
Policy on the Recording and Storage of Lectures and Other Learning Activities

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Rationale and background

Lectures, class discussions and other learning activities are sometimes recorded in order to facilitate blended or asynchronous learning, or provide disability accommodation. The decision about whether to record a session rests with the instructor, unless recording is required for an accommodation. The proliferation of social media, smart phone apps for recording lectures, and publicly accessible websites where individuals can upload classroom/educational recordings, have raised important issues around intellectual property, copyright and privacy.

Lecture content and materials are considered the instructor's intellectual property, and therefore are subject to copyright law. In addition, because recordings may also capture the presence, ideas, and opinions of other individuals (e.g., other students, teaching assistants, guests), privacy regulations also apply. In particular, video-conferencing (VC) recordings using Zoom, Microsoft Teams or other similar VC platforms capture names and pictures of individuals and, when they interact with others, their voice or "chat" is recorded. The extent to which identifying elements are retained in a recording depends in part on the settings of the account used for the recording. Because of the potential retention of at least some identifying information, VC recordings are subject to Ontario's Freedom of Information and Protection of Privacy Act (FIPPA). We must collect, use, disclose, retain, and dispose of these recordings in a manner consistent with the legislation.

The University Privacy Office has recommended against recording VC classes or meetings unless there is a compelling reason to do so. There are several compelling reasons to record some learning events and meetings held within the SRT:

- Academic accommodations
- Extenuating circumstances
- Pedagogical reasons
- Facilitating operations (e.g., minute taking)
- Public events or recruitment

Consequently, the School of Rehabilitation Therapy requires a policy and set of procedures regarding the recording and storage of lectures, class discussions, and other learning activities.

Scope of policy

This policy applies to the learning activities in all five program streams, as well as all meetings that include the School's faculty, staff, students, guests, and/or affiliated parties.

For the purposes of this policy, "recording" will include audio and/or video or photographic capture of learning activities (e.g., lecture, discussion, cases) by any electronic or digital means, either original or copied/shared.

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Policy Statements

1. Recordings are digital records and must be managed consistent with Queen's Records Management policies.
2. Instructors are the decision-making authority responsible for determining whether a learning event will be recorded *unless* a recording is required as part of an academic accommodation for a student. Guidance for faculty about making recording decisions are provided below under "guidance." If recording is being requested for disability accommodation, the instructor's consent must not be unreasonably withheld.
3. Recordings made available to students due to an accommodation to facilitate learning are for the sole purpose of personal study. The recording cannot be shared with others in the class or outside the course without additional permission from the instructor. This includes posting to the internet or any social media or other location or on any device to which electronic/digital access can be obtained by any other person.
4. In the case of accommodations, the procedure for recording lectures must be agreed upon by the instructor and the student, and may require that the instructor controls the recording device. It is possible that some components of a class session may not be recorded if recording has the potential to violate FIPPA regulations or to otherwise compromise perceived safety in the class due to the nature of the content. Instructors should contact the SRT FIPPA representative if they have any questions or concerns about privacy regulations and recording.
5. Students may not independently record any portion of a lecture, class discussion or course-related learning activity without the prior and explicit written permission of the course instructor.
 - a. Recording without permission from the instructor is considered a violation of Copyright and will be subject to sanctions for academic misconduct.
 - b. Students creating unauthorized recordings violate an instructor's (or classmate's or guest's) intellectual property rights and the Canadian Copyright Act and possibly the Ontario's Freedom of Information and Protection of Privacy Act (FIPPA).
 - c. Students violating either of these Acts may be subject to disciplinary actions under the Queen's University Student Code of Conduct.
<http://www.queensu.ca/secretariat/sites/webpublish.queensu.ca.uslclwww/files/files/policies/board/StudentCodeOfConduct.pdf>
6. Individuals participating in a learning event or meeting must be notified that a recording will be made, and for what purpose. This notification may occur through a recording statement on their OnQ course site (see statement below). If the recording is being made through a VC platform, the notification can be made through the settings functions of that platform.
7. VC platforms should be configured so that names are not captured in the recording whenever it is reasonable to do so. Recordings of learning activities that include a patient/client/consumer visitor can only occur with prior and explicit written consent. These recordings must be stored in a location that can only be accessed by authorized individuals.
8. When an instructor engages a guest lecturer / presenter, or when students are presenting, the instructor is responsible for negotiating with the presenter(s) as to whether the session will be recorded and any limits on the access to the recording that may be different from the norm for the class/course.

