

Policy on the Recording of Oral and/or Visual Presentations in Waterford University of Technology for Students Registered with the Disability Office

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Introduction

It is the policy of South East Technological University (the “University”) to provide equal opportunities for all staff and students and accordingly it is fully committed to the principles established in the Equal Status Act 2000-2018 and the Disability Act 2005. In addition, the University will endeavour to provide reasonable accommodations under this policy to any learner who can show due cause for same and who has appropriately sought, and received, the necessary permissions/approvals in advance as set out in this policy. The University, through this policy, reaffirms its commitment to an equitable and open support for all learners and hereby implements this policy on the Recording of Oral or Visual Presentations (the “Policy”).

This Policy is adopted to ensure that both staff and students of the University are aware of their rights and obligations in respect of recording oral/visual presentations using University approved devices i.e. recording devices (as defined below)

A “Presentation” under the meaning of this Policy, refers to any lecture, presentation, laboratory session, practical, or any other event that is delivered as an integral part of, or support for, a programme of education or training devised or delivered by/or on behalf of the University. For avoidance of doubt, this Policy also applies to all forms of electronic, digital or mechanical recording of lectures, laboratories, presentations, performances, electronic (computer) information, the duplication of course material, and to the translation or transmission of recordings or transcriptions of any of these materials to another form by electronic, digital or mechanical means.

A recording device means any device and or recording software provided by the University through the Disability Office to an authorised student for use in accordance with this Policy to record such Presentations for which the authorised student is registered to attend. Recording devices remain the property of the University at all times.

An authorised student is a registered student of the University who has been identified by way of a Needs Assessment and approved by the Disability Office as eligible for receiving a recording device and or recording software for use in accordance with this Policy and who has accepted the University’s Code of Practice on Disability and the terms and conditions governing the use of recording devices and or recording software.

This Policy is also intended to govern all programmes that are delivered collaboratively or transnationally for and on behalf of the University and/or as part of an SETU course or programme.

Purpose of the Policy

The Policy aims to support students and lecturers by setting out when and where audio and/or visual recordings may be made.

This Policy applies to all lecturing staff and students. The Policy is crafted in a manner that can ensure that the University meets its obligations under the Equal Status Act 2000-2018 and the Disability Act 2005 regarding equal access for students with disabilities and specific learning difficulties.

In the absence of specific permission, it is the University's position that all recording and transmissions of Presentations by students by any means is strictly prohibited. This is required in order to:

- Respect the integrity and effectiveness of the classroom experience
- Protect students' and faculty members' dignity and privacy
- Respect faculty members and University rights in instructional materials, intellectual property, and in order to ensure compliance with copyright and data protection law

Provisions for use of recording devices

The University prohibits all recordings of Presentations by students save in the case of authorised students as set out in this Policy.

In order to obtain permission as an authorised student, students with disabilities and/or specific learning disabilities must present themselves at the Disability Office at Student Life and Learning for registration and undertake Assessment. The Disability Office will also require evidentiary documentation from the student in respect of their disability or specific learning disability. The Disability Office will only use this documentation for the purposes of carrying out the Needs Assessment, providing the reasonable accommodation, to comply with legislation or the Code of Practice of the Disability Office and in accordance with the student's disclosure wishes.

If the outcome of the Needs Assessment identifies a requirement for a recording device and this is supported by medical and/or appropriate professional/specialist opinion, the University will authorise a recording device for use by the student. Provision of a recording device will be strictly subject to the student accepting the University's Code of Practice for Students with Disabilities and the terms and conditions for use of the recording device through an audio recording contract.

The lecturer or presenter can view through the University's Reasonable Accommodation web facility <https://studentssp.wit.ie/staff/login/login.aspx?app=DISREG> that the specific student

has been permitted by the University to record the specific Presentations due to a disability. The lecturer/presenter will not be given details of the specific disability without the student's permission. In order to respect the right to privacy of other students, the lecturer/presenter will be required to inform the audience attending the specific Presentation that it is being recorded, but without disclosing the identity of the student who is recording.

Where an objection to recording is made by another student or the nature of the Presentation is such that it is, in the reasonable opinion of the University, not suitable for recording then the University reserves the right to make alternative arrangements, in consultation with the student. Where an objection to recording (by an approved student) is made by a lecturer, a substantial reasonable accommodation must be provided in lieu e.g. lecture notes sent in electronic format to the approved student in advance of each lecture session or any other such reasonable accommodation as agreed with the Disability Office.

While students are cautioned that, generally speaking, Presentations and any other course material produced by a lecturer in the course of their employment within the University remains the intellectual property of the University, students are encouraged to make their own contemporaneous notes of Presentations in order to advance their own learning and to develop their own record for the purposes of private study. This normal process of taking notes is advised since this practice requires that students develop the ability to attend actively to the material under consideration and to summarise efficiently pertinent information in a coherent manner. The manner in which students may freely make such a record does not include electronic recording by any means including visual or audio save where previously authorised under the terms of this Policy.

Any recordings authorised pursuant to this Policy may not be reproduced, transferred, exchanged, distributed, or displayed in any public or commercial manner. The recordings cannot be used for any purpose other than for study by the authorised student enrolled in the class. This means that such recordings are intended for personal use only and they must not be distributed further to any other party through any medium except for the purpose of creating a single recording for the sole use of the authorised student. Students may not record teaching sessions or lectures on behalf of anyone else. Students must attend the lecture and make the recording themselves for their own use.

At the end of each programme of study/or on withdrawal from the University authorised students must return the recording device which has been provided to them to the Disability Office. Any costs relating to damage caused to a recording device will be borne by the authorised student to whom it has been issued under the terms of this Policy.

Copyright and Intellectual Property

Ownership of the copyright of the teaching material is in accordance with the University's Intellectual Property Policy. Students will receive a limited licence for the use of the recording in accordance with this Policy and the Code of Practice. Students must delete recordings upon

withdrawal from, or completion of, their programme of study, unless they receive the written permission of (a) the lecturer and (b) the University to retain them. In circumstances where third party material (for example, films, music) is employed substantially toward lecture and teaching materials no recording will be permitted. Members of staff should specify restrictions on audio or visual recording and are encouraged to communicate any such restrictions at the start of Presentations or entire modules if such an entire module contains significantly valuable and/or rare third-party copyright material. The University will employ its virtual learning environment to afford access to relevant class material for all registered students.

The intellectual property rights inherent in the contents of Presentations or the materials used in Presentations remain the property of the University or of the third party, as appropriate. Ownership of these intellectual property rights is not altered should the Presentation or any such session be recorded.

Information and Notification of Infringement

All students of the University will be informed of the Recording Policy (hereafter called ‘The Policy’) in the student handbook. Violation of The Policy may result in disciplinary action in accordance with the University’s Code of Conduct and withdrawal of the recording devices and permission to record Presentations.

All persons bound by The Policy must alert the office of the Registrar on suspecting or becoming aware of an infringement under the terms of The Policy. In the case of actual or suspected infringement of academic integrity, all persons bound by The Policy must comply with the instructions of the office of the Registrar in order to minimise the impact and extent of the infringement. Any action will be entirely at the discretion of the University.

The University reserves the right to amend this Policy in light of legislative and policy developments in line with international best practice or on the basis of decisions taken by academic council. Staff and students should refer to the electronic version of this Policy as published on the University’s website to ensure that they have the most up to date version of the Policy