

Guidance on streaming and recording of teaching at the Faculty of Health Sciences

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1. Introduction

As a result of an increase in the use of digital teaching, the conditions for live streaming and recordings of teaching have become essential for lecturers and students. This guide is about how you as a lecturer should deal with live streaming and recordings of lectures in relation to GDPR and copyright and in relation to itslearning, which is the platform at SDU where recordings can be made available to students. The guide will be regularly updated.

2. Short explanation

The main points below can be summarized as follows: First and foremost, as a lecturer, you have the copyright to recordings of your lectures, cf. the Copyright Act, and you can delete and correct your recordings. Students are not allowed to record lectures or share recordings of lectures without your and fellow students' consent. If only you as a lecturer appear on the recording, there are considerations for GDPR on your own behalf and general consideration for copyright in relation to other people's materials. If there is someone other than you on the recordings – but the recordings are part of an organized course – the recordings can be uploaded to the relevant course room in itslearning without you having to obtain consent from the participants. If you wish to make a recording available outside the itslearning course room, the consent of the persons appearing in the recording is required.

3. Concepts

Below is a review of how the listed concepts should be understood in this document.

Streaming: Used as a common concept and should be understood as an opportunity to follow the teaching online, i.e. as a transmission of media content over the Internet to computers and mobile devices. This can be done as:

- Live streaming: The transmission takes place in real time / synchronously and can be followed via computers and mobile devices.
- **Recording:** A digitally stored media content that can be played asynchronously. Media content can come from different sources. The lecturer's ability to record content depends on the individual platform (Zoom, Teams, etc.) and the teaching situation.

Course room in itslearning: An online course room that represents a specific course and which the teacher and the participating students have access to via SDU's e-learning platform, itslearning. Here, the lecturer can share a link to live stream of the teaching and share recordings.

4. Recordings as a learning tool

SUND recommends lectures to include digital learning elements where it makes good academic and pedagogical sense, because recordings of the lecture can be valuable for the students in their learning process. Lecturers are



encouraged to share recordings of lectures in the associated course rooms on itslearning. Examples of lecture formats that are not suitable for admission are by including many activating elements or where sensitive content is used in the teaching material.

5. Consent

5.1 Live-streaming

The lecturer has a duty to inform students that live streaming is taking place. The lecturer must allow students to sit outside the camera (in case of physical presence) or turn off the camera (for online participation). If there is no recording of the lecture, there is no requirement for consent from the participants. The lecturer is encouraged to point out that the students are *not* allowed to record the lecture. See Appendix 1, for example, on text that can be used in the course room as well as at the start of the teaching.

5.2 Recordings in which only the lecturer appears

If the lecturer records the lecture where no one or only the lecturer him-/herself appears in the picture (incl. voice, name, etc.), it is the lecturer who decides how the material is used. However, if material is displayed – pictures, slides, text excerpts, etc. – the lecturer must be aware of other people's copyrights. In addition, the lecturer has full control over the recorded materials, including a decision on whether the students can share the recording. Thus, the GDPR should only be considered on your behalf when there are no other persons involved.

5.3 Recordings in which others appear

If the lecture is part of an organized course, and recordings thereof are placed in the associated course room in itslearning, where only students, lecturers and secretaries associated with the subject have access, the consent of the students to record the lecture does not need to be obtained. On the other hand, the recordings may not be made available to anyone other than the participants associated with the course room in itslearning.

As a lecturer, you must always make the students aware that the lecture is being recorded. This can be accommodated by writing it in the course room in itslearning so that everyone sees it when they log on. It must be stated that the content remains in itslearning and is not shared with anyone other than the participants associated with the itslearning course room. See Appendix 1, for example, on text that can be used in the course room as well as at the start of the lecture.

5.3.1. Students' ability to be invisible and at the same time participate actively during streaming

If it is in-person classes that are live-streamed or recorded, the lecturer must give the students the opportunity to sit where the camera is not filming or recording. In the case of oral questions from students who do not wish to be recorded, it is agreed whether to write down their questions or pause the recording.

The same goes for hybrid teaching, where some students are present in person while others follow along online. Similarly, if hybrid teaching sessions are recorded, the lecturer must give the students the opportunity not to be visible and participate actively during the recording. The lecturer meets this requirement by referring to the fact that online participants can mute video and audio. In case of any questions from online participants, it is agreed whether and in what form there is an opportunity to ask questions and who may be keeping an eye on the chat.