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Procedures

1. A clear statement about the recording of lectures, class discussions and class activities must be included in the syllabus and/or OnQ course site. A recommended statement is provided in Appendix A.
2. Each program will develop and monitor a program-specific process for downloading recordings from VC platforms, and reviewing and deleting recordings on a cycle that meets program needs and staffing capabilities. This process is to include consideration of files on the Active Director and the Streaming Server.
3. Recordings that are downloaded from VC platforms can be saved in one of the following three locations:
 - a. Publicly accessible SRT streaming server library: in the case of recruitment/information events, public lectures (with permission of the speaker).
 - b. Secured SRT streaming server library: in the case of program-specific or course learning events (e.g., class sessions, seminar speakers, defenses)
 - c. Active Directory: in the case of program or SRT specific meetings.
4. Recordings of meetings will be deleted from the Active Directory as soon as meeting minutes have been approved by the appropriate committee.
5. Recordings that are saved and posted are to be named in a consistent way to facilitate review and deletion at a later time. The naming protocol should encompass the following information:
 - a. Date for review or deletion - review or deletion - Program - cohort - recording purpose
 - b. For examples:
 - i. 2021.12-Delete-RHL-2021-RHL902session
 1. This example would indicate that in December 2021 this recording of RHL 902 class session should be deleted
 - ii. 2023.08-Review-OT-case
 1. This example would indicate that in August 2023 this OT case should be reviewed for continuing relevance.
6. Recordings posted on the publicly accessible SRT streaming server library (e.g., recruitment events, public lectures) are to be reviewed annually by the corresponding program and removed if no longer relevant or in use.

Guidance to Faculty and Staff: Determining whether or not to record a learning event

Recording class sessions or other course-specific learning events:

1. Potential reasons to refrain from recording include, but are not limited to: sensitive material being discussed; potential inhibition on students' participation if it is recorded because of the nature of the topic; little educational value to the recording for a student who missed the session: e.g., because the principal learning is occurring in "breakout rooms" that are not recorded.
2. Before deciding *not* to record, instructors are encouraged to consider all possible reasons why a recording may be useful in future to one or more students who may miss all or part of the session, or need support to understand the material.

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3. Instructors are reminded that making the recording does not require that the recording be released to all students. Recordings can have restricted access.

Recording general learning opportunities not linked to a specific course:

1. Either faculty or staff may make a determination of whether to record events that fall within this category. Potential examples include:
 - a. Orientation or onboarding events for new students.
 - b. Information sessions or examples of particular activities (e.g., thesis defense presentations) intended for the OnQ resource courses for students.
 - c. General presentations open to all students and/or the public.
2. Recordings of these activities would typically be made to provide a “library” of resources for either students or faculty for on-going reference, or to reduce the burden of conducting events with the same content on a repeated basis.

Recording of meetings of school committees or other related working groups

1. Either faculty or staff may make a determination of whether to record a meetings (e.g., program meetings, Academic Council, faculty meetings)
2. Typically, meetings will be recorded to facilitate the preparation of minutes or to allow individuals unable to attend to listen to the meeting discussion.
3. Recording of meetings should generally be limited to only “as necessary.”

Recordings of meetings lead by faculty members in regards to student progress or research

1. Faculty members advising research students may wish to record meetings to facilitate communication with advisory committee members who are absent, or to facilitate management of the comprehensive exam process (e.g., preparing questions, documenting feedback).
2. The faculty member leading the meeting is responsible asking permission to record, explaining the purpose, and managing the deleting of the recording.
3. Recording of meetings should generally be limited to only “as necessary.”

Appendix A: Statement for Course Syllabi and/or OnQ Course sites:

Lectures and other learning activities for this course may be recorded through a platform supported by the University (e.g., MS Teams, Zoom]. The School of Rehabilitation Therapy has taken steps to configure recordings on University supported platforms to maximize privacy. The recordings may capture the names, images or voices through the video and audio recordings. The instructor(s) will indicate when sessions are being recorded, either through verbal announcements, notifications in OnQ, or through an automated announcement from the platform itself.

By attending recorded events, students are consenting to the collection of their presence and participation in the session. Students have the right to participate using voice only, obscure their background, or leave their webcam turned off unless video is necessary for assessment purposes. If students have concerns about the collection of their name, image or other personal information in the class, they are advised to contact the course instructor to identify possible alternatives.

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Recordings will be made available to students through the Queen's streaming server, with restrictions determined by the instructor (s). Restrictions are to enable the recordings to be used to support students with documented accommodations or extenuating circumstances, or to support students' personal study.

Students creating unauthorized recordings or copying or sharing recordings provided by the instructor violate an instructor's intellectual property rights and the Canadian Copyright Act, and may violate Ontario's Freedom of Information and Protection of Privacy Act (FIPPA). Student creating unauthorized recordings or copying or sharing recordings provided by the instructor will be subject to disciplinary actions under the Queen's University Student Code of Conduct And/or the University's Academic Integrity Policy