

National-Louis University Policy on Recording of Synchronous Classroom Activity, LLSS Exception

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Approved:	Senate – Academic Standards Comm.	Date:	5-27-16
Approved:	Board of Trustees	Date:	6/15/16

University Policy on Recording of Synchronous Classroom Activity, LLSS Exception:

1. If a student is *not registered for academic accommodations with the Library and Learning Support Specialist (LLSS)* overseeing ADA/Section 504 services and wishes to record any synchronous classroom activities, discussions, and lectures, he or she must discuss this matter with his or her instructor. Students should be aware of the following policies and laws undergirding them:

- a. Recordings of classroom lectures are the intellectual property of the instructor.
- b. Instructors have the right to prohibit audio and video recording of their lectures, unless the requesting student is registered with the LLSS, and recording of class sessions has been deemed a reasonable accommodation for that student, (see below).
- c. Sharing of or selling recordings of classroom activity, discussions, or lectures with any other person or medium without permission of the instructor is a violation of National Louis University Policy, and possibly applicable federal and international copyright laws.
- d. Recording human conversations without all party’s knowledge of the recording is illegal under Illinois State Law (Illinois Compiled Statutes: 720 ILCS 5/26-4a).

2. Instructors may prohibit audio and video recording of their class sessions to protect their proprietary interest in their intellectual property, *unless* the student wishing to record the lectures

is registered with the LLSS, and the LLSS has approved the recording of class sessions as a reasonable accommodation for that student.

a. Audio recording of classroom activity, lectures, and discussions is a form of reasonable accommodation for students with disabilities under Section 504 of the Rehabilitation Act of 1973. 29 U.S.C. § 701 *et seq.*; 34 C.F.R. § 104.44.

b. The LLSS will only recommend audio recording as a form of reasonable accommodation if audio recording of classroom activity will specifically address a student's need for equal access to the learning environment.

c. In limited situations, the LLSS may approve video recording of classroom activity as a reasonable accommodation, but only if video recording will specifically address the student's need for equal access to the learning environment.

d. The instructor must be informed by the first class session, either by the student or by the LLSS, of his or her prior approval to record classroom lectures before he or she records any synchronous classroom lectures or activity.

e. The instructor may request a student to sign a **Classroom Audio Recording Agreement** for any of their classes to protect their proprietary interest in their classroom lectures.

f. The instructor must inform the other students in the class that audio or video recordings will be made of classroom activity prior to any recording taking place. However, the instructor should make reasonable efforts to protect the privacy of the student requesting the accommodations.

g. If the instructor is concerned that recording of the synchronous class activity, discussions, and lectures by a student registered with LLSS will fundamentally alter the classroom experience, he or she should contact LLSS to discuss other means of providing equal access to the learning environment for the student.

**National Louis University Policy on Recording of Synchronous Classroom Activity
(for LLS Website):**

1. Audio recording of classroom activity, lectures, and discussions is a form of reasonable accommodations for students with disabilities under the Rehabilitation Act of 1973. 29 U.S.C. § 701 *et seq.*; 34 C.F.R. § 104.44.
2. The LLSS will only approve audio recording as a form of reasonable accommodation if audio recording will specifically address a student's need for access to the learning environment.
3. In limited situations, the LLSS may also recommend video recording of classroom activity as a reasonable accommodation, but only if video recording will specifically address a student's need for access to the learning environment.
4. If the student is registered with LLSS and recording of class sessions is a reasonable accommodation for that student, the student must inform the instructor in a timely manner that he or she is requesting an accommodation to record the class sessions by providing the instructor with his or her Letter of Accommodations or Faculty Memo of Approved Accommodations identifying recording of class sessions as a reasonable accommodation.
5. The instructor can choose to require the student to sign the **Classroom Audio Recording Agreement** to protect the instructor's proprietary interest in their classroom lectures. The instructor must inform the other students in the class that audio or video recordings will be made of classroom activity prior to any recording taking place. However, the instructor should make reasonable efforts to protect the privacy of the student requesting the accommodations.
6. If the instructor is concerned that recording of the class will fundamentally alter the classroom experience, he or she should contact LLSS Peter Ploegman to discuss other means of providing the student with equal access to the learning environment.