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Joint Committee Report on Classroom Recordings

**Educational Policy & Technology; Appointment, Salary &
Promotion Policy; Professional Ethics & Academic Freedom**

May 12, 2023

Members: ASPP Co-chairs Murli Gupta and Susan LeLacheur; PEAFF Co-chairs Guillermo Orti and Natalie Houghton-; EPT Co-chairs, Sarah Wagner and Irene Foster; and EPT Subcommittee on Classroom Recordings Chair Katrin Schultheiss

Context

The need for a clear set of policies on classroom recordings

- Previous discussions of intellectual property (including Resolution 21/9 on GW Course Intellectual Property and Digital Recording)
- COVID-19 remote instruction and DSS accommodation policy
- Concerns about use beyond classroom instruction
- Technological parameters of recording, selective release, and deletion

Specific **FSEC charge to both EPT and ASPP 2022-2023**: Consider the issue of whether GW can mandate the recording of classroom interactions (and post them online).

Classroom recording was among PEAFF's charge the previous year; raised this year via FSEC-PEAFF liaison.

Joint Committee

EPT, ASPP, and PEAf: The committees approached the issue from their respective mandates (e.g., educational mission; faculty assessment and promotion; academic freedom)

- EPT formed a subcommittee (chaired by Katrin Schultheiss) in Oct 2022; it has discussed the issue multiple meetings since Fall 2020, and during 8 meetings in AY2022-2023: Aug 19, Oct 21, Nov 18, Dec 16, Jan 20, Feb 17, Mar 24, April 21. Joint report included in EPT final report submitted April 6.
- ASPP discussed the issue at 6 meetings in AY2022-2023: Sept 30, Oct 28, Dec 2, Jan 27, Feb 24, and Mar 31. Submitted a document (dated April 3) to FSEC for inclusion in the April agenda of Faculty Senate (see Senate minutes for April meeting).
- PEAf discussed the issue at 2 meetings in AY2022-2023: Nov 3, and Mar 6; shared the joint report with PEAf on May 5.
- PEAf, ASPP, and EPT subcommittee chairs met on Dec 7; and with VP Hammond on Jan 18.
- **Faculty survey** administered in November 2022

Executive summary

In November 2022, the **Faculty Senate administered a survey** of all faculty (excluding the Law School*) to assess current recording practices and gauge concerns about current policy.

Key findings:

1. Faculty are far more likely to record lecture classes than seminar or lab classes.
2. Of those who record, most record all classes and release them to all students in the class.
3. Most respondents have not attempted any of the other recording options (adaptive release, selective recording, erasing) suggesting that more communication and instruction on these processes would be helpful.
4. A majority of faculty see value in creating recordings, especially for students with disabilities or with short-term illnesses.
5. They remain concerned about a number of factors, especially the unauthorized circulation, editing, or viewing of recordings and the negative effect of recordings on class attendance.

Executive Summary continued

Guidance from the Vice Provost of Faculty Affairs

Representatives from the Senate's PEAFF, ASPP, and EPT Committees met with Vice-Provost Emily Hammond on January 18, 2023, to clarify current university policies on classroom recordings. VP Hammond explained, among other things, that:

1. faculty retain ownership of the intellectual property contained in the recordings;
2. recordings may be reviewed without faculty consent to comply with legal proceedings;
3. the university retains legal ownership of the files that are recorded using university equipment or software; and
4. because the university retains ownership of the files, administrators have the right to review recordings for "valid reasons" without informing the faculty member.

Currently, there is no formal mechanism for informing or seeking consent from regular faculty members whose recordings are under review.

Executive Summary continued

Guidance from Yordanos Baharu, Executive Director of Academic Enterprise Applications

In response to query from the EPT subcommittee, he explained that faculty have the technical capability to erase recordings on most platforms.

This capability would seem to complicate the question of ownership of files.

Platform	Can Faculty Delete Their Recordings?	Note
Blackboard Collaborate	Yes	Deleted file moves to the system trash folder for 30 days and is permanently deleted (“hard delete”) after the 30 days.
Zoom	Yes	Deleted file moves to the user’s trash folder for 30 days and is permanently deleted after the 30 days. User has the option to immediately delete or restore a file in their Zoom trash folder.
Webex	Yes	Deleted file moves to the user’s trash folder for 30 days and is permanently deleted after the 30 days. User has the option to immediately delete or restore a file in their Webex trash folder.
ECHO360	Currently No*	<p>-The feature is not enabled for ECHO360, as all file deletions are permanent (“hard delete”) with no option to restore accidentally deleted files. Faculty can request deletion of recordings by sending an email to itl@gwu.edu.</p> <p>*Files that have not been accessed in 24 months will be deleted from the platform.</p>
MS Teams	Yes	Deleted file is moved to the user’s One Drive recycle bin for 30 days and is permanently deleted after the 30 days. User has the option to immediately delete or restore a file in their One Drive recycle bin.

If Faculty Do Not Delete Their Recordings, How Long Does the University Keep Recordings?

DATE	PLATFORM	FILES MOVED TO FACULTY TRASH FOLDER	FILES PERMANENTLY DELETED & CANNOT BE RECOVERED
As of 1 January 2023	Video Recordings Stored in Web Conferencing Tools	After 180 days	After 30 days
As of 30 June 2023	All Video Recordings	After 180 days	After 30 days

Recommendations

(Note: The recommendations pertain to full-time faculty only as policies for part-time faculty are covered under a collective bargaining agreement.)

Recommendation #1

The administration/academic technology team should work to improve faculty awareness of recording options and simplify processes for selective/adaptive release, stop/start recording, editing recordings, and erasing recordings.

Recommendation #2

The administration should issue a statement as well as add a pop-up box to the recording set-up protocols clarifying that:

- a. faculty retain intellectual property rights over the content of their recorded classes.
- b. administrators will not access classroom recordings without the instructor's consent except when there is an external controlling statutory authority.
- c. faculty retain the right to deny GW administrators access to recordings without reprisal.
- d. faculty retain the right to edit or erase classroom recordings.

Recommendation #3

The administration should inform all faculty of these policies in a dedicated e-mail sent before the start of the Fall 2023 semester.