South Carolina School of Law Policy Regarding the Audio or Video Recording of Classes and the Use of Lecture Capture Technology System for Classes

School of Law Lecture Capture Technology System

The School of Law is currently contracted with Panopto for use of its Lecture Capture System. The system allows for audio/video/screen capture/PowerPoint presentation capture recordings and uploads those recordings to a hosted site. Classroom lecture recordings can be automatically scheduled through the system.

Use of Lecture Capture Technology System
Faculty can use the lecture capture system to record their classroom lectures, to record supplemental lectures outside the classroom, have students use the system for recording purposes (simulation exercises, skills based learning etc.) and can be used for training purposes as well.   The recordings are setup by class folder by request each semester.

The recorded lectures can be either non restricted (meaning no username or password required) or restricted by login (username and password).   Faculty who are having their students use the lecture capture system for their own class recordings can have accounts and folders setup for each of their students upon request.

Faculty who wish to use the lecture capture system for any purposes should contact Information Technology with their request. Training and documentation are available for faculty and students.

Use of Copyrighted Material in a Lecture Capture Recording

The copyright points relating to the classroom transmission of copyrighted works displayed or performed:

1. The Copyright Act exempts from liability the display or performance of lawfully made copies used in face-to-face teaching activities. 17 U.S.C. 110(1).
2. Although there is a similar exemption for digital transmissions, that exemption would not apply given the fact that the files would be accessible beyond the class duration. See 17 U.S.C. 110(2).
3. It is still possible that such digital showings may be permissible under the doctrine of fair use.

Faculty Responsibilities

The use of the lecture capture system is not required. Faculty can choose whether or not to use the lecture capture system for any or all of their classes.

As far as a general audio and video recording policy, lecture capture system or otherwise, faculty members are encouraged to include a recording policy statement in their syllabi. Faculty should note that there cannot be any unauthorized audio or video recording of their classes by students.

Faculty may receive requests from students to record classes due to legitimate absence (examples - job fairs, illness, pregnancy, death in family and school events). It is the faculty member's discretion whether or not to accommodate legitimate student requests to record a class to the extent consistent with educational goals and the notice and privacy interests of other students. Permission to record will be granted by each faculty member either by a blanket policy established in the syllabus or on a case-by-case basis.

When possible, faculty members shall inform the class in advance when a class will be recorded. Unless the faculty member decides otherwise, the Information Technology Department will assist with the scheduling and recording of classes.

Student Responsibilities

Recording of classes at the School of Law may occur only with the permission of the faculty member teaching the course. When granted permission to record classes or given access to audio or video recordings produced by the lecture capture system, a student may use such recordings solely for personal educational purposes. Unauthorized audio or video recording of classes or unauthorized dissemination of such recordings in or through any medium, without the faculty member's consent is forbidden. Failure to comply with this policy may be considered an honor code violation.

Caveats – IT problems can and do happen. In the event the recording is not successful, it is recommended that students get class notes from a classmate. Plus, if students make their request at the last minute, there may not be enough time to get the recording set up for that class.

Recording Policies

The Information Technology Department will accommodate faculty member requests and faculty member approved student requests for recording. The Information Technology Department will also implement appropriate confidentiality and security methods to restrict unauthorized dissemination based on the faculty member's request.

Student access to Lecture Capture System class recordings shall be terminated 30 days after the end of the semester unless requested otherwise by the faculty member.

<u>Class Recordings as a Result of Weather or Flu Outbreak Related Emergencies</u>

If there is a weather or flu outbreak related emergency that results in students or faculty missing an extended period of time, faculty can request that they be given access to record their classes using Panopto and that a class folder be created for their students. This will enable faculty to record lectures remotely to the Panopto site and minimize the amount of missed class time for their students.