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Sent: Wednesday, December 16, 2020 2:04 PM
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Subject: College Council Recommendation 20-02: Student Recordings and Required Use of Cameras and Microphones



Memorandum

To: Dr. Tracey Smith-Bryant, College Council Chair
From: Dr. DeRionne P. Pollard, President
Subject: **College Council Recommendation 20-02: Student Recordings and Required Use of Cameras and Microphones**
Date: December 16, 2020

Thank you and all the members of the College's participatory governance system for your leadership in considering issues of importance to the Montgomery College community. I have reviewed the College Council's recommendation 20-02: Student Recordings and Required Use of Cameras and Microphones that the College Council voted to move forward to the president on November 10, 2020. The document presented to me by the College Council is attached.

The remote teaching and learning environment has presented unique challenges for the College to address. Certainly, we encourage all faculty and staff to use best teaching and learning engagement practices to ensure our students have the best learning experience possible. Thank you for your comprehensive review of the issue. Based on my review, I am approving this recommendation as following:

In general, the College encourages the use of cameras and microphones in virtual classroom settings to enhance teaching and learning. However, the College has no official policy regarding the use of cameras and microphones. Certain testing and assessment

assignments will require the use of cameras and microphones to satisfactorily complete these assignments. Students should be aware that an instructor can require this for assessment purposes.

These statements should be added to course syllabi as appropriate.

I am assigning this recommendation to Senior Vice President for Academic Affairs Sanjay Rai and Senior Vice President for Student Affairs Monica Brown to monitor additional follow-up with the Academic Regulations Committee.

Thank you for your dedicated service to Montgomery College's governance system and all of the work you do to support Montgomery College's mission and vision. Please do not hesitate to contact me if you have further questions or concerns.

Attachment

cc: Senior Administrative Leadership Team
Governance Director



Governance Recommendation

Council Name submitting the recommendation: **Faculty Council**

Council Chair: Michael LeBlanc and Tim Kirkner

Date: 11/10 /2020

Recommendation Presenter: Michael LeBlanc

Recommendation Issue or Concern: *(Provide background reasoning or justification for the recommendation.)*

Should Students Be Recorded and Required to Use Cameras and Microphones?

This document was created with the initial direction of Student Council and only speaks to the issue of required microphone and camera use. There are other issues around the SRT format that will continue to be addressed as they arise.

Student Council Vice Chair, Nasser Katamba, visited Faculty Council and reported that certain faculty were creating camera use contracts or penalizing students who turn off the camera. At least one student felt she needed to nurse her child on camera to meet this requirement, violating Title IX.

Faculty Council and academic leadership felt it was time to clarify a policy around microphone and camera use. This document was created in consultation with Dr. Kevin Long, and we greatly appreciate his support and guidance. We also appreciate the Student Council and their leadership for identifying this important issue and advocating for a clear policy. Nasser Katamba offered feedback on this document. Many faculty members offered their input and advice when putting together the documents included here.

Resolution: Faculty Council offers the following recommendations:

1. Testing and Assessment

- a) **While Faculty Council does not endorse requiring camera use, certain testing and assessments may require the use of microphone and/or camera.** However, this should be clearly outlined in the college policies, course description, and syllabus so that students understand the requirement before registering for the course and are reminded in the syllabus.
- b) **Promote Equity in Assessment:** Faculty Council recommends that the College ensures that all students have equal access to needed hardware and Internet if we require camera and microphone for assessment.

- c) Furthermore, even in testing and assessment situations, technological limitations, legitimate personal situations (medical, familial, and so on) or legal requirements (Title IX, ADA) should be considered and instructors are encouraged to be flexible to the changing needs of each student.

