

1.32 POLICY ON CLASS/ COURSE RECORDING

1.0 Introduction

To fulfill our Catholic, Jesuit mission, Saint Louis University must create “an academic environment that values and promotes free, active and original intellectual inquiry among its faculty and students” (Saint Louis University Mission Statement web page (<https://www.slu.edu/about/catholic-jesuit-identity/mission.php>)). To meet this obligation, our learning environments – both our in-person classrooms and our online courses – must allow space for individuals to practice and learn without worrying that their contributions will be distributed beyond the confines of the course in which they occur.

When course activities (such as in-class or online discussions) are recorded, it can have a stifling effect on the free exchange of ideas and on intellectual inquiry. Even when there are clear educational reasons to record course activities, recording can inhibit learning and engagement. This policy is intended to provide guardrails that strike a balance between the educational need to record certain course activities in certain situations, the educational need to prevent the recording of course activities, and the need to preserve privacy and ensure compliance with privacy and intellectual property laws and policies.

2.0 Scope

This policy applies to all courses, in all modalities and formats, on all campuses, with the exception of SLU-Madrid. (Due to differences in Spanish law, SLU-Madrid has its own restrictions related to class recording.)

The policy applies to all forms of recording course-related activities (as defined below). Note: academic units at SLU may adopt unit-specific policies, but such policies must not conflict with this policy.

Consistent with the Americans with Disabilities Act (ADA), exceptions may be needed in cases of approved disability accommodations that involve recording class/course sessions and/or activities. In such cases, regular University processes for requesting academic accommodations must be followed and enacted prior to recording.

3.0 Definitions

Recording: Digital capture of course activities and/or participants via means that include but are not limited to: photos, screenshots, screen capture, audio recording, video recording, transcripts of class discussions, chats of online course activities, or any other means of capturing course activities - in a physical classroom, in an online course. This includes recordings/images made by individuals using devices and recordings/images/transcripts made by generative AI tools.

Course activities: The actions/behaviors of instructors and/or students within a classroom or online course environment; these include, but are not limited to: oral content, written content, audio-visual content, and typed content.

Educational purpose: Recordings made for an educational purpose are those recorded by the course instructor, or with the permission of the course instructor, and intended to be used to support learning and engagement for the students currently enrolled in the course in which the recorded activities occur. Instructors may create course recordings for a variety of educationally-appropriate reasons, including: to support student learning of missed content due to student absences,

to support instructional continuity when weather or other circumstances disrupt one's ability to hold class, to support students missing class due to religious holidays, to support proctoring of online exams, etc. Class/course recordings of student activities/assignments also may be used to support program-level/university-level assessment, as appropriate. In some cases, instructors may be required to record course activities to support the learning needs of students with approved ADA accommodations.

Distribution: Sharing recorded course activities with any individuals or groups outside of the members of the specific course, section, and term in which the activities occurred; sharing/uploading recorded course activities beyond the confines of the classroom or online course (e.g., on/with websites, large language models or other generative AI platforms, social media platforms, personal email exchanges or other electronic messages shared with individuals who are not enrolled in the same course/section/term).

Instructors' intellectual work: Any instructor-created content, comments, and/or activities captured in course recordings; includes (but is not limited to) course materials, lectures (live or recorded), and the like. Under the University's Intellectual Property Ownership Policy (https://slu.policystat.com/policy/token_access/6ec286d7-19da-4521-ac2e-f7e20ab85d4e/), all such work is considered the intellectual property of the instructor (unless there is an explicit agreement between the instructor and their academic leadership that specific course materials are to be treated as work-for-hire or that the instructor is expected to use unit-provided course materials/standardized curriculum).

Privacy: Both instructors and students have the right to presume course/class activities will not be viewed by those who are not enrolled in a course (with certain exceptions as described in Section 4.1 below). Under FERPA, students are guaranteed privacy for their educational activities. Furthermore, in courses where patient care is a part of the learning experience, patient privacy under HIPAA also may apply. Recording and distributing a student or patient's name, likeness, voice, or class/course contributions may violate privacy law.