5.3.2 The online meeting room

Recommended settings for recording an online meeting in Zoom are listed in Appendix 2. By using these settings, the participants' names will *not* appear on the recording.



5.3.3. Active participation in particular

If the curriculum requires active learning participation with presentation, the student must make his or her presentation, even if live streamed and recorded. It is the lecturer who decides whether a presentation should also be recorded and placed in the course room at itslearning, where there is only access for the participants in the course incl. lecturer and secretaries.

5.4 Recordings used within SDU, but placed outside the course's course room in itslearing.

Under special circumstances, there may be a need for lectures to be recorded and used internally at SDU, but outside the course room in ITSL. This may be if the lecture takes place across several locations, where the students must participate in the same exam. Likewise, if a lecturer has to conduct the same course at different locations.

Here, you do not have to obtain consent from the students, even though the students on the recording can be identified.

On the other hand, students and other users of the recording must be informed of the following:

- Who gets access to the recording
- Where the recording is located (storage)
- How long the recording is stored (deletion date)
- The purpose of the recording, e.g. to be used in other course rooms, the recordings availability to other lecturers (on the course xxx) and students (studying "education").
- Where students can place themselves or how they can ask oral questions if they do not wish to appear on the recording.
- Identity and contact details of the data controller (the lecturer) and his/her representative, if any,
- Contact information for SDU's Data Protection Officer (DPO)

It is recommended that the students are informed about the above in the course room in itslearning and as part of the introductory lecture for the overall course. In addition, a note is encouraged to be hung on the door of the room, displaying the same information.

After the lecturer has given information about the above, the lecturer can use the recording for the stated purposes.

It applies to the students that they are never allowed to record lectures themselves or share recorded lectures from a course room in itslearning without the consent of the lecturer and the fellow students.

See Appendix 1, for example, on text that can be used in the course room as well as at the start of the teaching.

5.5 Recordings placed outside the course room in itslearning and where the application requires the consent of students

If you wish to make recorded lectures, in which students can be identified, available outside the course room of the associated course in itslearning, and the application does not fall under Article 6(e) of the Regulation, the consent of the student(s) who is identifiable in the recording is required. The consent implies that the persons concerned appear in personally identifiable form on the recordings.

There are no formal requirements for the design of the consent. At the beginning of each class, the lecturer can show the consent content below and ask students who are in the recording to clearly state – orally (in the



recording) or in writing – that they have understood that they are included in the recording, which may then be used for the stated purpose.

The consent must state the following:

- Who gets access to the recording
- Where the recording is located (storage)
- How long the recording is stored (deletion date)
- The purpose of the recording, e.g. that it is for teaching purposes in a semester, public publication, etc.
- Identity and contact details of the data controller (lecturer) and his representative if any;
- Contact information for <u>SDU's Data Protection Officer</u> (DPO)
- The right to ask the data controller for access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing, as well as the right to data portability
- The right to withdraw consent at any time
- The right to lodge a complaint to the Danish Data Protection Agency incl. contact information for this

Once the lecturer has obtained consent, the lecturer can use the recording for the stated purposes.

It applies to the students that they are never allowed to record the lecture themselves or share the recorded lecture from a course room in itslearning without the consent of the lecturer and the fellow students.

Anyone who has given consent to participate in a recording may withdraw his or her consent. If the recording of a lecture is available outside the course room in itslearning, the lecturer must remove that recording if consent is withdrawn.

See Appendix 1, for example, on text that can be used in the course room as well as at the start of the lecture.

6. Deleting and editing recordings

6.1 Which recordings should be deleted and when

For reasons of storage limitation, recordings must be deleted when they are no longer relevant and if they were part of an organized course where specific people can be identified, and consent has not been obtained. Recordings shared in a course room in itslearning become unavailable at the latest when the course room is deleted 4 years after creation. Owners of the recordings are obliged to delete the recordings from their own archives (incl. Mymedia) no later than immediately afterwards. However, for data minimization, it is encouraged that a deletion tag be inserted (see section 6.2) so that the recordings are deleted immediately after the time of re-examination. If consent has been given for the recording to be used or no persons appear on the recording, there is no requirement for deletion.

It is the lecturer's responsibility to ensure that the material is deleted, as he or she is the data controller.

6.2 Semiautomatic deletion of recordings uploaded to Mymedia

By inserting a delete tag after uploading the recording to Mymedia, SDU IT ensures that the recording is deleted at the specified deletion time. It is the data controller's responsibility that the recordings are tagged correctly so that recordings are legally deleted. The delete tag should contain the following three things:



- 1. #delete.
- 2. Year (the year the recording must be deleted, NB: Retention obligation for exam submissions).
- 3. Semester (spring or fall).