2. **Class Participation and Engagement**

- a) **Faculty Council does not recommend contracts or grade penalties:** Outside of testing and assessment, Faculty Council does not recommend contracts or grade penalties around microphone and camera use for two primary reasons: one, not all students have equal access to technology and this creates an inequity; two, being on video can create feelings of insecurity or anxiety in certain student populations, and this can be difficult to document through disability services.
- b) **Faculty Council recommends a conditional expectation of camera use in the classroom:** Language such as that used by Kansas State University in its Zoom policies is helpful: "Turn on your video when possible. It is helpful to be able to see each other, just as in an in-person class."
- c) **Clear College policy:** The College should outline any policy around microphone or camera use in the student code of conduct and/or academic regulations. Faculty should use a standard syllabus addendum outlining the policy. Also, a reader-friendly version of the policy should be put on the website so that students and the public can access it. Faculty will be expected to follow these college policies.
- d) **There should be the following exceptions** built into any microphone or camera use policy:
- i. **Students should be able to turn off video or microphones when they lack the technology or bandwidth** to sustain those features. Having instructors check on student technological needs frequently, perhaps while taking roll, allows instructors to be aware of student's technological needs.
 - ii. **Protect student privacy:** students should be asked to find a neutral real background (like a wall) or use virtual backgrounds to protect private spaces. Students should also turn off their microphones when they are not speaking.
 - iii. **Follow legal guidelines:** students need to be allowed accommodations based on laws like Title IX or the Americans with Disabilities Act.
 - iv. **Encourage communication and consider flexibility:** instructors should encourage students to communicate when they have personal conditions that may impact microphone or video use. Instructors may provide some flexibility when students have a legitimate excuse supported by evidence. Beginning the course with a zoom-use survey can be a way to identify issues students may have.

3. Recording Class Sessions

- a) Maryland law requires explicit or implicit student consent to be recorded. For explicit consent, instructors will need to get written or orally recorded consent from every student to record the class, or students who have not given consent will need to keep video and microphone off.
- b) However, Maryland law also allows for implicit consent. Here is how University of Maryland defines this: "Pursuant to Maryland law, you must provide verbal and/or visual notification of recording at the beginning of any meeting or class to alert the participants that 'this activity is being recorded.' **If a participant continues to participate after being notified that the activity is being recorded, their consent to recording is implied.**"
- c) Faculty Council recommends the consultation of the college's legal team when drafting this policy.
- d) If a student cannot use video or microphone because they do not give consent to be recorded, please see the appendix for a variety of alternative ways that students can participate without video or microphone.

4. Appendix: Engaging Students with or without Cameras/Microphones

- a) In the appendix of this document, instructors will find a wide variety of strategies to promote engagement and participation from your students who may not be able to use their camera or microphone on a given day. Instructors will also find strategies to create a culture of camera use in the classroom by engaging students in the process of using video in class.

Student Impact: (Explain the impact of this recommendation on MC students.)

This document was initiated by discussions with Student Council who were concerned with issues of equity and privacy raised by required microphone or camera use. The recommendations here will help protect student privacy, promote equity around students' technological limitations, and promote faculty consideration of legitimate personal issues in students' lives.

Economic Impact: (Explain cost factor or any economic impact of this recommendation, if known.)

If we do not require microphone and camera use, there is little to no economic impact. However, if we wish to require microphone and camera use, we should also invest the money to ensure that students have the proper technology and bandwidth to support those features.

Final Disposition/Recommendation: *(Complete once decision is made by College Council)*

APPENDIX: Supporting Documents

Document #1: Zoom Learning and the Use of Cameras

From Dr. Kevin Long, Deputy Chief of Staff for Planning and Policy

Following is an overview of the two options Montgomery College is considering around camera use.

