Fact Sheet

Privacy and Remote Teaching and Learning

The shift to remote teaching and learning introduces potential privacy issues around video conferencing and recordings. This fact sheet provides guidance to instructors on how to manage privacy concerns while teaching remotely.

In accordance with Ontario's *Freedom of Information and Protection of Privacy Act* (FIPPA), Queen's University must collect, use, disclose, retain, and dispose of personal information in a manner consistent with the legislation. Information within the institution must also be managed in accordance with University policy and guidelines. Instructors should be familiar with the following:

- Access to Information and Protection of Privacy Policy

- Privacy Breach Protocol

- Records Management Policy

Asynchronous teaching and learning

Instructors may choose to use pre-recorded content for asynchronous teaching and learning. These recordings might consist of content created and pre-recorded by instructors including full lectures, short lecture segments, or lab demonstrations, that can be viewed by students at any time; or content created and pre-recorded by students including oral presentations, group discussions, or oral examinations.

At Queen's, course materials, including pre-recorded content, are the property of the instructor unless otherwise stated. Expectations should therefore be set with respect to students accessing, using, and copying pre-recorded content. Additional copying or sharing can be a **copyright violation**, and, with respect to student material, a **privacy violation** as well.

> **COPYRIGHT**
> Contact the Copyright Advisory Office for more information, including how to Protect your Course Materials.

Synchronous teaching and learning

When using video conferencing for synchronous teaching, instructors should maintain an awareness of the confidentiality of those classes, tutorials, or meetings. Use the tools authorized by Queen's (MS Teams, Zoom) and seek IT support to ensure they are configured with the proper privacy and security settings.

Take note of these tips for enhancing confidentiality:

- Consider whether others in the physical teaching/learning space are able to overhear confidential conversations and adjust accordingly.

- Be mindful that while many devices allow for enabling video, some students may prefer to participate using voice only, or to obscure the background of their meeting space. Students should not be required to turn on their webcam unless there is a demonstrated need to do so (e.g., for assessment purposes).

- Avoid recording synchronous classes or meetings unless there is a compelling reason to do so. Is recording necessary for student evaluation (e.g., grading based on class participation within the full class or break-out groups), or another requirement to evaluate student performance in real-time? Is recording necessary for accommodating students with unreliable computer or internet access?

- Unless there is a compelling reason to do so (e.g., for an accommodation need), students are not allowed to make their own recordings of the class, tutorial, or meeting, or to take screenshots. Recordings contain the personal information of other students and would constitute a privacy violation.

- **Instruct students at the <u>beginning of each class</u> with respect to the expectations about recordings.**

When recording ensure the following:

- You are familiar with the platform being used, including how to enable security and privacy safeguards. See the FAQs on [Recordings Online Classes and Meetings](#) for details on privacy settings. Additional assistance and resources can be accessed through [Queen's ITS online tutorials](#).

- You ensure that the platform settings prevent recording on the platform by anyone other than yourself.

- You notify participants BEFORE beginning to record followed by a statement about recording the session **after** the recording has begun, to document the announcement.

- Only consenting participants (e.g., students, guest speakers, TAs) who have elected to take part in the class, tutorial, or meeting are captured in the recording.

- Your work area is "clean" so that nothing personal, private, or copyrighted (e.g., pictures, artwork, etc.) is visible and subject to inadvertent recording.

Post a notice of recording:

- If a course includes recording, instructors should display a Notice of Recording before the course begins; this allows students time to express their concerns directly to the instructor in private, rather than having to raise their concerns during a class in the presence of others.

- The notice should be displayed prominently within onQ and/or in the syllabus (see the Appendix for recommended wording). Instructors should also verbally describe recording activities at the outset of the course and announce the intention to record at the beginning of every class, tutorial or meeting that is to be recorded.

Retention and disposal of recordings:

- Recordings (and transcriptions where they exist) containing the personal information of students that is more than simply their names or faces (e.g., where students engage in discussion or make a presentation) must be retained for a **minimum of one year** after use in accordance with FIPPA, s. 40 (1). After one year, recordings should be disposed of in accordance with the university's authorized records retention schedules.

- When recordings (and transcriptions) are disposed of, all reasonable steps need to be taken to ensure they cannot be retrieved. If you are unsure of the proper process for doing so, seek assistance from ITS.

Questions

If you have questions about privacy or protecting records containing personal information, please contact the Records Management and Privacy Office. Technology questions should be directed to the Queen's IT Support Centre.

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APPENDIX: NOTICE OF RECORDING

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If you plan to record your synchronous (live) classes or meetings and make the recordings available to students in your course afterwards, include the following statement in your syllabus. Customize as appropriate.

Recording Synchronous (Live) Classes

Synchronous (live) classes will be delivered in this course through a video conferencing platform supported by the University [MS Teams, Zoom]. Steps have been taken by the University to configure these platforms in a secure manner. Classes will be recorded with video and audio (and in some cases transcription) and will be made available to students in the course for the duration of the term. The recordings may capture your name, image or voice through the video and audio recordings. By attending these live classes, you are consenting to the collection of this information for the purposes of administering the class and associated coursework. If you are concerned about the collection of your name and other personal information in the class, please contact the course instructor to identify possible alternatives.

To learn more about how your personal information is collected, used and disclosed by Queen's University, please see the general Notice of Collection, Use and Disclosure of Personal Information.