The delete roof is inserted without spaces and in lowercase. Two examples include:

- 1. Recording to be deleted in the spring semester 2023 (31/8-2023): #delete2023spring
- 2. Recording to be deleted in the fall-semester 2025 (31/1-2026): #delete2025fall

6.3 Can I delete and edit the recordings in the itslearning course room?

A lecturer can always edit, correct, and delete the lecture material in an itslearning course room. The lecturer has the right to do so in the current course room in the current semester.

7. Summary of the relationships between consent and deletion policy

	Consent requirement	Requirement to delete recording
Recording only in-	None	None
cluding the lecturer		
Recordings of others,	None	Yes.
but published to the		Deleted from the media library
associated course		(+ course room) if delete tag is
room in itslearning		applied upon upload (recom-
		mended).
		Deleted from the course room at
		the latest when the course room
		is deleted 4 years after creation.
		Must then be manually deleted
		from the owner's media library.
Recordings of others	Yes	Yes, if consent is withdrawn
published outside the		
itslearning course		
room		

8. Links to the online meeting

Links to live streaming and/or the online meeting room are recommended to be shared via the itslearning course room. The link may not be shared with anyone other than participants who are affiliated with the course and thus the course room in itslearning.

9. Student obligations

The students may neither record lectures nor share the lecturer's recordings, which are uploaded or published in a course room in itslearning, without the lecturers and the fellow students' consent. Likewise, students may not disclose links to live streaming or online meeting rooms to people who are not affiliated with the itslearning course room.



If students record or share recordings without consent, it is a violation of the university's code of conduct and an infringement of the lecturer's copyright. Violations of the rules of conduct are handled by the Rector's Office in the Central Administration. The sanctions range from a warning to 1/2 year of expulsion. If repeated, there may be a permanent expulsion from SDU. If a recording of a lecture or sharing of material is registered without consent, the lecturers must contact the faculty's <u>GDPR coordinator</u>, who will assist in reporting the matter to the Rector's Office.

It is recommended to highlight the students' obligations and especially in the first semesters. Inspiration for consideration in this regard can be found in Appendix 1 (text proposal) and Appendix 3 (Code of conduct during streaming).

10. Put stamp on your recordings

It is a good idea that you as a lecturer stamp (tag) your recordings so that it is clear who made the recording, where and when it was recorded, etc. Unfortunately, it is currently not possible to make an automatic tagging of recordings, but a simple way to stamp material is to insert a slide in the recording, where the lecturer's name and date of recording of the teaching are stated.

For information, an SDU watermark has been added to the player in Course Media Gallery as well as in the player used when embedding videos in itslearning. The watermark means that SDU's logo appears on the recording throughout the playback.



11. Links to pages relevant to streaming classes

- Personal data in connections with teaching: <u>https://sdunet.dk/en/servicesider/digitalisering-og-it/data-beskyttelse/undervisning/afvikling-af-undervisning</u>
- Data protection and information security for lecturers: <u>https://sdunet.dk/en/servicesider/digitalisering-og-it/databeskyttelse/undervisning</u>
- Information for students about "Recordings of teaching" (see sand-colored spot): <u>https://mitsdu.dk/da/mit_studie/bachelor/klinisk_biomekanik_bachelor/uddannelsens_op-bygning/fagbeskrivelser</u>
- Copyright (Library Guide): <u>https://libguides.sdu.dk/copyright</u>
- Copyright Act (Legal Information): <u>https://www.retsinformation.dk/eli/lta/2014/1144 (</u>in Danish)
- Copyright in educational material produced by the Committee for the Protection of Scientific Work (interest group): <u>https://www.ubva.dk/hvem-har-ophavsretten-til-undervisningsmaterialet-underviserne-ellerinstitutionerne-2/ (in Danish)</u>
- Contact information of SUND's GDPR coordinator: <u>https://sdunet.dk/en/servicesider/digitalisering-og-</u> <u>it/databeskyttelse/kontakt-hovedside-koor</u>
- Contact information for the faculty's e-learning team: sund-elearn@health.sdu.dk



Appendix 1. Text suggestions for course rooms and slides

Text for use in connection with "duty of disclosure" in the course room in itslearning and as an introduction to the lecture ("first slide")

Live streaming WITHOUT recording (duty of disclosure)

Keep the following in mind:

- Links to the lecture may *not* be shared with anyone other than participants/fellow students associated with this course room.
- The lectures are live streamed but not recorded. It is also not allowed to record the lecture in any other way.
- As a student, you may appear with picture and sound on the live stream, unless you place yourself outside the camera angle [specify where in the room they sit outside the camera angle or specify: inquire with the lecturer in question if it is changing rooms etc. on a course] or appear anonymously in the online meeting room. Any questions can be asked in the chat or via fellow students [can be adjusted so that it fits with how you as a lecturer want the communication to be, but it must be possible for everyone to participate actively, regardless of whether they want to be visible during the stream or not].

