

Lecture Capture and Classroom Recording Policies

Introduction.

The teaching experience is a “moment in time” opportunity; the unique interaction of teacher and learner in the classroom is something that can never be truly replicated. Lecture capture solutions provide a mechanism for saving a representative portion of this moment and making it available for: (1) content review, (2) missed in-person learning, (3) online learning and education, and (4) other approved uses. HGSE has adopted an informal practice of recording lectures for degree and professional education experiences on campus. There are numerous pedagogical advantages as well as other meaningful and constructive uses for recorded lecture materials and other recorded events. **HGSE is obligated to inform students and other lecture attendees of the intent to record the classroom experience, limit the availability of recordings, and offer appropriate accommodations to individuals who choose not to be recorded.** This policy establishes responsibilities for members of the HGSE community in respecting and maintaining the privacy of faculty, staff, students, and guests attending and participating in recorded events. Additionally, it provides guidance regarding when recordings will be accommodated, technology limitations, and related considerations.

Discussion.

Lecture capture, classroom recordings, and related events are obligated to adhere to Federal and state regulations, intellectual property concerns, and common courtesy as defined by Harvard’s Office of General Counsel and HGSE executive leadership. Events subject to recording must be appropriately reviewed to define the purpose of the recording, the potential viewing audience, opportunities for re-use, and retention policies. Lecture capture at HGSE is currently defined within the following frameworks:

Standard Lecture Capture. Defined as classroom recordings for regularly scheduled coursework on the HGSE campus. The standard lecture capture model refers to video and audio recordings of the presenter (faculty), students, and materials (presentation materials). In the standard lecture capture model, recordings are normally scheduled in advance of the meeting day and time and preprogrammed to start and end within the published window of the class. The audience for the standard lecture capture model is reserved exclusively to the faculty member, teaching team, and students enrolled in the course. The standard lecture capture model does not consider scenarios where content would be distributed or shared outside of the approved classroom audience. The standard delivery model for classroom recordings is the Canvas Learning Management System (LMS). The current Canvas security model ensures classroom recordings are appropriately limited to the approved audience (e.g., faculty, teaching staff, and enrolled students.) Faculty members are encouraged to notify students that regularly scheduled classroom recordings are planned for the course. This advance notification is suitable for the duration of the course within the previously approved dates and times for class meetings. Under the standard lecture capture model, FERPA does not



apply. Everything that happens in the classroom is considered to be open knowledge to the faculty, teaching support staff, and students. There would be no requirement for addressing FERPA exclusions for audio/video if there is no planned re-use of the capture.

Standard Lecture Capture with Asset Reuse. The wide availability of classroom recordings creates opportunities for re-use and re-purposing. Lecture capture content (audio, video, presentation materials) are not available for non-course use or even reuse the next time the course is taught without the written consent of the students and other attendees. If a faculty member or member of the teaching team envisions reusing captured content outside of the normal activities of the course for the currently enrolled students, students and other attendees whose images, voices, or other content may be captured must sign an authorization form entitling HGSE to a blanket reuse agreement. The authorization forms shall be retained for a period of five years. The explicit notification and acknowledgement of attendees ensures compliance with the Family Educational Rights and Privacy Act (FERPA).

Standard Lecture Capture with Guest Attendance. In cases where guests or other attendees are present or participating within the parameters of a standard academic lecture, they must provide written acknowledgment of their consent to be recorded and provide authorization for re-use of the asset. The authorization forms shall be retained for a period of five years. This is particularly important for copyright and intellectual property situations.

Public Events. HGSE reserves the right to record all public events on the HGSE campus. Appropriate notification to attendees is required, but no additional authorization or accommodation for no-film zones is necessary. Course shopping is considered a public event.

Professional Education Seminars, Programs, and Other Events. HGSE programs that are not open to the public and are offered to a limited audience must adhere to appropriate notification requirements and authorizations for reuse. When practical, attendees must be given the opportunity to sit in a no-film zone or otherwise be afforded reasonable accommodations for excluding their image, voice, and content from recording activities.

Roles and Responsibilities.

