

POLICY TITLE: Class Recording Policy	
POLICY OWNER: Provost/VP Academic Affairs and VP of ESS	
FUNCTION: FERPA Privacy Compliance	POLICY CODE NO: 01
EFFECTIVE DATE: July 27, 2020	REVIEW PERIOD: Every year
LAST REVIEW: New	

Policy

NSU recognizes that recordings of live class content can be a valuable tool in enhancing the academic experience for students and in supporting the University's goals in improving the delivery of education. As such, course instructors are permitted to record their live class content (e.g. lectures, presentations, student participation, etc.) and make it available for review utilizing the tools provided by NSU and subject to the requirements of this policy. Students, faculty, staff, and visitors should not have an expectation of privacy while they are in recordable spaces at NSU, such as classrooms/lecture halls (including online participants), common areas, or other spaces that are generally open to members of the NSU community. Any courses where class content may be recorded should include a syllabus statement detailing the terms and conditions associated with such recordings, such as the statement included in this policy detailed below.

Recordings depicting personally identifiable information of students (such as images, audio recordings, or documents) are considered education records subject to the Family Educational Records and Privacy Act ("FERPA"). As such, student access to recorded class content will be limited to those students registered to participate in the live offering of the class, regardless of a student's section, discipline, or if they are participating online¹. Faculty members seeking to grant access to or share recordings of class content with students or third parties who were not registered to participate in the live offering of the class must obtain written approval from their college's Dean or designee before doing so. If approved, the faculty member must take the following steps before making the recording available to students or third parties who were not registered to participate in the live offering of the class:

1. Review the lecture recording for any personally identifiable student information and remove or redact any such information from the recording (e.g. blurring the student's image, altering the student's voice, removing sections of the recording featuring student information, etc.); or,
2. Obtain written consent from any student whose personally identifiable information appears in the recording (including video, audio, or student documentation) using the Distribution of Student

¹ Some class lectures/content may be delivered to students from separate courses, colleges, or disciplines, in a single classroom setting. For purposes of this policy, all students registered to participate in the class, including those participating online, will be permitted to access and review the recorded course content.

Classroom Recording Consent Form provided below. The College must provide a copy of the signed form to the NSU Registrar's Office to be maintained in accordance with the student's educational records. Faculty members cannot compel or require students to give consent to the release of their information.

3. Nothing in this policy restricts the access to or disclosure of classroom recordings wherein such access or disclosure is otherwise permissible in accordance with the Family Educational Rights and Privacy Act ("FERPA").

Students are prohibited from recording audio or video, or taking photographs in classrooms in all modalities (including online classes) without prior written permission from the instructor or pursuant to an approved disability accommodation. Students are further prohibited from reproducing, sharing, or disseminating class content recordings, or any portion thereof with individuals who are not registered for the class. Engaging in such activities will be considered a breach of the Student Code of Conduct and subject to disciplinary action.

Individuals seeking guidance on issues related to student consent and FERPA should contact Nova Southeastern University's Office of the University Registrar at (954) 262-7263 or nsuregistrar@nova.edu.

Faculty members seeking assistance in editing recordings to remove personally identifiable student information can do so within NSU's Learning Management System (Canvas) or within NSU's Video Capturing and Streaming Platform (SharkMedia). Additional guidance on issues related to editing classroom recordings is available through the Office of Innovation and Information Technology at mediaedits@nova.edu.

Syllabus Statement:

Class content throughout this course may be recorded in accordance with the NSU Class Recording Policy. If class content is recorded, these recordings will be made available to students registered for this course as a supplement to the classroom experience. Recordings will be made available to all students who were registered to attend the live offering of the class, regardless of a students' section or discipline, or whether the student is participating in the course online. If recordings are intended to be accessible to students or third parties who were not registered for the live offering of the class, students' personally identifiable information will be removed or redacted from the recording, unless (1) their written consent to such disclosure was previously provided, or (2) the disclosure is permissible in accordance with the Family Educational Rights and Privacy Act ("FERPA").

Students are prohibited from recording audio or video, or taking photographs in classrooms (including online classes) without prior permission from the instructor or pursuant to an approved disability accommodation, and from reproducing, sharing, or disseminating classroom recordings to individuals outside of this course. Students found engaging in such conduct will be in breach of the Student Code of Conduct and subject to disciplinary action.

**NOVA SOUTHEASTERN UNIVERSITY
DISTRIBUTION OF CLASS RECORDING CONSENT FORM**

Student Name: _____
Student N#: _____
Student NSU Email: _____

In connection with my participation in the following class:

Program: _____
Course Prefix/Number: _____
Course Reference Number (CRN): _____
Semester: _____
Instructor: _____
Instructor Email: _____

I hereby consent to Nova Southeastern University (NSU) sharing recordings that were taken in the course that feature my name, likeness, voice, or any combination thereof, with other NSU students and third parties for educational purposes.

I further acknowledge that I have voluntarily agreed to consent to the use of the visual/audio content described above by NSU without the promise of compensation or remuneration in any form whatsoever, and I waive any claim for compensation or remuneration of any kind for NSU's use or publication of said visual/audio content.

There is no time limit on the validity of this consent and release. I understand my agreement is voluntary and is not a condition or requirement of my participation in the class or my attendance at NSU. I further understand that I may revoke this consent and release at any time, by notifying the Dean of my college.

Student Signature: _____ Date: _____

Approvals

Ronald Chenail

University Provost/VP of Academic Affairs

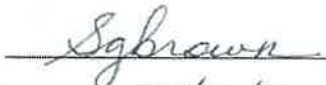


Date: July 23, 2020

Stephanie G. Brown

VP for Enrollment and Student Services

APPROVED AS TO BUSINESS CONTENT



Date: 07/21/2020

Dana Panza Macdonald

Panza, Maurer & Maynard, P.A.

APPROVED AS TO LEGAL FORM



Date: 07/23/2020