Live streaming with recording, where students participate – including physically – and where the recording is shared in the course's course room (duty of disclosure)

Keep the following in mind:

- Links to the lecture may *not* be shared with anyone other than participants/fellow students associated with this course room.
- The lecturer ensures that the lecture is recorded in order to subsequently be able to share it with the participants associated with this course room for pedagogical and didactic reasons [or specify other relevant purposes, e.g. for educational purposes in a semester / to ensure that the lecture is offered to all students of the course / to offer flexible, modern and up-to-date teaching]. It is not allowed to record the lecture in any other way.
- As a student, you may appear on the recording with picture and sound, unless you place yourself outside the camera angle (inquire with the lecturer in question) or appear anonymously in the online meeting room. Any questions can be asked in the chat or via fellow students. *[can be adjusted to fit with how you as a lecturer want the communication to be, but it must be possible for everyone to participate actively, regardless of whether they want to be visible during the streaming or not].*
- The recording will subsequently be made available here in the course room at itslearning and thus only be available to participants associated with this course room.
- It is illegal to download the recording and to share it with anyone other than the participants associated with this course room.
- The recording is stored by SDU in accordance with SDU's privacy policy. The recording is available in the course room until [insert date cf. delete tag (recommended, see section 6.2) or insert date for when the lecturer/owner of the recording manually ensures deletion"].
- The recording was based on Article 6(1)(e) of the Danish Data Protection Act and sections 1 and 18 of the Danish University Act.
- You can read about SDU's privacy policy here:
 - o Data protection at SDU: https://www.sdu.dk/en/om_sdu/om_dette_websted/databeskyttelse
 - o GDPR for students: <u>https://mitsdu.dk/en/gdpr</u>



Live streaming with recording, where student participants – including physical – and where the recording is shared with a predefined group within SDU (duty of disclosure)

Keep the following in mind:

- Links to the lectures may *not* be shared with anyone other than participants/fellow students associated with this course rooms.
- The lecturer ensures that the lecture is recorded in order to subsequently be able to share it with the participants associated with this course room and with [specify who, e.g. lecturer associated with a specific course, students associated with a specific subject / education...]. It is not allowed to record the lecture in any other way.
- The purpose of the recording is [specify purpose, e.g. to be used in a specific course, to ensure equal conditions for all students, to share the lecture material with relevant lecturers associated with the "course" and students on "education"].
- As a student, you might happen to appear on the recording with picture and sound, unless you place yourself outside the camera angle (inquire with the lecture in question) or if attend anonymously in the online meeting room. Any questions can be asked in the chat or via fellow students. *[can be adjusted to suit how you as a lecturer want the communication to be, but it must be possible for everyone to participate actively, regardless of whether they want to be visible during the stream or not. If the link to the teaching is not shared, the line related to "Chat" should be deleted].*
- The recordings are stored and disseminated via Mymedia, a media server that is integrated into SDU's e-learning platform itslearning and where accessibility can be targeted at selected people and selected courses.
- It is illegal to download the recording and also to share it with anyone other than those listed above
- The recording is stored by SDU in accordance with SDU's privacy policy. The recording is available in the course room until [insert date cf. delete tag (recommended, see section 6.2) or insert date for when the lecturer/owner of the recording manually ensures deletion"].
- The admission was based on Article 6(1)(e) of the Danish Data Protection Act and sections 1 and 18 of the Danish University Act.
 - You can read about SDU's privacy policy here:
 - Data protection at SDU: <u>https://www.sdu.dk/en/om_sdu/om_dette_websted/databeskyttelse</u> GDPR for students: <u>https://mitsdu.dk/en/gdpr</u>
- Contact information for <u>SDU's Data Protection Officer</u> (DPO): <u>dpo@sdu.dk</u>

Live streaming with recording, where students participate – including physically – and where the recording is shared outside the course room (obtaining consent)