Faculty, Faculty Assistants, and Teaching Fellows. The teaching team for each degree-granting credit course will be responsible for notifying students of the intent to make recordings in advance of planned lectures. The team will distribute authorization forms and make note of students that have requested to be excluded from recording activities. The teaching team will notify the IT department of recording activities that require editing prior to being made available outside of approved learning management solutions reserved for the exclusive use of enrolled students. This notification will be used to ensure scheduled recordings (Panopto



solution) are not automatically published for public viewing to course sites on Canvas or other designated learning management solution sites.

Students. Degree-seeking students actively enrolled at HGSE will be notified of their right to be excluded from lecture recordings and other events on campus. Students requesting to not be recorded will notify the teaching team of their requirements and a suitable location within the environment being recorded will be identified, i.e., “no-film” section of the classroom or event space, as conditions permit. Students requesting to be excluded from recordings shall experience negligible or no impact and not be put in a disadvantaged state.

Academic Affairs. Records of student recording authorizations will be retained for a period of at least 5 years following the conclusion of the recorded event or academic course.

Programs in Professional Education. PPE staff will be responsible for notifying program attendees of the intent to make recordings in advance of planned coursework. The team will distribute authorization forms and make note of attendees that have requested to be excluded from recording activities.

IT Department. IT provides support for video and audio recordings of lectures and other events in which students and other guests may be in attendance and could be intentionally or unintentionally included in digital assets made available for subsequent viewing. IT support staff will notify faculty, faculty assistances, teaching fellows and other event coordinators of the responsibility for notifying attendees that an activity is being recorded. The IT staff will provide details on the type of recording to include the physical scope within the designated space, post production editing that may be included, planned disposition of the recording (digital asset), and access controls applied to limit use and subsequent distribution.

Guidance.

Notification. Faculty members and teaching teams are encouraged to include a general statement in course syllabi and on the course website notifying students that regularly scheduled class meetings will be recorded and made available to members of the course. Event organizers are encouraged to post signage and include statements in hardcopy materials notifying attendees that the event is being recorded and may be available for reuse at the discretion of HGSE. If reuse of recordings is requested after the original notification and acknowledgement and exceeds the previously defined scope for a standard lecture capture model, users may request authorization for use beyond the previously approved purpose of the recording.

Automated Recording Schedules. The Panopto lecture capture system allows recordings to be scheduled well in advance of class meeting times or other planned events. This scheduling feature automates the process and allows HGSE to greatly expand lecture capture coverage with minimal human intervention.



HGSE community members should be informed of all recording activities and reminded frequently. The recordings commence automatically at the official start time of the class and conclude with the official end time of the class. All classroom activity within the field of view of the cameras and within range of the microphones will be captured and automatically published at the conclusion of the class meeting time. Even though the class may not be formally meeting at the time that the recording commences, this material will be included in published recordings. Faculty, students, and teaching staff are encouraged to remind each other of this important condition. In the event that the automated recording captures content deemed to be inappropriate for publishing, a member of the teaching staff is requested to contact the IT Service Center as soon as possible. On a limited basis, recordings may be edited and re-published to address these unique occasions.

Requesting Lecture Capture and Other Recording Activities. The deployment of the Panopto architecture to the HGSE campus provides a robust infrastructure to support lecture capture. Currently, more than 17 classrooms have been permanently outfitted with Extron Recorder Appliances and associated video and audio capture peripherals, i.e., cameras and microphones. These fixed installations allow lecture captures to be scheduled well in advance of the planned event and recurring requests can be automatically programmed with minimal effort to the end user.

Scheduling via the Event Management System. The preferred process for requesting one-time or recurring lecture capture is via EMS. At the time of the room reservation, additional media services may be requested, which results in the automatic creation of a service ticket in the IT ServiceNow system. Service tickets are appropriately assigned and a scheduler ensures the recording is scheduled in Panopto.

Scheduling via ServiceNow. Users may also elect to put in a request for lecture capture directly through ServiceNow as a service request.

