

Mobile Devices and Recording in the Classroom: A Survey of Policy in UK Higher Education Institutions

*Yasmin Ibrahim, School of Business and Management, Queen Mary-University of London,
London, UK*

Anita Howarth, Brunel University, London, UK

ABSTRACT

Mobile technologies such as tablets, iPads, laptops, netbooks as well as mobile phones with internet connectivity and recording features present new challenges to the academy. In the age of convergence and with the encoding of several features into mobile telephony, private spaces of the classroom can be reconfigured through the mediation of technologies. In most cases, existing rules and regulations of higher education institutions do not comprehensively address these challenges. The introduction of new technologies into the classroom has been often framed historically as vital and relevant for a progressive academic society or as part of a national imperative to transform the ways in which the authors access and engage with knowledge. This paper surveys British universities to examine how they govern the phenomenon of recording content through mobile technologies. The results reveal a pervasive use of mobile devices in UK universities and clear divergences in approaches to enacting mobile device-specific policies to govern the usage of these technologies.

Keywords: British, Classroom, Higher Education, Mobile Device, Mobile Technologies, United Kingdom

INTRODUCTION

The incorporation of new media and mobile technologies into education and classroom settings invariably reconfigures the arrangement of the classroom as a bounded space. The convergence of different technological features in mobile communication devices enable the classroom to be recorded and accessed in multiple formats projecting it beyond its

physical presence. This technological mediation of the classroom then opens it to new forms of scrutiny, dissemination and commodification (i.e. turning lecture material into podcasts and videocasts), as well as governance in the age of convergence.

Higher education institutions have historically incorporated technologies into academic settings to enhance teaching and delivery. With new media technologies and ICTs, the incorporation of these into the economy has had a higher imperative at a national level in many

DOI: 10.4018/ijcee.2014010102

countries. The discourse of the digital economy and equally the knowledge economy has focused on the transformations of social, political and economic life through the appropriation and adoption of ICTs to emphasise the importance of knowledge exchange and transactions through the emergence of networked societies and markets. The education sector is no exception where the rate of appropriation of ICTs and the imperative to enhance pedagogy and access have not completely reconciled the new challenges which have been unleashed by these. The need to widen access or participation have often implicated new media technologies in the classroom where these are seen as offering new ways to disseminate information in virtual platforms thus reconfiguring the classroom as a permeable space amenable to virtual iterations.

As personal mobile devices are lightweight and portable, they become embedded as part of the corporeal body. At a meta level the appropriation of the mobile phone in our everyday lives forges a reality which incorporates the rituals and pace of its use. The integration of a multitude of functions such as image capture, audio recording, internet connectivity, text messaging and publishing features into mobile telephony as well as the embedding of these technologies (particularly the mobile phone) on our bodies can have consequences for the ways we learn, remember, access the wider world and order our lives (see Ibrahim, 2010b). In higher education students' pervasive use of mobile phones and devices means that the classroom is mediated through individual technologies of the students as well as the technologies of the classroom. The coalescing of individual machines with those of the classroom provide for new ways of networking and connecting to knowledge. In most institutions, e-learning platforms are designed to be connected to mobile devices so that materials can spill from institutional e-platforms to mobile devices including the mobile phone. The infrastructure of newer e-learning platforms is designed to disseminate information and communication instantaneously and on demand

and often anticipates its access through mobile devices within or without the classroom.

It is unsurprising, given this multi-functionality and the widespread use of mobile devices among 18–24 year olds (see, OfCom, 2012) that universities should seek to capitalise on this connectivity to augment access and engagement and to reach new markets through virtual platforms. For example, 94 percent of students at one British institution are regular users of mobile phones (Davidson & Lutman, 2007; see also Wishart & Green, 2010; Ongondo & Williams, 2011) and 95 percent of students in a university in northeastern USA bring theirs to class every day (Tindell & Bohlander, 2012). Higher education institutions have perceived this as signalling a new, individualized approach to learning (Traxler, 2007, p14, in Belshaw 2011). The ubiquitous use of mobile devices in our everyday lives, and the personalisation of content and applications demonstrate rising and varied media and technical literacies among the younger generation (see Jones et al., 2010; Chen & Katz, 2009). The potential benefits of mobile technologies then go beyond the cost effective provision of lecture recordings; they include the empowerment of the learner through student-controlled capture and mobile flexible access and use (see Belshaw, 2011 p. 8).

