

MEMORANDUM

TO Fort Wayne Senate

FROM: Jeffrey Nowak, Executive Committee Chair
Kent Kauffman and Steve Carr, Voting Faculty on behalf of the Purdue Fort Wayne Chapter of the American Association of University Professors

DATE: 03/26/2026

SUBJ: Secret Recordings of Class Sessions

DISPOSITION:

WHEREAS, both instructors and students long have considered class sessions and academic presentations safe spaces for free and open discussion; and,

WHEREAS, special interest groups have sought to undermine the academic freedom of faculty, including intimidating faculty, to avoid discussing allegedly controversial or unpopular topics; and,

WHEREAS, these groups have weaponized surreptitious recordings of class sessions to accomplish those goals; and,

WHEREAS, the surreptitious recording of a class session puts an instructor's academic freedom at risk and violates the integrity of the academic environment; and,

WHEREAS, surreptitious recording of class sessions has copyright implications for faculty, because the person making the recording could claim ownership of the expressions (17 USC § 102(a)); and,

WHEREAS, both of Indiana's public law schools expressly prohibit the surreptitious recording of class sessions;

BE IT RESOLVED that the Senate forwards this resolution to EPC, amending as indicated on the following page the PFW Academic Regulations, Rights, Responsibilities, and Conduct, Part 2 - Student Conduct Subject to University Action, Section B.1.d, to include the surreptitious recordings of class sessions and class activities, as a privacy violation.

Original Version of PFW Academic Regulations, Rights, Responsibilities, and Conduct, Part 2 - Student Conduct Subject to University Action, Section B.1.d

d. Privacy Violation: Use of audio, video, or photographic devices to make an image or recording of an individual without that person's prior knowledge, or without that person's effective consent, when such image or recording is likely to cause injury or distress as determined by a reasonable person, and when there is a reasonable expectation of privacy. This includes, but is not limited to, secretly taking audio recordings, video recordings, or other images/pictures of another person in a private area such as a residence hall room, a public or private restroom, a dressing/locker room, or personal website.

Recommended Version of PFW Academic Regulations, Rights, Responsibilities, and Conduct, Part 2 - Student Conduct Subject to University Action, Section B.1.d, with the amendments boldfaced.

d. Privacy Violation: Use of audio, video, or photographic devices to make an image or recording of an individual without that person's prior knowledge, or without that person's effective consent, **when such image or recording would disrupt and interfere with an academic environment of learning and the free flow of ideas**; when such image or recording is likely to cause injury or distress as determined by a reasonable person, and when there is a reasonable expectation of privacy. This includes, but is not limited to, secretly taking audio recordings, video recordings, or other images/pictures of another person **in a class session or activity, or in** a private area such as a residence hall room, a public or private restroom, a dressing/locker room, or personal website.