



This policy establishes requirements for audio and visual recording of academic activities to comply with applicable laws and regulations and to protect privacy and intellectual property rights.

Recording anyone on University of Western States (UWS) property without their knowledge and expressed consent is not permitted.

Recordings are permitted only for authorized purpose(s) and are distributed only to other individuals or groups for the authorized purpose(s). Storage and transmission of recordings must comply with laws and regulations regarding confidentiality and security. The university at its sole discretion may restrict or prohibit recording of any kind.

Alleged violations of this policy may be reported via the UWS Safe app and are investigated in accordance with the applicable disciplinary policy. Unauthorized recordings may result in civil and/or criminal penalties.

I. Scope

The recording of in-person and/or online lectures, discussions, simulations, examinations, or other education-related activity by students, administrators or instructors is governed by this policy.

Recordings of continuing education events and university speakers or performers are also governed by contractual agreement.

Recordings for research, clinical, marketing, public relations, communications, or surveillance purposes are governed by other applicable UWS policies and processes.

II. Definitions

For the purposes of this policy, “recording” is defined as video or audio replication or photographic image recorded on devices including, but not limited to, audio recorders, video recorders, telephones, smartphones, cameras, media players, computers, or other devices that record images or sound.

“Course” is defined as an in-person or online meeting of instructor(s) and student(s) with the purpose of delivering course content.

“Clinical setting” is defined as the rendering of care to real (not simulated) patients.

III. Course Recording by Students

Audio recording of courses by students is allowed only for personal use and with the prior consent of the instructor. Visual recording of courses by students is prohibited.

Audio recordings of courses by students may be stored only on a personal device and may not be uploaded to the internet, or otherwise shared, transmitted or published. Dissemination of course



recordings may constitute a violation of [Policy 1230 Academic Integrity](#) and/or [Policy 1024 Copyright Violation](#).

A. Recordings as Reasonable Accommodations

The university provides course recordings for students with approved accommodation(s) for their personal use. Dissemination of course recordings provided to students with approved accommodation(s) may constitute a violation of [Policy 1230 Academic Integrity](#) and/or [Policy 1024 Copyright Violation](#).

Determinations of accommodations are made in accordance with the ADA approval process conducted by the office of student success. The office of student success notifies the instructor(s) of approved accommodation(s).

B. Recordings as Course Assignments

Recordings created as part of course assignments are permitted only if all participants are informed and expressly consent to the recordings. Dissemination of recordings created as part of a course assignment is not permitted and may constitute a violation of [Policy 1230 Academic Integrity](#) and/or [Policy 1024 Copyright Violation](#).

IV. Course Recording by Instructors

Instructors may record and disseminate activity that occurs within their own courses for educational and/or assessment purposes. For live course recordings, in-person or online, instructors must use university-approved recording systems and must notify students in advance that students may be recorded. Notification to students may be included in the course syllabus or through other documented communication.

A. Student Privacy in Course Recording

Recordings that include the audio or visual likeness of students are FERPA protected. See [Policy 1232 Privacy and Confidentiality of Student Records \(FERPA\)](#). Such recordings may be disseminated only to UWS school officials with a legitimate education interest or to students currently enrolled in the same course, unless individual written consent is obtained from each student whose likeness appears in the recording.

B. Use of Copyrighted Material in Course Recording

Under certain limited conditions, use of short copyrighted works or portions of larger copyrighted works may be permissible in course recordings distributed to students registered for the course without the permission of the copyright holder. Instructors should refer to [Policy 1605 Use of](#)



[Copyrighted Works in Education and Research](#) and/or consult the university librarian with questions related to fair use of copyrighted materials.

V. Recording of Cadaveric Material

Students are prohibited from recording cadaveric material.

Instructor recording of cadaveric material is permitted only with permission of the body donation program from which the cadaveric material is obtained.

VI. Recording in Clinical Settings

Recording in clinical settings requires the expressed written consent and knowledge of the patient/client or their legal guardian.

VII. Exam Proctoring

Video proctoring systems may be used in the administration of assessments, including, but not limited to, quizzes and exams. Students are notified when video proctoring will be employed. Alleged misconduct identified through the use of video proctoring is managed in accordance with [Policy 1230 Academic Integrity](#).

VIII. Use and Retention of Authorized Recordings

Recordings may not be shared with individuals or groups that are not required to achieve the authorized purpose(s). Recordings may not be replicated, shared or disseminated in any way, including but not limited to websites, social media or networking sites, email or transcription. Alleged unauthorized dissemination of recorded materials is managed in accordance with [Policy 1230 Academic Integrity](#) and/or [Policy 1024 Copyright Violation](#).

Recordings created by instructors are retained on the university learning management system within the course where they were created, and access is removed in accordance with [Policy 3603 Student and Employee Access to Electronic Resources](#). Recordings of exam proctoring are retained in accordance with [Policy 1231 Student Record Retention and Disposal](#).

Related Policies: [Policy 1024 Copyright Violation](#)
[Policy 1230 Academic Integrity](#)
[Policy 1231 Student Record Retention and Disposal](#)
[Policy 1232 Privacy and Confidentiality of Student Records \(FERPA\)](#)
[Policy 1605 Use of Copyrighted Works in Education and Research](#)
[Policy 3603 Student and Employee Access to Electronic Resources](#)
[Policy 9001 Student Conduct](#)



UNIVERSITY of
Western States

Policies and Procedures

Policy Number:
1205

**Date Established /
Last Revision:**

Page 4 of 4 Audio and Visual Recording of Academic Activities

07/02/2024

Keywords: accommodations, audio, copyright, lecture capture, photograph, recording, video