The empowering potential of technology may at a glance paint a rosy picture of the academy in futuristic ways. In reality, the flipside of this romantic trope are the issues and challenges raised by the incorporation of new technologies in the classroom. One particular area of scrutiny is the emergence of information-privacy risks which arise when mobile devices are used to capture, upload and disseminate material indiscriminately in the wider domain. This article assesses how UK universities address the capture of content in the classroom through mobile devices and the distinct approaches in responding to this phenomenon in the realm of higher education particularly in assuaging other competing rights such as those in the disability provisions.

TECHNOLOGIES IN THE CLASSROOM

Historically new technologies have been appropriated into the classroom to enhance teaching and learning in a wide range of fields from languages and music to medicine (see Salaberry, 2001). Technologies such as the projector, radio and television were incorporated to bring sounds, images and texts from the outside world into the classroom to illuminate theory, concepts and models, and to engage students through sound bites and visual cues. In the 1980s the advent of new technologies such as the facsimile machine, photocopier, video player/recorder and computer databases brought distinctive shifts in policy to govern the use of these in organisations including educational institutions. Prior to this, the appropriation of technologies into teaching had gone largely unchallenged by the wider society; but these new technologies necessitated the need to govern their use (see Ginsburg, 1991). While the recording, copying, reproducing and storage capabilities of these technologies invariably offered new ways to enhance teaching, learning, student engagement and administration, they nevertheless raised issues of intellectual property and data protection rights. These tensions accruing from the appropriation of technologies into organisations were addressed in three main ways in the UK.

The first involved the “fair use” policy which addressed intellectual property concerns of third parties. This policy allowed universities to copy, record or reproduce content for educational purposes (i.e. teaching and personal research) and was contingent on the terms and expressed consent of the owners of the content or the copyright holders. Secondly, in the late 1990s with shifts in government policy to emphasise access to higher education for disabled students there was a legal requirement for universities to make “reasonable adjustments”. This entailed the waiving of normal copyright restrictions on recordings, copies and transcriptions for certain students with particular disabilities but with the proviso that these were solely for personal study purposes (see Doyle & Robson, 2002). Some universi-

ties provided recording devices for students or allowed them to record but specified conditions and procedures based on evaluations of need, use and consent. Thirdly, as universities began to gather and store more data on staff and students they needed to ensure their management of personal data was compliant with European data protection law, which sought to protect the privacy rights of individuals by ensuring that the personal information is “held, processed and used” and “managed properly” by organisations (JISC, 2012). This meant that data protection is concerned with institutional processes and safeguards to ensure that collection of personal information of individuals during the course of their business is not inadvertently released into the wider society. These enactments (i.e. relating to intellectual property, disabled and data protection rights) enabled universities to balance any potential conflict between competing rights whilst incorporating new technologies to enhance and facilitate teaching and research. More importantly, these enactments mainly addressed the role of organisations in managing technologies rather than individual ownership and usage of technologies in the classroom.

In contrast, in the age of convergence and with the incorporation of mobile digital devices in the classroom, these enactments do not cover the multitude of issues and challenges posed by these devices. New media and digital technologies are now an integral part of teaching and learning in developed countries. There has been a proliferation of research on the pedagogic values of exploiting new media technologies for delivery (Toppin, 2011, Mueller et al 2012; Gikas & Grant, 2013; Beetham & Sharpe 2013). For example, the archiving functions of the internet or the playback qualities offered by lecture capture equipment is seen as helpful in addressing remediation and retention issues in learning as well as in reversing high rates of drop-out, failure and withdrawal (Toppin, 2011, p. 393). Beyond the top-down implementation of e-learning environments for teaching, there is also bottom-up demand from the students for recorded material today (Chandra, 2007; Rennie & Morrison, 2012; Beetham & Sharpe, 2013).