Keep the following in mind:

- Links to the lecture may *not* be shared with anyone other than participants/fellow students associated with this course room.
- The lecturer ensures that the lecture is recorded in order to subsequently be able to share it with the participants associated with this course room and with [specify who, e.g. people associated with SDU, people who download via link on xxx, the recording is freely available via...]. It is not allowed to record the lecture in any other way.
- The purpose of the recording is [specify purpose, e.g. for inspiration for external partners/international students].
- By sitting in an area in which the recording is made, you consent that the recording can be used in accordance with the stated purpose. It will be possible to place yourself outside the camera angle (check



with the lecturer in question, where this is) or appear anonymously in the online meeting room. [This is important information that must subsequently be documented.]

- If you do not wish to appear on the recording, any questions can be asked in the chat or via fellow students.
- The admission will subsequently be made available here in the course room at itslearning as well as [specify where]
- The recording is stored by SDU in accordance with SDU's privacy policy. The recording is available in the course room until [insert date cf. delete tag (recommended, see section 6.2) or insert date for when the lecturer/owner of the recording manually ensures deletion"].
- The recording is based on Article 6(1)(a) and (c) of the Danish Data Protection Act and sections 1 and 18 of the Danish University Act.
- Participation is voluntary and if you wish to withdraw your consent, you can contact us at any time: [name of the lecturer/data controller and contact information]
- Contact information for <u>SDU's Data Protection Officer</u> (DPO): <u>dpo@sdu.dk</u>
- You have the right to insight into the information we store and process about you. In addition, you have the right to object to the data processing, to have incorrect information corrected or deleted and to have the processing of your information restricted.
- You can complain about the processing of your personal data to the Danish Data Protection Agency, Carl Jacobsens Vej 35, DK-2500 Valby, telephone number 33 19 32 00, or by e-mail: <u>dt@datatilsynet.dk</u> [Please check if contact information is updated: <u>Datatilsynet</u>]
- You can read about SDU's privacy policy here:
 - o Data protection at SDU: <u>https://www.sdu.dk/en/om_sdu/om_dette_websted/databeskyttels</u>
 - o GDPR for students: <u>https://mitsdu.dk/en/gdpr</u>

Regarding patient information

• If you plan to use personal data such as sound or image from a source outside in the lecture, e.g. in connection with a patient case, this requires explicit consent from the person concerned. The consent must also include consent to streaming/recording of teaching – and it must be obtained before the teaching.



Appendiz 2. Zoom

Recommended settings in relation to the participants' names not appearing during streaming and that no audio file is saved, as this is often unnecessary.

Cloud recording

Allow hosts to record and save the meeting / webinar in the cloud

Record active speaker with shared screen

Record gallery view with shared screen

Record an audio only file

Save chat messages from the meeting / webinar

Advanced cloud recording settings

Display participants' names in the recording

Record thumbnails when sharing ⑦

Optimize the recording for 3rd party video editor ⑦

Save panelist chat to the recording ⑦

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Appendix 3. Code of conduct during streaming

Alignment of expectations between lecturer and student - for example

- Inform about what it means for students and lecturers to be ready as a lecture starts
 - The duty of disclosure has been fulfilled and information about voluntary consent has been given.
 - You are familiar with the guidelines for a safe and secure learning environment (sandy spot: <u>Re-</u> <u>cordings of teaching</u>) [The link can be adjusted to the correct study page as needed]
 - You have the lecture materials ready
 - Students and lecturer's must be logged in at the start of lecture and with a webcam turned on for those participating online. However, there may be situations where it is more appropriate to turn off the camera – this is agreed between the lecturer and the student
- There must be silent around the students and the lecturer it gives everyone the opportunity to concentrate on the lecture:
 - For online participants:
 - The microphone muted when you are not speaking
 - In agreement with the teacher, use the chat or the 'raise hand' function to mark that you have a question or comment
 - Avoid doing things on screen that are distracting and take the focus away from the teaching

 for you and for others.
 - Don't do things that you wouldn't do if lecture were in-person on campus
 - o For attendees:
 - Don't disturb unnecessarily when the lecturer speaks
 - Raise your hand to mark when you have a question, use a microphone to ask the question (alternatively, the teacher can repeat the question)

Encourages students to communicate with and give constructive feedback to the lecturer if there is something in the digital teaching / in the streaming that works less well. Ask the students to ask questions and provide feedback in the actual teaching situation. Alternatively, recommend other communication channels to receive student feedback on the lectures.