Student Requests. Normally, requests for lecture capture must be made by the faculty member or a member of the teaching staff. Student requests for one-time lecture captures in courses where class recordings are not normally scheduled must be arranged through the teaching team. This process ensures privacy and intellectual property matters are appropriately considered in advance of the recording. Requests for video capture for non-classroom activities may be made by submitting a request via ServiceNow or visiting the Service Center. A support technical will assist with identifying the appropriate technology to meet the student's needs. Students are not authorized to make independent recordings of classroom lectures.

Publication of Recordings

Class recordings requested by faculty members, recordings made because of religious holidays, and make-up classes will be made available to the entire class via the Canvas course site. Faculty and teaching team members reserve the right to remove any links from course websites at any time. No person is permitted to post, distribute, or otherwise make available any recordings produced by HGSE without written permission of the HGSE Communications Office.



Retention Policy

Unless otherwise requested, classroom recordings will be **archived after 2 years and deleted after 4 years** following the recording date. After 4 years, content will be permanently deleted unless an archived copy is requested by the faculty or teaching staff. Please note that re-use of classroom recordings is restricted to the teaching team and the students that were enrolled in the course at the time the lecture capture was created. Explicit permission for re-use of classroom recordings is required by all students.

- Enclosures:
- (1) Student Multimedia Recording – Unrestricted Authorization
 - (2) Student Multimedia Recording – Authorization with Limited Re-use
 - (2) Public Notification for Recorded Events
 - (3) Guest Authorization for Recording and Reuse of Multimedia Assets

Student Multimedia Recording – Unrestricted Authorization

Harvard intends to make multimedia recordings for the following course:

Course Number	
Course Title	
Faculty	
Term/Section	
Point of Contact	

The primary intent of these recordings is to make the content of the Course more widely available. The recordings, or edited versions of them, may be made available to the Harvard community, to students at other educational institutions, and to the broader public, via edX, the Internet, television, DVD, or other means. It is also possible that the recordings may be used to make other derivative works in the future. Students may elect not to take part in this recording project and still participate in the Course. If you have any questions about this Authorization, or would like to discuss it before signing, please note the point of contact listed above.

I understand that I have the option of sitting in the “no film” section of the classroom or other Course location, where I may participate in the Course discussion but will not be filmed.

If I choose to sit or move outside the “no film” section of the classroom or other Course location, I authorize Harvard or its designees to make audio and video recordings of my presence and participation in the Course (collectively, the “Recordings”). I understand and agree that the Recordings may include my image, voice and name. I also understand and agree that, even if I sit in the “no film” section, my voice and spoken name may be picked up by microphones outside that section and may be included in the Recordings.

I understand and agree that Harvard will have the irrevocable, worldwide right to make, edit, modify, copy, publish, transmit, distribute, sell, publicly display, publicly perform and otherwise use and make available the Recordings and any other works that may be derived from the Recordings, in any manner or medium now known or later invented, and to authorize others to do so as well. I agree that Harvard will own the Recordings and I hereby transfer to Harvard any rights, including copyrights, I may have in the Recordings. I will remain free to use and disseminate any ideas, remarks or other material that I may contribute to the Course discussion.

I acknowledge and agree that I will not be entitled to any payment, now or in the future, in connection with the Recordings or any works derived from them. This Authorization is a binding agreement, and is signed as a document under seal governed by the laws of the Commonwealth of Massachusetts.

Signature	
Printed Name	
Date	

Student Multimedia Recording –Authorization with Limited Re-Use

Harvard intends to make multimedia recordings for the following course:

Course Number	
Course Title	
Faculty	
Term/Section	
Point of Contact	

The primary intent of these recordings is to make the content of the Course available to students in this course inclusive of other sections that are meeting within the term specified. The recordings, or edited versions of them, may be made available through the course web site and other platforms with limited access to faculty, teaching teams, and students enrolled in the course for the term specified. The recording will be maintained in its original format. No derivative works will be created that include student participation.

Students may elect not to take part in this recording project and still participate in the Course. If you have any questions about this Authorization, or would like to discuss it before signing, please note the point of contact listed above.

I understand that I have the option of sitting in the “no film” section of the classroom or other Course location, where I may participate in the Course discussion but will not be filmed.