Higher education institutions recognise the potential misuses of mobile devices, but often approach these as “potential pitfalls” (Kukulka-Hulme & Traxler 2005 p. 97) or “challenges” (Tindell & Bohlander, 2012). Research on mobile technologies in the class has revealed that one third of students play videogames on mobile phones and laptops during class; 92 percent send text messages during class time; 10 percent during an examination; and most believe faculty are “largely unaware” of the extent to which they are accessing SMS, browsing the Internet and sending pictures during class time (Gilroy 2004, in Campbell, 2006; Tindell & Bohlander, 2012). Disruptions to the classroom caused by mobile technologies and the use of mobile devices to cheat in examinations reflect the range of issues raised by the incorporation of these in the classroom (Campbell, 2006).

The risks posed by mobile communication technologies or social media in general to societies continue to be an important area of academic research. Such risks can include threats to privacy, plagiarism, data protection, pornography, defamation or reputation management for organisations. The higher education sector as a vital component of the digital economy is not immune from the potential risks and new challenges particularly with increased connectivity to global platforms which open up the classroom space to wider spectacle and scrutiny. Beyond issues of legality and appropriate behaviour in the classroom mobile technologies also raise new ethical challenges for the education sector. In a technologically mediated classroom what is public or private becomes somewhat blurred raising the need to regulate practices in capturing content in the classroom or in deciding what can be made available to its community of users or the wider public. In the digital economy the permeable and globally connected classroom can include activities not traditionally expected in a classroom setting and these phenomena can harbour ‘new risks’ (see Ibrahim, 2010b; 2011) as well as unintended consequences.

CAPTURING IN THE CLASSROOM AND INFORMATION PRIVACY

Mobile devices can be used to capture overtly or covertly what goes on in university spaces and the recorded material can then be uploaded onto social media sites or published on the internet. The potential for covert capture of conversations and actions on mobile devices renders the subject powerless to know if personal information is being recorded, or prevent it from being so. Once captured, information can be uploaded onto social network sites; (re) contextualized, edited or (re)produced in new creative forms such as mashups, videogames and spoofs. It can enter a circulation economy on the internet where it can be endlessly shared or reproduced. What may have been a robust, legitimate comment or act in its original setting may be misrepresented, misconstrued or misunderstood when disembedded and reproduced in a media format such as an image, audio or video recording. When events are recontextualised in the global platforms of the internet the content may be amenable to multiple readings. Re-representation on new media spaces may assume more culturally and politically subversive, offensive or inflammatory meanings. The consequences of uncontrolled, covert capture of university interactions and the broadcast as well as re-contextualization of these on public platforms can have implications for the academy as a whole.

These risks are not hypothetical; they are already starting to materialize in everyday covert capture, upload and dissemination. In one case, an American school pupil distributed a recording of a teacher making comments that he felt violated school policy; some of his peers complained at being captured without their consent; and the authorities banned the recording of lessons (Carvin, 2007). Social media innovations and usages allow for new forms of mass dissemination including viral tweets, emails, Youtube videos, etc. Clips that went viral include a Cornell University lecturer getting agitated over a student’s loud yawns;

a Louisiana State professor who attempted to provoke debate by appearing to attack conservatives over global warming; a Central Florida professor criticizing a class he thinks is 'full of cheaters' (Stripling 2010); and a college professor caught in a seemingly anti-war veteran 'rant' (Deci, 2013).

These processes create "new visibilities" and "new vulnerabilities" around the unauthorized capture of content and such has been the concern of governments around the world that they are now introducing new laws on the circumstances in which images can or cannot be captured on mobile phones (Ibrahim, 2010b). Unauthorized capture of such information in any format on any device including mobile devices poses privacy risks by potentially exposing individuals to unwanted scrutiny (see Froomkin, 2000; Marwick, Murgia-Diaz & Palfrey 2010, p. 2). Concerns about these risks have informed the EU tendency towards a proactive, social protectionist approach to information-privacy rights on the Internet which presumes that "generalized harm already exists ... we need not wait for specific abuses to occur" (Solove, 2004, p.96). It also presumes that government and other public authorities have a moral responsibility to protect the information-privacy rights of individuals through law, policies, protocols and codes of practice (see Reidenberg, 2006).

