

<b>TYPE:</b>	Academic
<b>TITLE:</b>	Recording of Learning Activities
<b>NO.:</b>	ACAD-128
<b>RESPONSIBILITY:</b>	Executive Vice-President, Academic
<b>APPROVED BY:</b>	Durham College Leadership Team
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## 1. Introduction

Durham College (DC) recognizes that there are personal, professional and academic reasons for permitting and facilitating the recording of learning activities by faculty and/or students, regardless of whether those learning activities are conducted in-person or virtually.

Recordings of learning activities not only aid students in learning comprehension and retention of course content, but are supported by the principles of Universal Design for Learning (UDL) and the requirements of the *Accessibility for Ontarians with Disabilities Act* (AODA). Recordings of learning activities should be conducted in a manner consistent with intellectual property, copyright and privacy rights.

## 2. Purpose

The purpose of this policy and procedure is to create a framework for College sanctioned capture, use, disclosure, retention and disposition of recordings of learning activities.

## 3. Definitions

Refer to [Durham College's Standard Definitions](#).

## 4. Policy statements

- 4.1. Recording of learning activities, whether conducted in person or virtually, is prohibited unless conducted in accordance with this policy and procedure.
- 4.2. Learning activities may be recorded for many *bona fide* reasons, including but not limited to: providing students with a study aid; facilitating the delivery of online learning; supporting students who are studying remotely in their home countries; supporting faculty professional practice and development; and meeting student accommodation requirements.
- 4.3 Faculty will be notified of students requiring recorded learning activities as an academic accommodation through an accessibility plan developed by the Access and Support Centre (ASC).

- 4.4 Students may not record any portion of a learning activity without the prior knowledge and consent of the faculty.
- 4.5 Any student may request permission from a faculty member to record all or part of a learning activity, whether conducted inside or outside a classroom environment or virtually. Faculty will consider these requests on a case-by-case basis.
- 4.6 All recordings of learning activities will be conducted in a manner that respects the privacy of others. Students will be notified by faculty of a learning activity being recorded in advance of the recording.
- 4.7 Recordings of learning activities will be captured and disclosed for purposes identified at the time of the original recording, and will not be used or disclosed for other purposes without the consent of those individuals who were recorded.
- 4.8 Students not consenting to being recorded will be given alternate means to provide feedback and/or participate in learning activities that have been recorded.
- 4.9 Recordings of learning activities, in whole or in part, will not be shared, distributed, broadcast, or published without the prior and explicit consent of the relevant faculty member and/or DC.
- 4.10 Students must delete their recordings of learning activities once they have been used for their authorized purpose.
- 4.11 Recordings of learning activities by DC employees at all times remain the intellectual property of the college. Faculty must retain their recordings of learning activities in keeping with DC's Records Retention Schedule and LMS Data Retention Policy.
- 4.12 Students who fail to adhere to the requirements in this policy and procedure may be investigated and result in discipline, according to DC's Student Conduct policy and procedure.

## **5. Procedure**

### **5.1. Prior to Recordings**

- 5.1.1. Faculty will be provided with accessibility plans for students in their courses requiring the recording of learning activities as an academic accommodation. Students will provide all necessary equipment to facilitate a recording, including any microphones or voice amplification apparatus to be worn by faculty.

- 5.1.2. Any student may request permission from a faculty member to record all or part of a learning activity, whether conducted inside or outside a classroom, lab or shop, or virtually. Student requests should be made in writing at least two business days prior to the learning activity occurring. Students do not need to provide a rationale for their requests.
- 5.1.3. Students denied permission to record learning activities will be notified in writing. Where possible, notification will be provided at least one business day before the requested recording date. Faculty do not need to provide a rationale for permitting or denying the recording of learning activities. Students may appeal the decision using the procedure outlined in the Grade Appeals policy and procedure.
- 5.1.4. Faculty will notify their students of any recordings of learning activities in writing through DC Connect as soon as possible prior to the recording, and verbally in class before initiating the recording process.
- 5.1.5. Students who do not consent to being recorded will not be penalized. Students who do not consent to being recorded will notify their faculty as soon as possible and will be provided with alternate means to participate in the learning activity and/or ask questions. Alternate means may include but are not limited to: muting audio; turning off their camera; designating a section of a physical classroom as off-camera; and sending questions and commentary to faculty via DC Mail after the class or during office hours.
- 5.1.6. Faculty must obtain written consent from all guest speakers and/or visitors participating in a learning activity, prior to recording it.

## 5.2. During Recordings

- 5.2.1. Faculty may pause a recording of learning activities to promote the open exchange of personal information and/or to protect the privacy rights of others. In these situations, faculty will provide students with an equivalent means of gathering course content.
- 5.2.2. Students may withdraw permission to be recorded during learning activities at any time, without penalty.
- 5.2.3. Except with faculty permission, students must be present for the duration of their recording of learning activities.

## 5.3 After Recordings

- 5.3.1. Faculty may request, and will be provided with, a copy of any recording made by a student.

- 5.3.2. All student recordings of learning activities, and their copies, will be destroyed by the student once they have been used for their authorized purpose, which may span the duration of their program at DC.
- 5.3.3. Recordings of learning activities at all times remain the intellectual property of DC and as such, must not be shared, distributed, broadcast, published or uploaded to any one, through any media, without the prior and explicit consent of the relevant faculty member and/or DC.
- 5.3.4. Faculty recordings of learning activities will be retained in DC's Learning Management System (LMS) for three years, after which time they will be destroyed as part of the annual LMS data disposition procedure.

## **6. Roles and responsibilities**

- 6.1. The Executive Vice-President, Academic is responsible for ensuring that the Recording of Learning Activities policy and procedure is fully implemented.
- 6.2. Faculty are responsible for dialoguing with students to facilitate the recording of learning activities, where appropriate.
- 6.3. Accessibility Coaches are responsible for determining and documenting the academic need for the recording of learning activities on student accessibility plans, and providing accessibility plans to faculty.
- 6.4. Students are responsible for proactively dialoguing with their faculty prior to any learning activity recording to ensure the recording is permitted and managed appropriately.

## **7. Accessibility for Ontarians with Disabilities Act considerations**

Accessibility for Ontarians with Disabilities Act (AODA) standards have been considered in the development of this policy and procedure and it adheres to the principles outlined in the College's commitment to accessibility as demonstrated by the Accessibility Plan (ADMIN-203).

## **8. Non-compliance implications**

- 8.1. Non-compliance with this policy may result in financial risk, legal costs and/or failure to achieve DC's mission.

## **9. Communications plan**

- A message will be posted on ICE alerting employees when new or revised policies and procedures are added to ICE.
- A message will be posted on MyCampus alerting students when new or revised policies and procedures are added.

## **10. Related forms, legislation or external resources**

- Accessibility Plan for Students with Disabilities/Exceptionalities