Option #1: Cameras Required

- If required, then a statement or directive will be needed. This can reside in a number of places:
 - Academic Regulations (under Class Attendance)
 - Student Code of Conduct
 - Academic Catalog
 - Course Syllabi

- If required, then the College could go one of two routes:
 1. Mandatory use of an approved virtual background
 2. Optional use of an approved virtual background along with a brief FAQ on Zoom etiquette and statement on what is and what is not allowed

Regardless of 1 or 2, the College will need to provide links to approved virtual backgrounds and instructions on how to use them

- Exceptions and accommodations will need to be spelled out clearly
 - Protecting bandwidth or gig usage
 - Pausing video when not at the computer
 - Any additional ADA exceptions

- Potential Issues and Questions:
 - Recording consent – since Maryland is a state that requires consent to be recorded, if a faculty member is recording the session, will students be given an option to turn their camera off?

Option #2: Cameras Optional

- A statement regarding optional use of video can also reside in a number of places:
 - Academic Regulations (under Class Attendance)
 - Student Code of Conduct
 - Academic Catalog
 - Course Syllabi

- If optional, then the College could go one of two routes:
 - Mandatory use of an approved virtual background for those who choose to turn their camera on
 - Optional use of an approved virtual background along with a brief FAQ on Zoom etiquette and statement on what is and what is not allowed

Regardless of 1 or 2, the College will need to provide links to approved virtual backgrounds and instructions on how to use them

- Potential Issues and Questions:
 - Black box teaching – some faculty and students may find it awkward when some students have their cameras on and others do not.

Document #2: Kansas State University Zoom Policy

Syllabus Addendum: Zoom Policies

The [Kansas State University Student Code of Conduct](#) applies to online behavior as well as in-person or classroom behavior. You are expected to be professional and respectful when attending class on Zoom. The following are class policies for our meetings with Zoom. Please read carefully, these policies are effective immediately and apply for the remainder of the semester. All students are expected to adhere to the policies.

NOTE: Class meetings on Zoom (including video, audio, and chat text) will be recorded. Violations are subject to the K-State Student Code of Conduct and will be adjudicated accordingly.

General

- **Sign in with your full first name and last name as listed on the class roster.** Do not use a nickname or other pseudonym when you log in. It makes it impossible to know who is in attendance. Using your full name quickly sorts students into their groups when needed. **Users who do not provide their full names will NOT be admitted to class.**

Exceptions

- Since enrolling in class, some students have changed their names to better reflect their gender identity. If you currently use a different name than what is listed on the official roster, please send a private Canvas message so this can be noted on the roster and you can use your current name on Zoom. (If you would like to change your name officially with KSU, please see the [Name Information FAQs](#) for more information).
- If you do not have access to a computer or smartphone with internet access, call into class using a landline phone. This is not optimal; please try to locate an internet-enabled device to use for class.
- **Stay focused.** Please stay engaged in class activities. Close any apps on your device that are not relevant and turn off notifications.

If you need technical help contact the IT Help Desk at helpdesk@k-state.edu or 785-532-7722.

Video

- **Turn on your video when possible.** It is helpful to be able to see each other, just as in an in-person class.

Exceptions

- If you have limited internet bandwidth or no webcam, it is ok to not use video.

- If you're unable to find an environment without a lot of visual distractions, it is also ok to turn off your video.
- **Keep it clean.** Don't share anything you wouldn't put up on the projector in class!

Audio

- **Mute your microphone when you are not talking.** This helps eliminate background noise.
- **Use a headset when possible.** If you own headphones with a microphone, please use them. This improves audio quality.
- **Be in a quiet place when possible.** Find a quiet, distraction-free spot to log in. Turn off any music, videos, etc. in the background.

Chat

- **Stay on topic.** Use the chat window for questions and comments that are relevant to class. The chat window is not a place for socializing or posting comments that distract from the course activities. If you fill it up with random comments, I will be unable to sort through the information quickly to address students' real questions/concerns about the course.
- **No disrespect or hate speech.** Just like in our in-person class, respectful behavior is expected. Consider Zoom a professional environment, and act like you're at a job interview, even when you're typing in the chat

Document #3:

Using Video to Assess Student Attention in Virtual Class Meetings

| Don't Do This | Do This! |
|---|--|
| <ul style="list-style-type: none"> Connect students' video use and eye contact time to participation points, grading, or school attendance. Remove students from the meeting if their videos are not on. Trick students into turning on their videos (e.g., for a class dance party). Give extra credit to students who have their video on. | <ul style="list-style-type: none"> CHOICE. Let students decide whether to turn on, or keep on, their video. Allow them to use virtual or blurred backgrounds and fun filters (e.g., be a banana or potato!). https://bit.ly/virtualmtgfilters REAL-TIME CHECK-IN. Ask questions often to assess student understanding. Allow students to respond via audio or virtual meeting tools (e.g., chat box, polls, nonverbal reactions - "thumbs up"). USE DIGITAL ASSESSMENT TOOLS. Collect different types of data to evaluate ongoing learning - Answer Garden, Gimkit, Kahoot, Google Forms, Poll Everywhere, Socrative, Crowdsignal, Formative, Classkick, Ted-Ed, Playposit, Ed Puzzle, Nearpod, etc.. https://bit.ly/formassesstech |

Why Does It Matter?

PRIVACY. Students might be uncomfortable displaying their living space to their peers.

SAFETY. Students (and their family members) may not want their image captured, recorded, or shared. Students could be cyberbullied if a classmate takes a screenshot of their video.

EQUITY. Students might have unreliable Internet access, low bandwidth, devices without video capabilities, or limited access to a device.

PERSONAL. Students might feel shy or anxious to be on camera.

"But I Don't Like Teaching to Blank Screens"

Teach students to setup their Google Meet or Zoom profile picture as a bitmoji, school photo, or a favorite selfie. When the camera is off, the students' profile picture will show up, giving you a virtual audience to talk to.



Ask Before Assume

This is a challenging time for everyone. If students are struggling to show attentiveness, ask questions rather than make assumptions about their actions or punish them for lack of engagement.

Document #4: How to Engage Students in the SRT Classroom, Especially among Students Who Are Reluctant to Turn on Cameras

Context: The Germantown English & Reading Department is building a bank of possible strategies from colleagues to engage students in the SRT classroom, especially for students who are reluctant to turn on their cameras or mics.

Mary Robinson, Alejandro Leopardi, and Yeve Montgomery all contributed to this document.

1. Encourage students to sign into class using the chat box.
2. Ask open-ended questions and ask students to respond in the chat box. The chat box can be saved to add up students' participation points.
3. Develop think-pair assignments and place the students in a breakout room to share responses with a time limit.
4. Set up a submission assignment box in Blackboard and ask students to submit their responses to the activity to the submission box. The submission can be cleared, but it does let students know that you are looking at the progress of their assignment.
5. Develop a group project. Allow students time in class in breakout rooms to work on the assignment. Out of class, encourage students to place the development of the project in the MC OneDrive. Schedule a date for the students to present and use polling as the rubric. Disclaimer: Mary used this process and had the students present. The students developed their power point, and Mary made them the co-host in the class.
6. Assign an at-home assignment and assign students specific questions to work on and report out their responses the next class session. This process lets students know that, eventually, they too will be asked to report out.
7. Invite students to use a virtual screen.
8. Take roll in the beginning of the class, so that students must verbally announce that they are present. If their mics are not working, they can write that they are present in the chat. Once the professor has taken roll, make the announcement that students will receive a participation grade. If they do not respond when the professor calls on them, then they will lose participation credit for that class. Also, have students notify the professor when they must step away from their computer and notify the professor when they return to class.
9. Divide long class sessions into three parts: "home room" for logistical information, instruction (whether whole class, break-out rooms/small groups, or a combination). Start by taking attendance by verbal call-out.
10. Write down each student's name on index cards (first names/preferred names). During discussions or class activities, pick index cards at random. Because students are informed of this practice in advance, they are all

aware that they may be called on at any moment throughout the class session.