These information-privacy risks pose challenges for universities that earlier technologies did not. Beyond an outright ban of mobile technologies direct control of use does not lie primarily with the institution but the individual owner of the device. Institutions can indirectly control the use by setting policies to outline what is acceptable or deviant in a classroom setting and the consequences for the breach of policy.

The concern is not only the potential for video and audio recording of engagements in the classroom but increasing technical literacy and availability of editing software mean that any clip can be selectively edited in ways to misrepresent and misconstrue whilst combining it with the persuasive medium of a visual moving image such as a video format (Stripling, 2010). There have also been cases of students posting

videos of teachers in class on YouTube, selectively editing them and creating fake Facebook pages in the teacher's name with the purpose of damaging their reputation. A report published in 2011 highlighted the growing problem of educational professionals being subjected to online abuse and added that 'we are also starting to see the use of mobile phone technology for abuse' (Phippen, 2012 p. 2).

The problems for universities are that these potential risks are still largely unknown and little understood. Innovation and new capabilities are evolving rapidly, usage is adaptive and not always in ways that the creators of the technology envisaged. Furthermore, organizations have to balance existing rights (i.e. disabled and intellectual property) with the potential pedagogic benefits and the likelihood that recording could be happening anyway. Notwithstanding these difficulties a handful of universities in Britain have developed specific policies for mobile technologies which take into account the distinctive features – in particular the connectivity and convergence – of the technology and attempt to facilitate appropriate use while discouraging behaviour that may be detrimental to the organisation or subjects of a classroom.

A SURVEY OF UK UNIVERSITIES

The following empirical analysis sets out preliminary findings from a survey of UK universities' to map their formal policies on the recording of teaching sessions. In order to create a comprehensive data-set a freedom of information (FOI)¹ request was sent to 121 British universities in late 2011 and early 2012 for their formal policies on recording teaching sessions. The sample surveyed excluded the Open University and private higher education institutions. The request was restricted to formal policies (i.e. policies which had been adopted at the time so were in operation and should be available to staff, students and the public). All the universities in the sample were sent the 'findings' to check that these were fair and

accurate representations of their policies in early 2012. Where they have responded with changes these have been incorporated; where they did not respond it has been assumed the analysis is accurate.

The empirical analysis has been restricted to specific policies enacted to deal with student recordings with regard to mobile technologies. The result was an 89 per cent response rate in which 108 out of 121 universities replied to the FOI request. While the survey yielded wider results on social media policies, the analysis in this article is restricted to policies that relate to student recordings via mobile devices in the classroom. The authors also acknowledge that universities without mobile device specific policies may have other mechanisms for governing these technologies; for example, generic IT or information/social media policies may equally subsume usage of these devices. So we perceive this survey as a snapshot in time whilst highlighting the salient elements of specific policies enacted to address recording via mobile devices in the university space. What emerged was that only nine out of 121 universities had introduced a formal policy specifically to govern student recording on mobile devices.² A further 12 universities at the time indicated that their policies in this area were currently under review³ and some kindly provided their draft documents. These have not been analysed here as they had yet to be adopted, were still open to change and so could not yet be considered formal policies at the time of data collection. It would be interesting do a follow-up in a later paper to ascertain whether or not the 12 under review had been adopted or not. Those that had formally adopted policies provided a range of different documents in support of this including: Student/staff guidance,⁴ Codes of Practice or Protocols,⁵ 'Policies'⁶ and 'Arrangements' and 'Extracts' taken from the relevant Committee Minutes.⁷ All of these with the exception of committee minutes could be found on the university's website.