If I choose to sit or move outside the “no film” section of the classroom or other Course location, I understand and agree that the Recordings may include my image, voice and name. I also understand and agree that, even if I sit in the “no film” section, my voice and spoken name may be picked up by microphones outside that section and may be included in the Recordings.

I agree that Harvard will own the Recordings and I hereby transfer to Harvard any rights, including copyrights, I may have in the Recordings. I will remain free to use and disseminate any ideas, remarks or other material that I may contribute to the Course discussion.

I acknowledge and agree that I will not be entitled to any payment, now or in the future, in connection with the Recordings. This Authorization is a binding agreement, and is signed as a document under seal governed by the laws of the Commonwealth of Massachusetts.

Signature	
Printed Name	
Date	



HARVARD UNIVERSITY

OFFICE OF THE GENERAL COUNSEL

Model Speaker Consent Form for Audio/Video Recordings

**GIVE SPEAKERS ONLY THE ATTACHED FORM OF SPEAKER CONSENT –
NOT ANY OF THIS EXPLANATORY MATERIAL.
BEFORE USING THE FORM, FILL IN THE BLANKS AND DEAL WITH THE BRACKETED
TEXT IN THE FORM.**

Purpose - This model form (which replaces the “Paid” and “Unpaid” versions of the prior “Model Speaker Release Form”) is for use when making an audio or video recording of a guest speaker from Harvard or elsewhere, whether or not the speaker is paid for the engagement. This form may be used when recording a range of events, including lectures, discussions, interviews and other presentations. Under Massachusetts law it is necessary to get a speaker’s permission to make such a recording. This form authorizes Harvard to make and use, and to permit others to use, the recording of the presentation, derivative works of the recording, and the speaker’s biographical information (see below on third party rights). This form does not give Harvard ownership of copyright in the speaker’s underlying presentation.

Changes - This form may be adapted, if appropriate, to meet the needs of your faculty or department, or particular requirements that the speaker wishes to impose.

Harvard courses - This form is not designed for use when recording (i) Harvard faculty in connection with their own courses or (ii) students in Harvard classes or other educational settings.

Optional limit on use of recordings - If a speaker is unwilling to sign the Consent because the speaker finds Harvard’s rights to use the Recordings too broad, it is possible to add language narrowing those rights. In that situation, you could revise the second sentence of the third paragraph to read as follows (adding the language after the semi-colon):

“I agree that Harvard will have the irrevocable, worldwide right to make, copy, edit, publish, distribute, play, show, perform, display and otherwise use and make available the Recordings and any works that may be derived from the Recordings, by any means and in any media now existing or hereafter invented, and to authorize others to do the

same; provided that Harvard may only exercise these rights for educational or other purposes consistent with Harvard's mission."

It is preferable not to add such language because it is preferable not to have limitations on your use of the Recordings. For example, while this language should generally permit distribution of the Recordings through a commercial party, it could lead to uncertainty in some cases. However, if the speaker is otherwise unwilling to allow recording, and you would rather have Recordings with limitations on use than not have Recordings at all, you can add the language. In our view, this language will allow Recordings to be posted on Harvard's channels on YouTube and iTunes, as those services are currently configured. You may also add other limitations on use if you wish, so long as you are prepared to keep track of the limitations and abide by them. If the Recordings will be used in a Harvard project that extends beyond your purview (such as HarvardX), then you should not add any limitations without first talking with the person responsible for that project.

Independent contractors - If you are paying an outside speaker, Harvard policy may require documentation of the speaker's independent contractor status. This can be accomplished either through a separate communication or by adding the following to this form: "I understand that I am an independent contractor, free from Harvard's direction and control, not an agent or employee of Harvard, and that I am not authorized to enter into binding commitments on Harvard's part."

Multiple authors - If the speaker's presentation has multiple authors, you should discuss with the speaker whether their signatures are also needed or the speaker is authorized to sign for all the authors. If the speaker is signing for co-authors, it will usually be necessary to add language such as the following to the form: "[Name] and [name] are co-authors of the Presentation. Each co-author has authorized me to sign this document on their behalf to evidence that each agrees to and joins in the grant of rights to Harvard in this document, while retaining their copyrights in the Presentation and subject to due attribution."

