

SUPERSEDES: 11/11/2014; 08/10/2017- Technical Revision	SECTION: Academic & Student Affairs
POLICY AND PROCEDURE MANUAL MERCY COLLEGE OF OHIO, TOLEDO, OHIO Signature on file Signature: Dr. Susan Wajert, President	CODE NO. 514
	SUBJECT: Recording of Classroom Instructional Activities
	DATE ORIGINATED: 10/22/2014
	DATE COMMITTEE BOARD APPROVED: 02/22/2021
	DATE BOARD APPROVED: 03/09/2021
	DATE OF NEXT REVIEW: 2024 January 1-31

Policy: Recording of Classroom Instructional Activities

PURPOSE:

The purpose of the Recording of Classroom Instructional Activities policy is to provide a consistent process for the advance approval, use, and retention of such recordings in the classroom environment.

POLICY:

Mercy College of Ohio prohibits students from recording, maintaining, or sharing faculty lectures or other classroom presentations unless the student has obtained the written consent of the faculty member.

For purposes of this policy, a “recording” is a video or audio replication or photographic image recorded on devices including, but not limited to, audio recorders, video recorders, cellular/smart phones, digital cameras, media players, computers and other devices that record images or sound.

Proper Use of a Recording

In situations where a student has been approved to record classroom instructional activities, the following rules govern the purpose, use, dissemination, and retention of such recordings:

- Recording of classroom instructional activities is solely for the purpose of individual or group study with other students enrolled in the same class.
- The recorded materials and all information contained within, are protected under federal copyright laws and may not be published or quoted without written permission of the presenter(s) and Mercy College of Ohio.
- The student shall not use any recording for commercial, compensatory, or non-educational purposes.
- The recorded materials shall not be copied, retransmitted, or disseminated in any fashion.
- The recorded materials shall not be posted on any website or social media site.

- Recorded materials shall not be used to harass or retaliate against any student or faculty member or for any other non-academic purposes, including external complaints or legal proceedings against the faculty member or Mercy College of Ohio.

Destruction of Recordings

Students must destroy all recordings at the end of the semester unless they have received written permission from the faculty member to retain them.

Exception

Students with disabilities registered with the Office of Accessibility may be preapproved to record some or all of classroom instructional activities as a reasonable accommodation in keeping with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. Under these conditions, the Director of Accessibility is responsible for having the student sign Form 514-A as part of the accommodations agreement. The original copy is kept in the student's file in the Division of Student Affairs, with a copy given to the student. Students may provide a copy to their instructor if necessary.

The student is expected to abide by the "Proper Usage" policy requirements set forth above.

Faculty members who are presented with an accommodation notification letter from the Office of Accessibility do not have discretion to prohibit the student from recording classroom instructional activities. As with all issues regarding accommodations, a faculty member should contact the Director of Accessibility with questions or concerns.

A student with a disability may maintain recordings past the end of the semester if doing so is part of the student's Office of Accessibility and Testing Services-approved reasonable accommodation. All such recordings must be destroyed when the individual is no longer a student at Mercy College of Ohio.

Policy Violation

A faculty member who believes that an unauthorized recording has been made or that there has been an improper use of a recording should make a report to their respective Dean who will notify the Vice President of Academic Affairs.

Violations of this policy may warrant disciplinary action pursuant to the Student Code of Conduct. Violations may also constitute copyright infringement in violation of federal law and subject the violator to external legal action and penalties.

REFERENCING FORMS**Electronic Recording Release Form 514-A**

Board Approved: March 9, 2021

Board Committee Approved: February 22, 2021

Revised: 2/2021 (*changed “presentations” to “instructional activities” to cover broader classroom situations*)

Technical Revision: August 9, 2017

Board Approved: November 11, 2014

New Policy: October 22, 2014

PROCEDURE(S) 514:**Obtaining Permission**

Before any classroom instructional activity or at the beginning of the course, students who wish to record the proceedings must sign the Mercy College of Ohio Electronic Recording Release Form and submit a signed copy to the faculty member prior to activating any recording device. The faculty member has the option to approve or disapprove the request on the form.

If the faculty member approves of the recording request, he/she will copy the signed agreement and return one copy to the student, retain a copy for his/her files and provide one copy to his/her Program Director and/or Dean.

The student must obtain signed permission from each instructor whose class he/she wishes to record. This includes when two or more faculty members are teaching the same class. A new Electronic Recording Release Form must be signed each semester for each class where permission to record is being requested.

Notification to the Class

The faculty member will notify the class in advance if permission has been granted for any student to record classroom instructional activities that may include student discussion so that students are aware that their comments may be captured in any recordings.

Revoking Permission

Faculty member(s) may rescind permission to record at any time and will do so by notifying the student in writing. Further, a faculty member may require that all recording devices be turned off at any point during the class period. The faculty member does not have to give an explanation in either of these situations.

Electronic Recording Policy Release Form 514-A



I, _____ (presenter's name) give _____ (student's name) permission to electronically record _____ (class) classroom instructional activities for the _____ (semester/year). The student has read and understands the conditions and limitations regarding the electronic recording of class presentations. As a condition of electronic recording the class presentations the student agrees to the following conditions and limitations:

- 1) The recorded materials, and all information contained within, are protected under federal copyright laws and may not be published or quoted without written permission of the presenter(s) and Mercy College of Ohio.
- 2) The student will not use any recording for commercial, compensatory, or non-educational purposes.
- 3) Recording of lectures or classroom presentations is solely for the purpose of individual or group study with other students enrolled in the same class.
- 4) The recorded materials cannot be copied, retransmitted, or disseminated in any fashion.
- 5) The recorded materials cannot be posted on any website or social media site.
- 6) Recorded materials may not be used to harass or retaliate against any student or faculty member or for any other non-academic purposes, including external complaints or legal proceedings against the faculty member or Mercy College of Ohio.
- 7) Students must destroy all class recordings at the end of the semester unless stated otherwise in the policy.
- 8) Students must sign the Electronic Recording Policy Release Form each semester for each class where recording permission is requested. If two or more faculty present in a course, each faculty member must grant permission to record. If yes, faculty member will provide a copy of agreement to the student, place a copy in his/her files, and provide a copy to his/her Program Director and/or Dean. If receiving accommodations, the original copy will be kept in the student's file in Student Affairs, a copy will be provided to the student. In this case, faculty can contact Accessibility Services for a copy if necessary.

Yes ☐ No ☐ Rescinded ☐

Faculty Signature date

Student Signature date

Faculty Name (printed)

Student Name (printed)

Expiration Date: _____

Student ID # _____

Office: Vice President of Academic Affairs

Date: 05/2021

Copies to: Faculty file, Program Director and/or Dean