

**GUIDANCE ON RECORDING IN THE CLASSROOM AND  
IN THE VIRTUAL CLASSROOM  
05-08-2020**

In order to provide consolidated guidance on recording of material and activities in BSU classrooms and/or during University sponsored activities, please see this guidance on permissions and requirements. It is important to note that consent to record must be received in most cases according to Massachusetts law (MA General Laws Part IV, Title I, Chapter 272, Section 99). Exceptions are listed here as part of this guidance document. Thank you for your support in making the classroom experience productive, safe, and accommodating for all participants.

**Permission to Record**

If the student does not have a Letter of Accommodation granting the audio recording of lectures, then recording is at the professor's discretion with notification of other parties being recorded (pursuant to Massachusetts law). Students must ask and receive permission prior to recording with any device. Faculty may notify participants of their intention to record using existing prompts sent automatically to all participants by recording technology platform.

**Recording with Blackboard Collaborate Ultra, Teams, Zoom**

Blackboard Collaborate Ultra, Teams, and Zoom provide instructors with a web-conferencing tool for conducting synchronous lectures and discussions with their classes. Instructors can share an audio and video feed using a webcam, conduct instant polls with students, share their desktop or a software application to teach students about a particular topic, and record class sessions for students to review on their own at a later time.

Instructors can designate students with presenter role, allowing students to perform live presentations with slideshows for the class. Instructors have control over initiating and ending a session recording; students cannot record class sessions in the presenter or participant roles. When a session recording is initiated, all members of the web-conferencing room are notified.

To learn more about Blackboard Collaborate Ultra, Teams, or Zoom and holding synchronous online discussions with your students, please contact the Teaching & Technology Center at [ttc@bridgew.edu](mailto:ttc@bridgew.edu).

**Students with ADA Letters of Accommodation**

If the student has a Letter of Accommodation granting the audio recording of lectures, however, the recording must be permitted. An exception would be only when the Professor asks all students to discontinue taking notes. The function of the recording is essentially to facilitate note taking for the student. For example, students may be in a discussion that elicits the sharing of personal information. The professor may guide the class to discontinue

notetaking and recording to protect student anonymity. This would be an appropriate time to limit the recording of course content for all students.

Two-party consent laws do not override the ADA's reasonable accommodation requirements. The Disability Resources Office consents to the recording through the Letter of Accommodation and the professor is notified that the class will be recorded. The professor should NOT announce it to the class, as they would not announce any other specific accommodation, but they could add a general accessibility statement to their syllabus if they felt particularly compelled to:

"This course may be audio recorded as an accommodation under ADA/504 laws, but only with permission from the Office of Disability Resources and notice to instructor(s)."

In regard to intellectual property rights, the instructor's right to privacy or copyright does not override the students right to accommodation. However, students are required to delete all recordings at the end of the semester and notified recordings are only for their personal use. These expectations are communicated in writing to the student on their Letter of Accommodation.

For assistance navigating the topic of recording in the context of an approved accommodation, please contact Jenna Shales, Associate Director of the Disability Resources Office at [jshales@bridgew.edu](mailto:jshales@bridgew.edu) or by calling 508-531-2194.

### **Unapproved Recording of Classes or Classroom Discussion**

Faculty concerned with the unapproved recording of classes or classroom discussions may refer such concerns to the Office of Community Standards. The Student Code of Conduct addresses alleged violations which include unapproved audio/visual recordings of classes either in person or virtual. Additionally, all University policies such as the Responsible Use of Information Technology Policy apply.

To discuss any concerns related to the unauthorized or unapproved recording of and use thereof may be discussed with Peter Wiernicki, Director, Office of Community Standards at [pwiernicki@bridgew.edu](mailto:pwiernicki@bridgew.edu) or by calling 508-531-1737.

If it is believed that federal, state, or local law, or conduct that would violate the legal rights of others has occurred, the Bridgewater State University Police Department is available for consultation and assistance by calling 508-531-1212.