

William & Mary Classroom Use of Panopto, Other Classroom Recordings, and FERPA (Family Education Rights and Privacy Act)

Recordings of lectures and other class content may be made to facilitate learning by remote or absent students, as study aids, or for other reasons. Recordings for this purpose that incidentally capture class participants are not education records for individual students. [NOTE: Intentional recordings of individual student presentations or other activity can be considered education records for those students and access to those types of recordings may need to be limited accordingly. Treatment of individual students' educational records are outside the purview of this document, but more information can be found here: <https://www.wm.edu/offices/registrar/facstaff/ferpaandbanner/>.]

These guidelines reflect best practice and ensure compliance with FERPA and other requirements.

1. Inform students that a recording is being made, and for what reason(s) the recording may be reviewed, and by whom. This should be done in the syllabus, at the beginning of the semester (if each class meeting will be recorded), in specific class sessions, or prior to an event. This applies equally to recordings made outside of a particular course, such as guest lectures or presentations. A sample statement for including on a syllabus is provided below.
2. Limit access to the video to other students currently enrolled in the same class. William & Mary's Panopto lecture capture system ensures this by provisioning access to the Panopto recording through Blackboard; for other lecture captures systems, the instructor will ensure that access is limited to students enrolled in the course. No additional student consent is required for this use of the recording. Following the course, the recording should be maintained in accordance with the department's/program's/school's current policies and procedures regarding retention of class materials.
3. The syllabus should prohibit student's capture or copying of the recording by any means, and sharing with others.
4. Instructors who wish to use the recording outside of the current course (in any venue, including future courses) may either
 - a. edit the recording to remove any portion in which a student appears or blur the student's image and distort the student's voice, or
 - b. obtain individual written consents from the students in the recording which allow use of this portion of the recordings. A template for consent for educational use is provided below.
5. Instructors may contact the Office of the University Counsel for further guidance.

Recommended Syllabus Statement

Class Recordings. Meetings of this course might/will be recorded. Recordings will be available only to students registered for this class. This is intended to supplement the classroom experience. Students are expected to follow appropriate university policies and maintain the security of passwords used to access recorded lectures. Recordings may not be reproduced, shared with those not in the class, or uploaded to other online environments; violations may be subject to disciplinary action. If the instructor or a William & Mary office plans any other uses for the recordings, beyond this class, students identifiable in the recordings will be notified to request consent prior to such use.

Related Policies:

Data Classification and Protection:

<http://www.wm.edu/offices/it/about/policiesstandards/data/dataclassificationandprotection/index.php>

Privacy and Confidentiality: <http://www.wm.edu/offices/compliance/topics/privacy/>

Student Records Privacy Policy and Notification of Rights under FERPA

<http://www.wm.edu/offices/registrar/studentsandalumni/studentrecords/confidprivacy/ferpa-b/>

Lecture Capture Consent Form Template

I (the undersigned) understand that I am attending class sessions or events that may be audio or video recorded. I was informed or made aware of this by the instructor or by a university official before the start of the event. I hereby permit William & Mary to release videos that consist of my voice or likeness as I participate in these classes or events. I understand that I will receive no money or remuneration of any kind from the university related to this consent and release, or the materials covered by this consent or release. I acknowledge that I do not have the right to approve any materials developed by the university as authorized.

I understand that my consent here is independent of and separate from any other directive or consent I may have given to the university with regard to the release of my voice or likeness (such as for the release of Directory Information).

I understand my consent and release are voluntary and not a condition or requirement of my participation in this class or event.

____ I agree to the above terms

____ I do not agree to the above terms.

Course Number and Semester (or Event) _____

Course Instructor _____

Student name (please print) _____

Student signature _____ Date _____

Complete this form and submit it to your instructor or to the university official hosting the event. The original form will be retained by the appropriate administrative office.