

# Principles for recording classroom activities (“class recordings”)

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**Implications for faculty:** recording classes is a matter of instructor choice, but if you do so there are implications to notify students and (potentially) seek consent, depending on how you intend to distribute the recording. Recordings are the IP of the person presenting in the recording (usually the instructor).

**Implications for students:** where recording of classes are made available, they are generally for your academic purpose within that particular course, and must not be shared or copied without explicit permission of the instructor. They offer flexibility in ways you can review material, but are not intended as a substitute for regular attendance.

## Preamble

For the purposes of this document, class recording is defined as the recording of lectures and /or other live classroom activities. Class recordings may include audio or video of instructors and/or students, as well as digital materials projected on a screen such as PowerPoint slides. They may involve contributions from third parties beyond the teaching team (e.g. guest lecturers and / or students).

Class recording may be accomplished using a variety of different equipment. UBC has significant in-room recording and streaming capabilities in [teaching spaces](#), as well as provisioned mobile recording kits for other locations. using their own equipment (e.g. [using Zoom to record slides and audio](#) during a class meeting).

Class recording can be a valuable component of the design and delivery of a course: it provides flexibility for students, together with the opportunity to review materials after the class or for study purposes; it can also provide greater accessibility of learning materials in a course (e.g. through automated closed captioning, which is possible in Zoom, Kaltura, and Panopto). It is not generally a replacement for regular attendance at in-person sessions, though can offer a way to ‘catch up’ on the odd missed class.

Some programs / units have implemented requirements around class recordings. In other cases, whether and how a class is recorded is a matter of instructor choice. Notwithstanding the flexibility and benefits for students, instructors may have valid reasons for not wanting to record lectures or other classes, including (but not limited to) the nature of the material and discussion topics (and how recording may constrain these), or workload considerations.

The following principles are proposed to inform and guide class recordings. This document focusses mainly on class recordings by instructors; for recordings by students, refer to OUC guidelines on recordings by students in the final section of this document.

## Intellectual property, privacy and consent

1. Recordings made of lectures and other classroom activities are usually considered to be the intellectual property ('IP') of the instructor who makes those recordings. However, if the recording includes presentations made by guest presenters (including student presenters), they own the copyright in these presentations. Permission to record this copyrighted material is granted through a combination of notification and consent (see paragraphs 6-9 below).
2. It is important to keep in mind that the recordings may contain third party copyrighted material. For example, presentation slides may contain images that are copyrighted by third parties. Also, Permission to include excerpts of copyrighted material is generally granted by the "fair dealing" exception in the Copyright Act. See the [UBC Copyright Website](#) for more information.
3. Individuals appearing in class recordings also have a right to privacy under the *Freedom of Information and Protection of Privacy Act*. Permission to disclose personal information is generally granted through a combination of notification and consent (see paragraphs 6-9 below).
4. Reuse or revision of recordings requires permission from the IP owner, unless:
  - a. the recording is licensed with an open license that permits reuse (e.g. Creative Commons), or
  - b. there is other permission to reuse indicated in the recording
5. Classroom recordings would not fall under the provisions of [UBC Teaching Materials Policy \(LR12\)](#)

## Notification/consent of students and third parties

6. Students must be notified that the class will be recorded and how they plan to distribute the recordings. Ideally, such notification will be in writing (for example, in the course syllabus) but it is acceptable to provide oral notification before the recording starts.
7. Wherever possible, students should also be given the option to sit where their image will not be recorded (in the case of recording of in person session) or turn off their cameras (online session).
8. Students are not required to sign a consent form if the recording is only made available through Canvas to other students enrolled in the same course instance. However, if the instructor wishes to make a recording more widely available (e.g. by posting it openly on YouTube or making it available to another class, or a subsequent year of the same class), then the students who appear in that recording should be asked to sign a

[consent for use of image form](#) that specifies how the recording will be used and disclosed. If they do not wish to sign this form, their images must be removed or obscured before the recording is posted.

9. Guest lecturers must always be notified that the class will be recorded and must always sign a [consent for use of image form](#) to provide a license for the recording of their presentation, and to address privacy concerns. Here is an [example](#) of a form for use by a visiting speaker.

#### Storage and distribution of class recordings

10. Normally, recordings must be stored in a secure location, either on a UBC-maintained server or in a secure (Canadian) cloud service that has received approval under a UBC Privacy Impact Assessment (PIA). It is acceptable to store recordings on UBC's instances of Zoom, Kaltura, or Panopto, which have received PIA approval. If instructors want to store or distribute recordings in a publicly accessible system such as YouTube, they must secure consent from all students who appear in the recording, as outlined above.
11. It is recommended to distribute recordings via Canvas, such that only students enrolled in the course during the same term as the course recording can access them, as this is the least privacy-intrusive option. Please see [instructions for setting up and recording a Zoom section through Canvas](#), and [instructions on recording and/or uploading through Kaltura](#) for sharing in Canvas.
12. Similarly, recordings made available through Canvas (or other system where there is a defined cohort of students with permissions to view the material) must not be distributed beyond the course or reposted elsewhere, without the explicit permission of the instructor (and/or others who own the copyright in the recording).

#### Analytics and data from class recordings

13. Analytics on recording views or other such metrics cannot be used to evaluate the instructor's teaching. The instructor may choose to use this information in a teaching dossier but is not be required to do so.
14. Data about student use of class recordings is considered Learning Data and can be used / accessed in accordance with [principles and procedures established by the Learning Data Committee](#).

### **Setting out Permissions and Restrictions in the Course Syllabus**

1. Instructors may establish specific permissions and restrictions in their course syllabus for students recording lectures or other classroom activities (“**Student Recordings**”), provided they do not conflict with academic unit or university policies. Instructors establishing specific permissions should consider intellectual property, privacy, and consent obligations, outlined above. Instructors establishing specific restrictions should consider the “fair dealing” rights that students are entitled to exercise under the *Copyright Act*. For more information, see Fair Dealing Requirements for UBC Faculty and Staff published by UBC’s Copyright Office.
2. Students are responsible for consulting the course syllabus and adhering to its requirements. Students should consult with their instructors if any specific permissions or requirements in the syllabus are unclear.

### **Default Permissions and Restrictions**

3. If the course syllabus does not set out specific permissions or requirements for Student Recordings, students may make recordings for personal academic use and may share them with other students enrolled in the course for their personal academic use. However, unless specifically permitted by the instructor, students should not use or share the recordings for any other purpose and should not post, upload, share, or distribute the recordings on any platform where they could be accessed by anyone not enrolled in the course, as to do so may violate copyright or privacy laws.

### **Accommodations for Students with Disabilities**

4. Under the [Disability Accommodation Policy \(LR7\)](#), students may request accommodations for disabilities or ongoing medical conditions through the Centre for Accessibility at UBC Vancouver or the Disability Resource Centre at UBC Okanagan. Accommodations granted under this Policy take precedence over any restrictions on recordings imposed by the instructor in the course syllabus, or as may generally exist or arise under the academic unit’s policies.

### **Legal Liability**

5. Students are responsible for the recordings they create. Misuse of Student Recordings may result in personal legal liability under privacy, copyright, and any other applicable law.