A thematic analysis of the documents was done in order to ascertain how those British universities which had evolved specific policies on

mobile devices sought to govern student record of classroom engagements. Such governance is fiendishly difficult because most of the mobile devices used and carried on campuses are not owned by the institution but universities do have a duty of care to those on its premises. At the same it has legal obligations to facilitate the engagement of disabled students. The analysis therefore focused on:

- Justification for policy/perceptions of existing usage or demand
- What rights were implicated and how were competing ones negotiated
- What approach was taken in terms of who, what and how should recording be governed and in what circumstances

In general the survey found some convergence in the justification for mobile device-specific policies based on the pervasive use of these devices, the likelihood students were already recording covertly or overtly (St Andrews University, 2011), and demand to be able to record for learning purposes (see Durham University, 2011; Roehampton University, 2011). All of these approaches specify that use must be for personal study or in accordance with disability rights. However, there was considerable uncertainty about how to negotiate competing rights and interests as well as practical problems of governing the use of device that the university does not own nor directly control. These difficulties were apparent in key divergences between university policies over:

- Whether controls should be aimed at the point of capture, use and dissemination or only at the point of dissemination;
- Whether staff should aim to control what is recorded, when and how or whether this should be largely devolved to students albeit with some caveats on the use of the captured material;
- Whether disabled rights took precedence over information privacy rights or whether there would be circumstances where they do

not and in which case alternative provision is required by law;

- Whether students and/or staff had a right to know, to consent and to refuse consent to be recorded or not
- Whether that only applied to visual recording or to audio as well

These draw attention to the salience of consent, the need to inform participants in a recording and the authorisation of it. The analysis of the policy documents in these terms revealed three broad approaches to recording content in the classroom:

1. The Legitimation approach
2. The Classification approach
3. The Tacit Sanction approach

These approaches were not mutually exclusive and it not unusual for universities to combine the first and second approach in enacting a more nuanced piece of policy document by marking out spaces where recording was more acceptable than in other spaces.

Under the first approach a number of universities start from the perspective that recording via mobile devices by students is taking place and that the university needs to prevent covert capture by setting out conditions when recording would be legitimate (see Durham University, 2011; Manchester University, 2011; n.d.; St Andrews University, 2011; Cardiff, 2008). Here there is an underlying assumption that irrespective of how materials are used, there are implications for “third party’s right to privacy, data protection and copyright” and that policy needs to manage this (University of York, 2010). There is also the acknowledgement that information-privacy “is affected” by capture because it renders the “personality, behaviour and opinions” of individuals “open and potentially freely accessible” (Durham University, 2011). The valorisation of consent seeks to address issues of covert recording or vulnerabilities – irrespective of whether this

is audio or visual - which can accrue from uninformed positions of the recorded subjects.

However, within this valorisation there is some variation between universities. In some institutions, students are required to be informed that the recording of lectures is taking place and their consent is required for recording of sessions other than lectures (see Durham, 2011). In other cases, no recording at all is allowed without the prior consent of staff and students (see Manchester University, 2011, n.d.; St Andrews University, 2011; Cardiff University, 2008); equally conditions are also placed on mobile device-capture by disabled students. Westminster University starts from the premise that all mobile devices will be switched off during teaching sessions unless the consent of the lecturer/tutor has been secured for recording to take place (2009). Students who have registered with disability services and have secured the consent of the lecturer/tutor (Westminster University, 2009) and/or other students (Durham University, 2011) will normally be allowed to record.

Disability concerns raise particular challenges for universities. For instance, there is the recognition in the University of York’s policy (2010) that the “legal requirement” to allow a disabled student to record gives rise to “potential conflicts” should other students object to being recorded, and these need to be “handled sensitively” given the pre-eminence of disabled rights. Other university policies presume disabled students will be allowed to record but do not treat this as an absolute right. Instead they set out the conditions in which the lecturer or tutor retains the right to instruct recording to stop during the teaching session because of information-privacy risks where minors or client/patient confidentiality is implicated, sensitive topics are being discussed or other students have objected to being recorded, particularly in seminars (see Durham University, 2011; St Andrews University, 2011; Westminster University, 2009). Thus disabled rights are not equated with an entitlement to record but with an obligation to make arrangements that

meet the needs of the disabled students without compromising the rights of others. The negotiation of competing rights is thus not seen as a zero-sum game in which information-privacy rights are subordinated to disabled ones; both are seen as having equal validity and the responsibility of the university is to find ways to respect and meet both.

Breaches of mobile device-related policies include covert capture, and the consequences include possible formal disciplinary action by the university (see Durham University, 2011) or action by a professional body in the event that patient/client confidentiality is breached (see Manchester University, 2011), in which case the student could be disbarred from ever practising. The pre-eminence of information-privacy is entrenched in the right of the individual to know, to consent and to object to being recorded; in the procedures needed to ensure this right; and in the consequences for breaches of it.

