

## Student Consent to be Recorded in Synchronous Class Sessions

**THIS IS A WORK IN PROGRESS**

The current guidance to faculty (October 2020) regarding the recording of synchronous class sessions recommends that if faculty will be recording a session, the following steps should be taken to ensure student privacy:

- Include verbiage in the Syllabus that indicates that class sessions will be recorded.
- Announce at the onset of a recorded session (each time) that the material is being recorded. Allow students to turn off their camera if they do not wish to be inadvertently captured.
- Record only the portions of the class that show the instructor. Plan to hold Q & A periods during the session and when you get to one, click pause on the recording.
- If the recording contains only the instructor and is shared with the class for later use, the transcript should be edited for accuracy.
- Faculty should remind students that they are not permitted to record classes or capture student images in any manner without prior written approval.
- Guidance for Recording Class Sessions with TechConnect ConferZoom provides instructions for the appropriate settings in Zoom prior to recording your session.

### The issue

Turning the camera on and off during a lecture disrupts the flow of the class and may alter the spontaneity and richness of dialogue that may ensue during a typical class session. This has led to faculty opting not to record their lectures. Many students and faculty have asked for a release form that will act as informed consent to address the FERPA issues. As a result, we are looking at providing students an opportunity to agree to being recorded during their class sessions for use by the students in that class only.

### The proposal

We have developed a release form that can be administered and stored in Canvas and will be made available for any faculty member wishing to record synchronous class sessions. This waiver will clearly indicate that the instructor wishes to record live class sessions, how those recordings will be used and provide the student to opt out of being recorded.

## The Second Draft 112420

Begin Survey in Canvas-----

### Instructions

The Family Educational Rights and Privacy Act (FERPA) regulates the disclosure of educational information. When you turn 18 years of age, **or are enrolled in a post-secondary institution**, you are able to consent to the disclosure of your educational information, which in this case **refers to** your name, image and/**or** voice. Additionally, the State of California requires permission prior to recording the image or voice of any individual.

Your instructor would like to record the live class lectures for students to review at a later time.

## FERPA Consent– Classroom Recordings

- An announcement will be made when recording is turned on and off.
- **Students** are not required to turn on **their** camera during lecture recordings.
- The recordings will only be shared with the students in this class and will not be used for purposes outside of this course.
- Recordings will be available in the "Event Recordings" section of ConferZoom within this Canvas course.
- An accurate transcript will accompany the recordings.
- Break out rooms will not be recorded.

In order to meet state and federal guidelines, **students** must formerly acknowledge **and consent** that such recordings will take place. Your responses on this form will not affect your grade or status in this course. Should you not wish your image or voice to be recorded, your instructor will provide alternative ways for you to participate. **This consent form will be in effect for this class only and for the duration of this semester only.**

**Please answer the questions below acknowledging that you have read the details above and are providing your consent, or lack thereof, to be recorded during synchronous class sessions.**

### Questions

1. I am 18 years of age or older.
  - a. Yes
  - b. No. Additional action needed. **Please contact** instructor.
2. I have read the **Student Consent to be Recorded in Synchronous Class Sessions** information above and **will now** respond with my **choice** regarding video/**audio** recording in this course. Select **your preference below**:
  - a. I AGREE to be recorded realizing my name, image, and voice may be captured.
  - b. I DO NOT AGREE to be recorded. I would like my instructor to provide me with an alternative.
  - c. I have some questions and would like to speak to the instructor **before I respond.**

End of Survey -----

## Past Iterations

A [FERPA Release Consent form generated in July, 2020 by our legal team](#) included the following information. The table provides a comparison of the two versions.

<b>7/28/2020 Version</b>	<b>11/06/20 Version</b>	<b>Action Required</b>
<b>Course Information:</b> Course Name, Course ID, Section, Instructor, Semester	This will be automatically included in the Canvas Course shell	No action required
<b>Student Information:</b> Student name, Student ID, Email, Phone	All included in the Canvas shell	No action required
<b>Notice of Recording of Course:</b> This is a notice that all or part of the above identified course will be recorded by Ohlone College	“Your instructor would like to record the live class lectures for students to review at a later time”	
<b>Information for Students Regarding Consent to Release Education Record:</b> why you are receiving this consent form; brief explanation of FERPA; why recording requested	Included in Instructions	Consider adopting more legal language?
<b>Consent to release education record:</b> release of voice or likeness captured in recording for the limited educational and evaluation purposes listed below including asking questions and making presentations: <ul style="list-style-type: none"> <li>Limited to posting the class recording to the online class website</li> <li>faculty/instructor evaluations – specify for each course</li> </ul>	<ul style="list-style-type: none"> <li>The recordings will only be shared with the students in this class and will not be used for purposes outside of this course.</li> <li>Recordings will be available in the "Event Recordings" section of ConferZoom within this Canvas course.</li> </ul>	Add the inclusion of use as part of faculty/instructor evaluations or evaluations of presentations, skill demonstrations, etc.?
<b>Consent to release is for:</b> specifies the time period of anticipated use i.e. semester only, one year (if faculty eval)	Does not address	<b>Term should be stated</b>
I understand my agreement is voluntary and is not a condition or requirement of my participation in this course.	<ul style="list-style-type: none"> <li>Your responses on this form will not affect your grade or status in this course.</li> <li><b>Should you not wish your image or voice to be recorded, your instructor will provide</b></li> </ul>	

FERPA Consent– Classroom Recordings

7/28/2020 Version	11/06/20 Version	Action Required
	alternative ways for you to participate.	
I agree to hold Ohlone College harmless from any and all liability for the release of my records to any third party as specified above		Should this be included?
By signing below, I am stating I have read and understand the terms and agree to the release of my education records for the purposes and duration described above.	I have read the Consent to Record Lecture information in the Quiz Instructions above and am ready to respond with my wishes regarding video recording in this course.	