

Consent to Publicly Livestream a Presentation

I am a student who will be presenting my _____ *Presentation Type* _____ virtually, via a livestreaming online service. I understand that Carnegie Mellon University, following college or department procedures, often records and/or makes such presentations open to any member of the public who is interested in participating.

Please check one:

I acknowledge that this presentation will be recorded and that other participants will be notified.

I acknowledge that this presentation will **not** be recorded.

Please check one:

I acknowledge that Carnegie Mellon will allow public access to this presentation, per the requirements of my department.

I do not authorize Carnegie Mellon to allow public access to this presentation.*

I name _____ *First Name/Last Name* _____ as my delegate. My delegate will act as host and will be moderator of this presentation. If public access to this presentation is granted, interested individuals must contact my delegate for an invitation to the livestreamed event. If this presentation is recorded, interested individuals must contact _____ *Department Contact* _____ to access a copy of the recording.

Under the Family Educational Rights and Privacy Act (FERPA) or other applicable laws, I understand that this presentation includes, but is not limited to, information from my student records that may be deemed to be personally identifiable. I have been advised of my rights under FERPA and am aware of my rights under Carnegie Mellon University's Policy on Student Privacy Rights (www.cmu.edu/policies/student-and-student-life/privacy-rights-students.html), and am entering into this Authorization freely and voluntarily.

Student Signature

Date: _____
(mm/dd/yyyy)

Student Name (print or type)

Advisor/Faculty Acknowledgement

Advisor/Faculty Signature

Date: _____
(mm/dd/yyyy)

Advisor/Faculty Name (print or type)

The Department should retain the original document. A copy should be given to the student and a second copy should be scanned and returned to the University Registrar's Office via email at CMURegistrar@andrew.cmu.edu for the student's academic record.

**Please note that some departments mandate that certain presentations be made open to the public and that students may not be able to elect this option as a result. Students should consult with their academic advisors before making this election.*

Consent to Publicly Livestream a Presentation

Principle: In order to protect the privacy of our students and to comply with FERPA, anyone who wishes to publicly livestream a presentation (i.e. critiques, capstone presentations, reviews, qualifying oral exams, as well as thesis and dissertation defenses conducted virtually) for class requirements, and/or record/share that presentation must first complete the **Consent to Publicly Livestream a Presentation** form.

In addition, in order to comply with Pennsylvania Wiretap laws, all other participants in the event (i.e. anyone who will have their voice or image recorded) should be given advance notice that recording will occur. At the very start of the recording, the host should provide a second verbal notice to inform all participants that the event is being audio/video recorded – this notice should be captured on the recording. Carnegie Mellon University may allow public access to recordings of presentations, per the requirements of the department; however, students must provide consent for the presentation to be shared.

Process for Consideration of Recording Presentations

The Pennsylvania Wiretap Law prohibits the recording of any conversation or other audio communication where there is an “expectation of privacy” without first obtaining the consent of **all parties** to the communication (also known as “two party consent”). This applies to the livestreaming or audio recording of online classes, other online academic communications, and publicly recorded presentations. Audio recording may be performed lawfully by either (1) obtaining consent of all parties or (2) providing sufficient notice of audio recording to eliminate the expectation of privacy, so that continued participation constitutes implied consent to record (i.e. the participants are fully aware of the recording and chose to participate anyway).

Therefore, when audio recording via Zoom or other telecommunications technologies, all participants, whether engaging with the event in-person or virtually, should be notified of any audio recording. It is preferable that notice of recording be given in writing in advance of the event on any marketing information of the event. In addition, at the beginning of an event that will be audio recorded, the host/moderator should provide a verbal reminder that the event will be recorded – this reminder should be captured on the recording. For example, the moderator could state, “This event will be audio/video recorded.” And if the choice is to not have it video recorded by the presentation author there should be a notation indicating: “This event will not be audio/video recorded by the presenter and others are not allowed to record it either.” It may also be helpful to post this as the first slide of a presentation and/or as an initial notice in the Chat section in Zoom or similar section where comments are collected for individuals who arrive late to the presentation.

This process is sufficient to legally create a recording. Please note, however, that additional consent and/or licenses may be required depending on the intended future use of the recording. For

example, if the recording will be disclosed to others in the future, FERPA consent may be required (www.cmu.edu/hub/privacy). To the extent that the recording includes proprietary materials (e.g. copyrighted student work) a license may be required to use the copyrighted material (www.cmu.edu/iso/aware/dmca).

If a student elects to record the presentation, then the student should be given the copy and the department should not retain a copy without getting consent from the student. The type of consent required will vary based on the department's intended use of the recording; for example faculty examiners at a thesis may not want the questions or concerns they raise posted online.

Due to the above, the Consent to Publicly Livestream a Presentation form needs to be used for all presentations that are course and non-course based which are being publicly recorded.

Managing the use of the Consent to Publicly Livestream a Presentation form:

- 1) The student should receive the form when the date for the presentation is set up and decide at that time if they will allow the livestreaming and/or recording of the presentation or not. This should be reviewed with the advisor.
- 2) The student needs to identify the type of presentation this includes.
- 3) The student needs to acknowledge whether or not the presentation is being recorded.
- 4) The student needs to acknowledge whether or not they provide CMU with permission for the presentation to be public/shared. Please note that some departments mandate that certain presentations be made open to the public and that students may not be able to withhold consent as a result. Students should consult with their academic advisors.
- 5) The person who will be managing the distribution of the live streaming connection link (known as the *delegate*) needs to be identified and their name included on the form. It is recommended that the student's advisor or faculty member be the delegate/moderator for the presentation and let those attending know that the event is being recorded.
- 6) The person who will be contacted to provide access to the presentation, if recorded, must be identified and their name included on the form.
- 7) The student needs to sign the form.
- 8) The advisor/faculty member needs to sign off on the form.
- 9) The department needs to keep the original form, provide a copy to the student, and email a copy to CMURegistrar@andrew.cmu.edu.

FAQs for Student Publicly Livestreamed Presentations

Q: If the student already presented publicly or virtually, is the form still required?

A: If a student already presented, the consent form is not required, but it is optional.

Q: If the student does not record the presentation, is the form still required?

A: Yes, the form is required for all publicly livestreamed presentations. Students should use the checkbox on the form indicating that they acknowledge that the presentation will **not** be recorded.

Q: Is the consent form required if individuals (i.e. invited guests for reviews) outside of the class are participating?

A: Yes, the consent form would be required, because guests are members of the public. This includes alumni or anyone who is not a regular class participant.

Q: Is the consent form required for course presentations?

A: If the presentation is a course requirement, the consent form is not needed because generally, students enrolled in courses have an expectation of confidentiality, but not an expectation of anonymity. However, if the public will be present and/or the event will be livestreamed or recorded, the form will need to be completed.

Q: Do student-elected presentations such as Meeting of the Minds require the form?

A: No. Because participation in Meeting of the Minds is elected by the student, the form is not required.

Q: Is the form required for presentations to thesis committee members only?

A: Thesis committees are comprised of program faculty, who are not considered members of the public, so the form is not required.

Q: What should be done with recordings that took place before the notification about the consent form?

A: Prior recordings must be deleted and expunged.