

Yeshiva University Policy on Recording

Purpose

This policy is intended to protect the privacy and trust of all members of the Yeshiva University (“YU” or “University”) community by prohibiting unauthorized audio, video, or image recordings of individuals without explicit consent, which should be in writing or clearly provided verbally on the recording itself. It is designed to foster an environment of respect, academic freedom, and open communication; to protect community members from invasion of privacy and online harassment; and to protect confidential and proprietary information, consistent with University values and applicable law.

Policy Statement

The University is committed to maintaining an environment of respect and trust, and to fostering open academic and professional dialogue. The University strictly prohibits any audio, video, image, or digital recording of conversations, meetings, events, or activities **without the express knowledge and explicit consent of all parties involved**. Consent should be in writing or clearly provided verbally on the recording itself. Unauthorized recordings may violate privacy rights and University policy. This includes, but is not limited to: (i) audio recordings, (ii) video recordings, (iii) screen captures or recordings, (iv) livestreams, (v) AI transcription tools, and (vi) any other form of digital or analog recording, including, but not limited to, the use of smart glasses.

Where the requisite consent has been obtained for the recording, the recording device must be in plain view of all parties involved. Unless expressly authorized by the University, it is strictly prohibited to take actions to hide the act of recording or the recording functionality of any device (for example, it is strictly prohibited to cover a light source that indicates image capture or recording is in progress, such as the visible light on smart glasses).

Scope

This policy applies to all YU faculty, staff, students, contractors, volunteers, and guests participating in University-related activities, whether on campus or offsite, including but not limited to:

- Classes and lectures
- Meetings and interviews
- Office hours
- Events and presentations
- Locker rooms
- Cafeterias and dining rooms

- Residence halls
- Informal or formal discussions, whether in-person or virtual

Prohibited Conduct

This policy prohibits:

- Secretly or non-consensually recording (or arranging for others to record), **without the express knowledge and explicit consent of all parties involved**, any conversation, meeting, event, or activity occurring within the workplace or educational or University setting.
- Secretly or non-consensually recording (or arranging for others to record), **without the express knowledge and explicit consent of all parties involved**, any conversation, meeting, event, or activity offsite that deals with or otherwise relates to workplace or educational or University matters, such as promotion interviews, meetings with counselors or investigators, or meetings between supervisors and subordinates.

Compliance with Legal and Regulatory Requirements

This policy's prohibition of prohibited conduct applies regardless of state or federal law that may permit one-party consent, and is intended to impose a higher standard of conduct at the University.

In accordance with the Health Insurance Portability & Accountability Act (HIPAA), the use of visual or recording devices is strictly prohibited in patient care areas or where protected health information may be discussed.

Exceptions

The following recordings are permitted:

- Institutional recordings authorized by designated University officials for academic, operational, or security purposes.
- Institutional recordings authorized by designated University officials for promotional purposes, including town halls, conferences and other events hosted by the University or event sponsors.
- Recordings made in accordance with approved accommodations under the Americans with Disabilities Act (ADA) or Section 504, coordinated through the University's Human Resources Department (for employees) or Office of Disability Services (for students).
- Recordings made by the University during investigations, hearings or other conduct matters for investigative purposes or as otherwise required by the applicable policy, including, without limitation, hearings under the University's Non-Discrimination and Anti-Harassment Policy.

- Recordings authorized by a meeting chairperson or secretary for the purpose of facilitating the recording of meeting minutes or the taking of notes (provided that such recordings should be deleted as soon as the minutes have been finalized), or for the recording of investigatory or other official hearings.
- Recordings approved by the Office of the General Counsel, or by an authorized department head or their designee, after consultation with the Office of the General Counsel.
- Recordings made for personal use (and not publicly shared) at large public events where it is customary for participants to take photos and videos, such as commencement, unless restricted by the event sponsor.
- Recordings authorized by the University for administering and proctoring quizzes and exams.

Enforcement and Disciplinary Action

Failure to comply with this policy may result in disciplinary action, up to and including termination of employment or dismissal from an academic program, and may be referred for legal action if laws are violated. Reports of policy violations can be made to the Office of the General Counsel or via the University's confidential compliance hotline.

In the discretion of the University, recordings that violate this policy, and any memorialization of such recordings, may be excluded in any investigation, hearing or other conduct matter.

Implementation and Oversight

The Office of the General Counsel will oversee the enforcement of this policy. Questions or concerns should be directed to the University General Counsel.

Related Policies

- Cardozo Law Recording Policy
- Policy on the Use of Video Camera(S) to Proctor Quizzes And Exams
- Recording Class Lectures
- Undergraduate Student Bill of Rights and Responsibilities

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