Motion: The Committee on Educational Policies and Planning (CEPP) moves adoption of a policy governing the creation and the misuse of recordings of class sessions.

Rationale: Skidmore College, unlike many of its peer and aspirant institutions, does not currently have a policy that describes when recordings of class sessions can be made, or how such recordings can be used. This situation deprives the college of an adjudicatory pathway in the event that a recording is shared widely or distributed to the media for the purposes of harassment or political targeting. It also creates confusion about how and when recordings can be made.

The proposed policy seeks to: 1) Establish default expectations about how and when recordings of class material can be made. 2) Establish a process for responding to the misuse of recordings.

It is important to note that CEPP is not proposing, nor is it authorized to make, changes to Skidmore's disability accommodation procedures. We are required by the federal government to make reasonable accommodations necessary to remove barriers to student learning. However, the provision of academic accommodations happens through an individualized process that considers the essential elements of programs and courses of study. This accommodation sometimes involves audio recording of class sessions. In cases where material being discussed in a class is particularly sensitive, personal, etc., SAS will work with students and faculty to find a balance between the need for accommodation and essential course requirements.

CEPP affirms the authority of faculty to manage the classroom environment, and specifically the use of recording technologies and their products. For instances of recording not governed by academic accommodations, CEPP encourages faculty to provide syllabus statements describing their recording policies and outlining consequences for violations. Because these policies will vary according to pedagogical needs and faculty preferences, CEPP has elected to not mandate such a statement. CEPP and the Dean of the Faculty's office are happy to provide sample statements. CEPP is mindful that broad limitations on recording could have the unintended consequence of outing students with disabilities and channeling students who might otherwise independently manage learning barriers toward identifying as a student with a disability.

This policy also affirms the authority of the faculty to determine grading consequences for unauthorized recordings and their misuse. Other consequences are subject to the student conduct process and, if appropriate, the adjudicatory pathway described below for involuntary withdrawal. In drafting this policy, CEPP consulted with CAS, CAFR, Academic Council, and with the Dean of the Faculty's office, where the idea for this policy originated. The process for involuntary withdrawal is based on the CAS-CAFR policy on disruptive students.

If implemented, the policy will be housed as an appendix to CEPP's operating code. It will also be included on the Dean of the Faculty's Policies and Guidelines page, and in the Student Handbook. Any future changes or amendments to this policy will go through CEPP and will be made in consultation with the faculty.

Proposed Policy:

Audio and video recording of class sessions is only permitted when authorized by the explicit consent of the instructor, or when audio recordings have been approved through the disability accommodation process.

For students without audio recording accommodations:
Course instructors can provide, deny, or selectively limit recording permission for students without accommodations. The college encourages faculty to provide students with syllabus statements describing their rules surrounding recordings. As with academic misconduct policies, if a faculty member wishes to include failure in the course as a possible consequence for unauthorized recording or misuse of recordings, they are encouraged to say so on their syllabus.

For students with audio recording accommodations:
Students can be authorized, through the disability accommodation process, to make audio recordings of class sessions for their personal academic use. Students with audio recording accommodations are required to sign contracts with the following provisions:

- Audio recordings of class sessions are only for the student's personal use in study and preparation related to the class.
- The student may not share these audio recordings with any other person, without the consent of the lecturer.
- Upon request, the student will cease recording of the class session when audio recording may violate others' right to privacy.
- The student agrees to delete and /or destroy any audio recordings that were made when they are no longer needed for his/her academic work.
- The lecture and any information contained in the recorded lecture are protected under copyright laws and may not be copied, displayed, broadcast, published, or quoted without the consent of the lecturer and without giving proper attribution to the lecturer. The prohibition includes placing the recording on any web page or online for use by, or access to, any person, including the student.

Misuse of Recordings:
Skidmore recognizes that the inappropriate use of audio or video recordings (whether the initial recording was authorized or not) can infringe upon the academic freedom of both instructors and students, and constitutes a breach of conduct. Consequently, Skidmore College explicitly prohibits the sharing or publication of class session recordings without the written consent of the instructor.

Unauthorized recording and/or the misuse of recordings may result in a referral to student conduct or a lowered course grade, at the discretion of the instructor. Involuntary withdrawal (W, WF) will be determined through a consultative process that involves the instructor, their department chair or program director, and the Associate Dean of the Faculty for Student Academic Affairs. A recommendation for involuntary course withdrawal requires the concurrence of the instructor and one other member of the consulting team. Recommendations for involuntary withdrawal are made to the Vice President for Academic Affairs and the Vice President for Student Affairs, who together decide on a final outcome.