

Guidelines for Recording Class Activities Miami Dade College

Recording class activities via Blackboard Collaborate or other approved video conferencing applications are regulated by Family Educational Rights and Privacy Act (“FERPA”) and/ and subject to state privacy law (§ 1002.225, 1006.52, Fla. Stat.,). Class activities include, but are not limited to, lectures, discussion groups, advising sessions, labs, etc.

In general, written consent is required if the recording contains identifiable information of the students. Students are identifiable when they participate verbally or visually, provide commentary, use a chat feature, or make a presentation whether in-person or from a remote location. Students may withdraw consent at any time. To do so, students should send written requests to class instructors or department chairs in the absence of instructors. The recording can be freely shared with class members. Instructors must only upload the recording into Blackboard Learn or other College approved site that is only accessible by the class members.

Instructors may record class activities and share the recording afterward by following the guidelines listed below

1. Include a statement on the syllabus

The instructor should inform students ahead of time and allow students to opt-out of recordings. Find below a sample statement for inclusion in a class syllabus:

Class lectures may be recorded and made available to students enrolled in the same class. Students who do not wish to be recorded, please contact the class instructor in the first week of class to discuss alternative arrangements.

Please note that students may record classroom lectures or other presentations provided that the student only use the recording for educational reasons and not for financial gain. Recording of classroom presentations may be used only for the purpose of student review or system failure, unless otherwise agreed to be the College and the faculty member. Find below a sample statement for inclusion in a class syllabus to address this potential issue:

Student recordings of classroom lectures or other presentations must be for the student’s own use and not for financial gain. Any other uses must be agreed to by the College and the class instructor.

2. Focus on primarily recording the instructor's likeness and audio.

Sharing the recording with individuals outside of the class section

To share the recording with individuals that are outside of the class section, the instructor must obtain permission from the appropriate Chair, Dean of Faculty, and in consultation with Dean of Academic School, and obtain written consent from each student who appears on the recording before disclosure. If a student does not provide written consent or withdraws it at a later time, the student's identity must be erased from the recording or redacted. The recording should not be shared with non-class members unless the following established MDC guidelines are followed. The steps to be followed before sharing a recording of the class to an outside entity or group are below. The instructor must:

- Step 1.** Seek permission from the appropriate Chair, Dean of Faculty, and Dean of Academic School to share the class recording to an individual or group outside of the class. The solicitation should include the audience, recording use, and length of time the recording will be used.
- Step 2.** Collect written consent from the recorded participants.
 - Edit the recording to redact/ remove the participant's identity if the participant refused to provide consent.
- Step 3.** Give all written consent forms to the Department Chair for record-keeping. The signed copy of written consents must be retained by the Department Chair until the recording is no longer accessible outside of class or withdrawn by the class participants.
 - Note if a class participant withdraws consent at a later time, the participant's identity must be erased or redacted from the recording and the recording must not be shared moving forward with their likeness visible. The department chair should be notified and asked to remove the participant's previous written consent on file and the revised consent records saved.
- Step 4.** Notify the Department Chair once the outside entity has received access to the recording.
- Step 5.** Notify the Department Chair if the recording is no longer accessible outside of the class.

Appendix: Sample Consent Form



Class Recording Consent and Release

Pursuant to the Family Educational Rights and Privacy Act (FERPA), the written consent of a student is required before the education records of a student, or personally identifiable information contained therein, may be disclosed to a third party, unless an exception to this general requirement of written consent applies.

I, _____ [insert name], acknowledge that I am 18 years old or older and hereby voluntarily give my consent to the District Board of Trustees of Miami Dade College, Florida ("College") as follows:*

- 1. I agree to allow Miami Dade College to disclose recordings of class activities of _____ [course number/class number] during _____ [term/year], including audio or video recordings of my participation in lectures or other similar class activities, to non-class members, for educational purposes only.*
- 2. I explicitly waive any rights I may have under the Family Educational Rights and Privacy Act ("FERPA") and/or § 1002.225, 1006.52, Fla. Stat., or any other right to privacy as it relates to these Recordings.*
- 3. I understand that I may withdraw my consent to share this information at any time by submitting a written request to class instructors or Department Chair in the absence of class instructors.*

Signature: _____

Print Name: _____

Date: _____

*** If under the age of 18, please have a parent or legal guardian fill out the following:**

Signature of Parent/Guardian: _____

Date: _____

Print Name of Parent/Guardian: _____