Office of the General Counsel
777 Glades Road, ADM 370
Boca Raton, FL 33431
tel: 561.297.3007
fax: 561.297.2787
www.fau.edu

TO: Bret Danilowicz, Provost and Vice President, Academic Affairs

FROM: Office of the General Counsel

DATE: July 13, 2021

SUBJECT: Guidance on Student Recordings of Class Lectures

GUIDANCE ON STUDENT RECORDINGS OF CLASS LECTURES

Under a new law recently enacted by the Florida Legislature, a state university student may, without
prior notice, audio or video record a class lecture for a course in which the student is enrolled if the
recording is for one of the following purposes:

 (a) personal educational use of the student;
 (b) in connection with a complaint to the university where the recording is made; or
 (c) as evidence in, or in preparation for, a criminal or civil proceeding.

A recording of a class lecture may not be published without the consent of the lecturer, except it may be
shared with university officials in connection with a complaint to the university or as evidence in a
criminal or civil proceeding. Violation of this provision may subject the student to disciplinary action by
the university and/or to legal action by a person injured by the publication.

For purposes of understanding the new statute, a class lecture is defined as a formal or methodical oral
presentation as part of a university course intended to present information or teach students about a
particular subject. A class lecture will occur most often in a course identified by the university as a lecture
type course, whether online or in-person, as opposed to a lab course or a course section identified as a
discussion section. Class lecture does not include student presentations (whether individually or as part
of a group), class discussion (except when incidental to and incorporated within a class lecture), labs,
clinical presentations such as patient history, academic exercises involving student participation, test or
examination administrations, field trips, and private conversations between students in the class or
between a student and the lecturer.
published

without the faculty member’s written permission, and it is not in connection with a complaint to the
university or as evidence in a criminal or civil legal proceeding, the student could face severe legal and/or
disciplinary consequences. Florida law allows an injured party to sue for damages, including attorneys’
fees, totaling as much as $200,000.00. Failure to adhere to these requirements may also constitute a
violation of the University’s Student Code of Conduct and/or the Code of Academic Integrity.

Does this law change how students may behave in the classroom?

No, students must adhere to classroom behavioral expectations while recording. A student who disrupts
the learning environment while recording a lecture may violate the student code of conduct.

Are there any other reasons a student may record?

Recording a lecture or other class activities may be a part of an accommodation granted by Student
Accessibility Services (SAS). If that is the case, faculty will be contacted by SAS about these
accommodations.

Is there language that may be included in the course syllabus?

The following model language is suggested for inclusion in course syllabi, at the discretion of individual
faculty:

“Students enrolled in this course may record video or audio of class lectures for their own personal
educational use. A class lecture is defined as a formal or methodical oral presentation as part of a
university course intended to present information or teach students about a particular subject.
Recording class activities other than class lectures, including but not limited to student presentations
(whether individ5(i)10(n5wlgu)-4(re)7(s5 Tm
0dF] TJ
8e)-25(is)-22(su)-3(ggese)8( )3,Tm
0 g
0 G
[(0 612 792 re
W* n
BT
)9srular 0 G
),4(.
)9(in)-4(c)3374( )-23(i)10exns

Aclass ac(od)-7(el4)-23(lan
W* wd)-7S-293(t)-4iolamay2 792 re
W* n
13(g
q
0u)-(f)-4(5)8t)-4( )-3e ylbtlec3TJ
ET2 79lpf0912lr ed ethodclass ac-4( )-834(g)-2(a)9
univer