11. Use pair or group activities throughout class sessions so students are encouraged to participate. Breakout rooms work well in Zoom and are easy to monitor with minimal faculty intrusion. Faculty will also know if a student is away from his/her computer if he/she doesn't join the designated room.

Document #5: Integrating cameras into SRT pedagogy, without requiring them

By Michael LeBlanc

These recommendations are not meant to help instructors assess participation. As instructors continue to understand students' needs around privacy and technology, these are simply gentle ways of engaging students around camera use without undue pressure, penalties, or requirements:

1. Survey your students to see how many of them would like some camera use in the classroom.
2. Have a discussion with your students about what contexts they believe camera use is useful and appropriate.
3. Engage students in a conversation about how to use Zoom and what sort of Zoom etiquette they would recommend. Through discussion, create common ground rules that everyone will follow while Zoom conferencing.
4. To promote privacy, help students create an approved virtual background to conceal their private space. Have students turn off their microphones when they are not speaking.
5. Check in with your students when you take roll at the beginning of class. Gauge their technology needs, which might change from class to class.
6. Invite them to send you private chat messages to let you know if there any reasons why they can't use their microphones or video during a given class. Allow them to opt out without an excuse in case the reason is personal or sensitive.
7. When you are doing an activity where microphones or camera use seems essential (reading a poem; sharing artwork), tell them the goals around microphone or camera use during the activity, but then offer an alternative assessment if they need it based on legitimate technological or personal reasons.
8. If students cannot use microphones or videos on a given day, offer alternatives. For instance, allow them to record themselves speaking, take a picture of artwork and email it to the class, create a PowerPoint presentation, and so on.
9. Invite students to use their microphones and/or cameras whenever they offer a comment or question but explain that they can turn the cameras off again if they need to.

Document #6: Email Comments from Student Senates and Student Council

Each Student Senate and the College Council reviewed and discussed this recommendation and at their November meeting. The Student Life Directors were asked to provide a summary email of each discussion. Email responses were addressed to the Faculty Council co-chairs, the College Council chair, and the Governance Director.

Hello all,

I spoke with Dr. Ridguard this evening and she did an overview of the process for College Council recommendations and the delay that it will have if we choose to wait any longer. Based off of the immediate need to address this issue I think it is best to move forward. I have asked my Student Senate about their perspective on the issue and although they shared a lot of opinions and experiences, they really did not have a consensus on any solid recommendations of how to address the issue. The one-piece that they did have consensus about is that faculty should not create a mandate to turn on the cameras even for assessment needs.

Thank you all very much!

Sincerely,

Kimberly Jones
Director of Student Life, TP/SS

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Good morning,

I met with the RV Student Senate yesterday. They voiced student concerns about camera and microphone requirements mandated by some professors. However, the overwhelming response was that students should not be required to turn on their cameras or microphones, which seems to be the recurring theme. Several of them suggested professors should utilize the chat option as a way of ensuring students are participating.

Please let me know if you need anything else.

Thanks!

Lisa Hackley
Interim Director of Student Life
Rockville Campus

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Hello,

The main point by the GT Student Senate is that students feel uncomfortable being recorded. They have also added:

- Students don't want to show their living environment or share their learning space with others
- Students may feel uncomfortable being recorded event though classes are recorded for those who are absent.

- Engagement throughout the lecture is important with or without cameras on to provide students with hands on learning similar to how it would be in a classroom and ensures students are all paying attention

Kind regards,
Surayya Johnson

Director | Office of Student Life – Germantown Campus

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Hi Dr. Clevette,

I agreed to this recommendation because it is important that students are comfortable while learning. Knowing that one of the aims of the college is targeted towards academic success, allowing the students to own and exercise their academic rights is a step forward. The approval of this recommendation would give the students hope that their voices are being heard and that the college is keeping their best interest at heart even in this trying period.

Sincerely,
Rebecca Adegeye
Student Council Chair
Adegeye, Oluwafunmike R <oadegeye@montgomerycollege.edu>
