



Use of Recordings of Course Presentations

Responsible Officer:	Vice Provost - Academic Planning, Programs & Coordination
Responsible Office:	AC - Academic Planning, Programs & Coordination
Issuance Date:	9/23/2005
Effective Date:	9/23/2005
Scope:	All faculty, staff and students

Contact:	Joanne Miller
Email:	joanne.miller@ucop.edu
Phone #:	(510) 587-6141

I. POLICY SUMMARY

The University's goal in preparing this Policy was to provide a tool that could effectively assist campuses with the known problem of the unauthorized taking and selling of lecture notes, and some technological variants of this practice that could reasonably be foreseen, such as unauthorized videotaping for commercial purposes, in a way that did not unduly interfere with longstanding academic customs or infringe on the legitimate rights and expectations of faculty and students.

The Policy also touches briefly on issues of privacy and copyright related to the recording of course presentations, but only to provide a reminder that these factors must be considered. The legal rights involved are independent of University policy, arising from state and federal privacy statutes, copyright law, and the like, and their applicability will depend on the specific facts of each situation.

II. DEFINITIONS

Not applicable

III. POLICY TEXT

A. *Purpose and Scope*

This policy is intended to protect, and not restrict, the core academic values and processes of the University. When recordings are made of course presentations in any medium and those recordings are shared or distributed, the distribution must be conducted in a way that ensures compliance with University policies; protects the integrity and quality of the teaching and learning experience; and protects the interests of the University, the course instructor, and the University's students.

B. Distribution of Recordings of Course Presentations

Except as provided herein, no business, association, agency, or individual, including a student, shall give, sell, or otherwise distribute to others or publish any recording made during any course presentation without the written consent of the instructor/presenter and the Chancellor. This policy is applicable to any recording in any medium, including handwritten or typed notes. The only exceptions are that:

1. students currently enrolled in or approved to audit that course may provide a copy of their own notes or recordings to other currently enrolled students for non-commercial purposes reasonably arising from participation in the course, including individual or group study; and
2. faculty may use recordings of course presentations, made by them or at their direction, to the extent that such use does not conflict with other University policies, including the Policy on Conflict of Commitment and Outside Activities of Faculty Members (Academic Personnel Policy 025) and the prohibition on the use of University facilities for commercial purposes (Academic Personnel Policy 015, Part II.C.3); and
3. a recording (including handwritten notes by a designated notetaker) may be made pursuant to an approved accommodation for a currently enrolled student with disabilities, for the exclusive use of that student.

C. Special Considerations Pertaining to Recordings that Capture Sounds and Images

Any distribution of a recording of a course presentation at the University of California that captures the actual sounds and/or images of that course presentation, in any medium, must consider not only the rights of the instructor and the University, but also those of other parties. Examples include the privacy rights of students enrolled in the course, the rights of guest lecturers, and the copyright interests in materials authored by others that are displayed or presented during the course presentation. It may be necessary to secure rights from these parties before any recording, distribution, publication, or communication occurs.

IV. COMPLIANCE / RESPONSIBILITIES

Not applicable

V. PROCEDURES

Not applicable

VI. RELATED INFORMATION

University of California [Policy on Copyright Ownership](#), 1992

University of California [Policy on Ownership of Course Materials](#), 2003

University of California [Policy and Guidelines on the Reproduction of Copyrighted Materials for Teaching and Research](#), 1986

VII. FREQUENTLY ASKED QUESTIONS

Not applicable

VIII. REVISION HISTORY

This policy was reformatted into the standard University of California policy template effective June 1, 2012.