Students' intellectual work: To the extent that student-created content, comments, and/or activities captured in course recordings is copyrightable (including, but not limited to student discussion posts, chat comments, visual contents, presentation materials, etc.), under the University's Intellectual Property Ownership Policy (https://slu.policystat.com/policy/token_access/6ec286d7-19da-4521-ac2e-f7e20ab85d4e/), the work is considered the intellectual property of the student.

Unauthorized recording: Capturing course activities and/or participants without explicit, written or oral permission of the instructor.

4.0 Policy Statements

Academic leaders, instructors, and students may have an interest in recording course activities. Policy statements below should govern each group's actions.

4.1 Policies for Academic Leaders (Chairs, Directors, Deans, etc.)

- A. Academic leaders who wish to require instructors to record course activities must work with faculty in their unit, through their regular faculty governance processes, to arrive at agreement for such a requirement.
- B. In cases where an instructor chooses to record class/course activities, academic leaders should only review recordings with permission of the instructor, or as part of a formal complaint/

disciplinary or legal process. Note: if an academic leader will view recordings as part of a performance review (e.g., annual, promotion/tenure, etc.), the instructor should be aware, in advance, that recordings will be used in this way.

4.2 Policies for Instructors

- A. Instructors may choose to record some or all course activities for educational purposes (as described in Section 3.0 above). Student permission is not required for recordings that are shared only with the students enrolled in the same course, section, and term in which the recordings are created.
- B. Instructors may be required to record some or all course activities to support equitable learning for students with approved ADA accommodations.
- C. Recorded course activities that capture any student name, likeness/image, voice, or intellectual work can be shared only with the students formally enrolled in the specific course, section, and term for which the content is recorded and only via University-supported technologies. Exceptions made be made when:
 - a. the captured students grant explicit, written permission for the instructor to use – in future courses or for other purposes beyond the current term/section – their name, image, voice, or their intellectual work in the course, and any other student-identifying information, or
 - b. when recorded student activities are used for program/University assessment purposes (which generally do not require explicit student permission).
- D. In most circumstances, recorded lectures and other course content created by the instructor are the intellectual property of the instructor, according to the University's Intellectual Property Ownership Policy (https://slu.policystat.com/policy/token_access/6ec286d7-19da-4521-ac2e-f7e20ab85d4e/) (unless the content meets certain exceptions as articulated in that policy).
- E. In some instances, instructors may inadvertently record a sidebar conversation with a student during a course recording. In these instances, the instructor must edit the recording to remove the student portions of the conversation, and any identifying information about the student, prior to sharing the course recording with the members of the class.
- F. Instructors should inform students that class/course activities will be recorded. Instructors who regularly record classroom activities or online course activities should add a statement to their syllabus that explains why recordings are made and how they are used.

Note: instructors who wish to record course activities are encouraged to consider the Lecture Capture Guidance provided on the Provost's website (<https://www.slu.edu/provost/faculty-affairs/teaching-resources-for-faculty/lecture-capture/>) and/or to consult with someone in the Reinert Center for Transformative Teaching and Learning (<https://www.slu.edu/ctl/>) to discuss effective strategies.

4.3 Policies for Students

- A. Students are not authorized to record any course activities, in any format, without explicit, written or oral permission of the instructor.
- B. Students may use instructor-created course recordings only to support their own learning and course progress. Note: in cases where students have an approved accommodation related to class/course recording, those recordings may not be shared or distributed.
- C. Students are not authorized to copy, download, share, edit, or distribute course recordings for any reason or in any manner without explicit permission of the instructor. Unauthorized use of course

recordings is a violation of community standards and the Student Handbook (<https://www.slu.edu/life-at-slu/community-standards/student-handbook.php>). It also may constitute a violation of the University Academic Integrity policy (Section 1.0 Academic Policies-Academic Integrity Policy), depending on the circumstances.

4.4 Prior Recordings

In all cases, recordings made prior to the implementation of this policy should, to the extent possible, adhere to the standards articulated here. Any recordings made without explicit permission of students and/or instructors should not be distributed beyond the course in which they were created unless for educational purposes as defined in Section 3.0.

5.0 Approvals

This policy was developed with community input in the 2025-2026 academic year and: (1) Endorsed by CADD: _____ and (2) Approved by Provost: _____.