

FERPA and Lecture Capture and Audio/Video Recording FAQs

As classroom technologies continue to advance, more instructors are utilizing video and audio recordings of class sessions and student projects. Recordings are sometimes used to allow students to watch a missed class session, to review an earlier session, to share with next year's class, to incorporate into other online courses, or for accreditation purposes. Depending on how the recordings are created or edited, they may constitute educational records that are protected under the Family Educational Rights and Privacy Act (FERPA) -- the federal student privacy law. This guidance explains acceptable practices for utilizing video and audio recordings in the classroom setting.

The FAQs below contain some specific questions that we have received from the CWU community. Additional information about photos, video, and audio recording under FERPA can be found on the US Department of Education [FAQs on Photos and Videos under FERPA](#).

- Are video or audio recordings of classroom lectures a protected student record?

If a recording includes only the instructor, it is not a student record and FERPA does not limit its use. If the recording includes students asking questions, making presentations or leading a class (other than TAs), and it is possible to identify the student, then the portions containing recordings of the student do constitute protected educational records. Educational records can only be used as permitted by FERPA or in a manner allowed by a written consent from the student.

- If the professor wants to allow access to a video (that includes student participation) to others outside of the class, is this permitted?

Possibly. There are several ways to use recordings that include student participation.

The instructor or CWU may obtain individualized FERPA consents from the students in the recording which allow use of this portion of the recordings. This type of consent can be obtained on a case-by-case basis or from all the students at the outset of a class. A form template is available by contacting the CWU Registrar.

Recordings can be edited to either omit any student who has not consented to the use of their voice or image, or be edited to de-identify the student in the recording (which can include avoiding or removing any mention of the student's name, blurring the student's image, altering voice recordings, etc.).

Recordings can also be planned so that students (such as those asking questions during a class) are not shown in the video or referred to by name (another way to de-identify the student).

- May a recording that includes student participation be posted for other class members to view or listen to?

Yes. If access is limited to other students in the class, FERPA does not limit or prevent its use and does not require obtaining a written consent. This allows instructors to create access for students in the class to watch or re-watch past class sessions.

- What is the easiest way to comply with FERPA if I am video recording my class sessions and students will be asking questions and doing presentations?

Plan the recordings so that they do not show students who are asking questions, don't refer to the students by name, and avoid repeating the student's question in the recording (de-identifying the students removes the need for a specific consent from each student depicted). If a student happens to appear on camera, their identity can be edited out or a written consent can be obtained.

Because student presentations make it more difficult to de-identify the student, the instructor and CWU should obtain a FERPA consent from the student making a presentation. For any video projects, such as student-made films, you should obtain a written consent.