

UNIVERSITY OF DENVER POLICY MANUAL RECORDING CLASSES		
Responsible Department: Office of the Provost Recommended By: Provost and Executive Vice Chancellor, Senior Vice Chancellor of Legal Affairs and General Counsel, Executive Director of Enterprise Risk Management, and Vice Chancellor for Information Technology and Chief Information Officer Approved By: Chancellor	Policy Number PROV 4.10.030	Effective Date 4/28/2023

I. INTRODUCTION

Instructors and students engaged in the instructional process have a reasonable expectation of privacy. There are privacy concerns for the general audience, identifiable individuals, and student work or presentations protected under records under the Family Educational Rights 62 e. 62 (oct)TETEMC /P /MCID 122-BDC q0

III. PROCESS OVERVIEW

A. Recording of Class Sessions based on Academic Unit Level Policies

1. When an academic unit adopts a unit-level policy permitting or requiring the recording of classes, the academic unit must clearly and conspicuously communicate that policy to students and instructors in writing on the academic unit's website prior to the start of each academic term.
2. The academic unit should develop a syllabus statement that explains the unit-level recording policy, and the academic unit should encourage instructors to include that statement in their syllabus.
3. If an academic unit has adopted a unit-level policy on recording classes consistent with this unit

4. If a recording only includes the instructor, it is not an education record under FERPA and may be posted in Canvas, [DU MediaSpace](#) (Powered by Kaltura), or other approved University Information Systems, where it may be available to all students enrolled in the specific class session (as well as other members of the faculty or University administrators). At the instructor's discretion, access may be granted to all students enrolled in the course, irrespective of class section, subject to the requirements of FERPA. The instructor shall make the recording available as required by the University [Disability Services Program](#).
5. If an instructor chooses or is required to record a class session that will include student or authorized guest participation, the instructor is required to notify all students and authorized guests that a recording will be made as an academic resource and that it is not to be shared outside of the class session. At the beginning of each recorded class session, the instructor shall orally remind students and authorized guests, if applicable, that the session is being recorded. This oral reminder must be captured on the audio recording. The oral reminder shall inform the students and guests that continued presence and/or their participation in the class session will constitute consent to recording of the class session. Instructors are encouraged to provide such advance notice to students in the syllabus. Automatic notices of recording may be made available through certain University-approved technology.
6. If a student appears in a recording of a class session, or makes any digital contribution to a class session, the recording becomes an education record under FERPA, and except as permitted by FERPA, access to the recording shall be limited to only those students currently enrolled in the same class section.
7. In accordance with FERPA, an instructor may not use a recording in which a student or authorized guest appears in any other class session unless the instructor first:
 - a. Edits the recording to remove any portion in which a student appears or otherwise de-identifies each student who appears; or
 - b. Obtains individual written consents from the students appearing in the recording. The consent must specify the recordings that may be disclosed, the purpose of the disclosure, and to whom disclosure may be made. The consent must be volunt0-2(or)]TETQ.00ETQ(50(noticsson)]TETQ

recorded. Refusal to be recorded cannot supersede any course or class academic requirements or University educational purpose, nor can it

9. Instructor recordings of class sessions may only be stored in University-approved information systems and retained in compliance with

compliance with University Policy RISK 1.10.025 - *Records Management*.

4. All instructors must include the following statement on their syllabi:

academic activities (including advising sessions or office hours) is prohibited. Unauthorized recording is unethical, a violation of University policy, and may also be a violation of state law. Students requesting the use of assistive technology as an accommodation should contact [Disability Services Program](#). Unauthorized use of classroom recordings including distributing or posting them is also prohibited. Under University Policy ORSP 2.40.010 Intellectual Property, faculty own the copyright to instructional materials including those resources created specifically for the purposes of instruction, such as syllabi, lectures and lecture notes, presentations and recordings. Students cannot copy, reproduce, display, or distribute these materials. Students who engage in unauthorized recording, unauthorized use of a recording, or unauthorized distribution of instructional materials will be referred to the Office of Student Rights & Responsibilities for action under the Honor Code.

