc. Such recordings shall only be available through the course learning management system (i.e. Blackboard) of the college. Recordings of class meetings including student participation shall not be posted to publicly available websites including, but not limited to YouTube, Facebook, TikTok, etc.
3. Audio and video recordings of faculty lectures that DO NOT include participants may be used by the faculty member in the same manner as other course materials owned by the faculty member. The faculty member has the freedom to control their recorded lecture, to delete it after the semester or preserve it for future use. Recorded lectures will be automatically deleted if a faculty member leaves Finger Lakes Community College unless the faculty member provides written permission to Finger Lakes Community College for the continued non-profit educational use of the recorded lecture. Use of a recorded lecture that INCLUDES participants may not be used, shown, or distributed to any other individual, group or organization external to Finger Lakes Community College without the express written permission of the faculty member, every student who is recognizable in the audio/video recording and Finger Lakes Community College. All requests for use of a recorded lecture involving only the faculty member shall be handled by the faculty member.

Forms/Online Processes:

None

Appendix:

None