Other third party rights - If the speaker's presentation includes any third party's content, then before publishing or otherwise making the recordings available you will need to determine whether you may use the recordings as you plan without infringing third-party rights. (This does not affect your right to create the recordings.)

[form begins on next page]

SPEAKER CONSENT FOR RECORDINGS

I, _____, authorize President and Fellows of Harvard College (“Harvard”) and its agents or contractors, on behalf of *[insert name of relevant School, department or other unit]*, to make audio and video recordings by any means and in any media (the “Recordings”) of my presentation, lecture, program, discussion or interview described below (the “Presentation”) and to use my name, photograph and biographical information in connection with the reproduction, distribution and promotion of the Presentation and the Recordings. I understand that Harvard will credit me as the author or source of the Presentation.

Presentation Title or Description: _____

Presentation Date: _____

Location: _____

I will retain any copyrights I may have in the Presentation. Nothing in this document will restrict me from publishing or using the Presentation as I see fit.

I agree that Harvard will own the Recordings and all copyrights and other rights therein. I agree that Harvard will have the irrevocable, worldwide right to make, copy, edit, publish, distribute, play, show, perform, display and otherwise use and make available the Recordings and any works that may be derived from the Recordings, by any means and in any media now existing or hereafter invented, and to authorize others to do the same. *{optional sentence, when further use will be made of speaker’s handouts: I also grant to Harvard the rights set out in the preceding sentence with respect to any handouts or other materials that I have provided in connection with the Presentation, with due attribution.}*

While Harvard may separately arrange to pay me an honorarium for the Presentation, I understand and agree that I will not receive any payment, now or in the future, in connection with the rights I have granted to Harvard in this document or the use and dissemination of the Recordings.

Neither my Presentation nor its permitted use by Harvard will infringe or violate any copyright or other right of any other person or entity, or breach any obligation I have to any such person or entity.

This Speaker Consent for Recordings is executed as a document under seal governed by the laws of The Commonwealth of Massachusetts.

Signature

Date

Print Name

Address

Agreed to:

President and Fellows of Harvard College,
on behalf of _____

Signature

Date

Print Name and Title



HGSE Multimedia Recording Policy - Decision Flowchart

Step 1: Define the type of recording event.

Is the recording for a public event with an unrestricted audience?	Yes	No
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Is this recording for Course Shopping?	Yes	No
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If you answered **Yes** to either of the questions above, this is a **public recording event**. Please skip to step 2.

Is the recording for an HGSE academic course?	Yes	No
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Is the recording for an “invitation only” event for a restricted audience?	Yes	No
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If you answered **Yes** to either of the questions above, this is a **private recording event**.

Step 2: Guest speaker authorization for recording and reuse.

Will the recording include guest speakers outside of Harvard?	Yes	No
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If you answered **No**, proceed to Step 3.

Has the guest speaker given authorization to record and reuse?	Yes	No
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If you answered **No**, this is **not an authorized recording**. No additional steps are required.

Action: Ensure a copy of the *Guest Authorization for Recording and Reuse of Artifacts* is retained on file.

Step 3: Audience participation and other identifiable persons.

Action: Ensure attendees are notified that the event will be recorded. Identify “no film” zones, as feasible.

Is this a Public Recording Event?	Yes	No
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Is this a lecture capture video only visible to students and teaching teams?	Yes	No
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If you answered **Yes** to either question above, proceed to Step 4.

Action: Students and other identifiable persons must sign an Authorization agreeing to unrestricted use by Harvard. Forms should be delivered to the HGSE IT Service Center and identify the multimedia recording.

Step 4: Recording Use.

General Availability Recordings: Public recordings (with or without Guest Authorization) are the exclusive property of Harvard University and may be re-used in any capacity consistent with the mission of HGSE.

Restricted Use Recordings:	Private recordings with Guest Authorization and Student/Person Authorization. Lecture capture recordings with identifiable students.
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All recordings should be treated as Restricted Use, unless explicitly identified as General Availability. Notes regarding authorization should accompany any publications of recording assets.

Complete. Please refer any questions about this policy to IT_OneStop@gse.harvard.edu