

Grace Guidance for Faculty: Cameras, Recording, and Proctoring Las Positas College November 5, 2020

The following document is purposefully titled a “Grace Guidance” intended to encourage and assist faculty with making decisions based on an extension of grace to our students, recognizing the importance of equity and access for all students. This document does not intend to address all questions which may arise while teaching a class, whether in person or online. This is considered a living document and may be modified based on updated legal guidance and additional questions asked and answered.

Requiring cameras-on during synchronous online classes

There is no express prohibition against faculty requiring students to have their cameras on for live online synchronous classes.¹ Nevertheless, we encourage faculty to exercise grace when applying an indiscriminate cameras-on requirement recognizing students may be unable or uncomfortable sharing their current location in the background. We recognize the many benefits of being able to see students’ faces during online lectures and gauging the interest and retention of material being presented. However, there are also unintended consequences of pursuing an indiscriminate cameras-on requirement, including risks of violating “student privacy rights under the California Constitution, and potentially other federal and state privacy and civil rights laws.”²

There is a reasonable basis to adopt a carefully tailored cameras-on requirement when audio and visual participation is essential to instruction. For example, a cameras-on requirement for a specified period of time may be necessary to evaluate a student learning outcome. When audio and visual student participation is essential, faculty should provide adequate notice to students, clearly identify the essential nature of video for instruction, encourage the use of virtual (electronic video) backgrounds, and create a confidential “opt-out” mechanism that allows a student to decline video participation during the synchronous online class.

In all circumstances, faculty are discouraged from making comments on personal items and effects visible by camera that may be found in the student’s remote study area.

Recording synchronous online classes

¹ Legal Opinion 2020-12: Online Class Cameras-On Requirements, California Community Colleges General Counsel, October 19, 2020

² Id

There is no requirement for faculty to record synchronous online classes. Nevertheless, faculty should extend grace to themselves and students and consider (i) the convenience of student schedules; (ii) the ability to fully concentrate depending on the student's physical location during class; (iii) unstable or weak internet connections during class; and (iv) equity and access when deciding whether to record classes for student learning. Faculty should not record the synchronous lecture for one section of a course to share with another section of a course.

When faculty decide to record classes it is important that students are made aware the sessions is being recorded and the student has the ability to "opt-out" without penalty of having his or her name or likeness being recorded. Further, the faculty should also consider the safety and security of hosting the video recording online to protect the privacy rights of all students.

Per Board Policy 5500, students may not take screenshots or record synchronous online classes or make "unauthorized recordings of any academic presentation in a classroom or equivalent site of instruction".³

Online proctoring of exams and assessments

Faculty should emphasize the College's academic integrity policy located [here](#). Faculty are allowed to use proctoring software to provide assurance of integrity during online exams and assessments. The College has existing Academic Integrity Supporting Software listed [here](#). Faculty are encouraged to learn more about the following software: Proctorio, a remote proctoring tool integrated into Canvas that helps maintain the academic integrity of online exams; Turnitin, an anti-plagiarism service integrated into Canvas that checks student papers against public web sites, academic databases, and previously submitted student papers to Turnitin; and Maxient, an online tool for faculty to submit violations of the standards of student conduct including academic dishonesty.

In an effort to extend grace to ourselves and our students, faculty are encouraged to consider alternatives to online proctoring software due to concerns such as compromised privacy, increased student anxiety, technical failures, and lack of equitable access to technology and appropriate testing spaces.

Faculty may implement alternative practices to ensure academic integrity such as (i) prioritize critical thinking questions over rote memorization; (ii) consider open book/notes exam formats; (iii) shuffle questions and answers when using publisher test banks, and (iv) create timed exams.

Additional questions

The College recognizes faculty are teaching in unprecedented times and additional questions may arise. Faculty are strongly encouraged to share best practices among each other for

³ Administrative Procedure 5500 - Standards of Student Conduct

demonstrating grace. Faculty are also encouraged to consult and brainstorm ideas with the Deans or the Vice President of Academic Services.

Extending grace is an art, not a science. We trust this memo provides a reasonable framework for faculty to make decisions that put students first.