The second (i.e. classification) approach distinguishes between recording of lectures and seminars, and between audio and video recordings. Audio-capture is assumed to pose minimal information-privacy risks, so the recording of lectures is seen as acceptable but students have a right to be alerted that this is taking place. The recording of seminars on the other hand is at the discretion of the lecturer.

The burden of both authorisation from staff and consent from students is levied on video or image capture (see Reading University 2011a; 2011b; Wolverhampton University, 2009). Video recordings are deemed inappropriate where recording would include children or issues of client/patient confidentiality. Apart from this, any recordings can be used for the student's personal study, they cannot be handed to anyone else and they must be destroyed at the end of their studies. The classification approach starts from a much narrower conception of personal information based on the assumption that the individual can be recognized if their face is captured but not their voice. Students are afforded some individual agency in their right to know their oral contributions are being recorded but not in their right to object to this. The only

power of veto they have is over visual capture. Interestingly, third party privacy rights children and patient/client confidentiality supersede the presumption that disabled students will be allowed to record.

The third approach tacitly sanctions recording by "all students" in lectures and seminars on any device and makes no distinction between visual and audio formats as well. In this tacit sanction approach there is no explicit reference to information-privacy provisions in the policies to enable student or staff right to know, to object to or to consent to recording. The sanction approach is often premised on facilitating disability rights in a class room. For example, in the University of Roehampton "teaching staff are required by law and ... university policy to allow disabled students to record" unless the discussion is of a "highly personal nature" to students. In such exceptional circumstances the lecturer has to "ask" disability services "first" before intervening to stop recording. While Roehampton University has considered the possibility that recording might "inhibit" seminar discussions it has not prohibited recordings on this basis (2008). While the other two approaches (i.e. legitimization and classification) set out the pre-conditions for recording via mobile technologies, the tacit-sanction approach seeks to govern the usage of captured material by specifying that recordings may only be used for personal study and barring the dissemination of the material to others.

CONCLUSION

The purpose of this paper has been to outline preliminary findings from a survey of British universities intended to ascertain how they were seeking to govern student recording of lectures and seminars on mobile devices. It found that only nine out of 121 had formal policies in place but another 12 were reviewing the possibility of formulating one. These numbers are expected to increase over the coming years as more and more universities grapple with the challenges of governing the use of mobile devices that

they do not own so have no direct control over. Thus, the handful analysed here offer a useful snapshot in time.

What the analysis found was that those universities that had adopted a specific policy to govern student use of mobile devices justified this by arguing covert/overt recording of classroom activity was already happening and/or there was student demand for this. Policies adopted drew attention to the issue of consent, knowledge as to whether recording was taking place or not and authorisation of it. However, beyond this there was considerable variation in what rights were seen to be implicated and how competing – in particular disability and information-privacy - ones were negotiated. How these were interpreted shaped the approach taken and three broad ones were discerned.

Firstly, the legitimisation approach sought to identify the circumstances in which student recording of the classroom would be acceptable and the conditions for this to take place. Efforts were made to safeguard information-privacy rights, for instance, by requiring prior consent to be secured and by prohibiting recording of minors or confidential discussions. Furthermore, it was the responsibility of the university to ensure both disability and information-privacy needs were met rather than sacrificing one for the other. Secondly, the classification approach distinguished between audio and visual recording. These universities generally allowed audio recording but restricted visual recording by specifying that it could only take place with the knowledge and consent of the participants. Thirdly, the tacit sanction approach assumes that not only will recording be taking place, that there is demand for it but also that disability rights are pre-eminent and that this includes the right to record classroom activity. Only in exceptional circumstances would a restriction on recording be allowed and only in consultation with specialist administrators. While the first two approaches seek to control use of mobile devices both at the point of capture and at the

point of use, the tacit sanction approach only seeks to control use at the point of use – that is, where content is manipulated, disseminated or used for other than personal study purposes.

The significance of these findings does not lie in their generalizability but in the likelihood that these nine universities will be in the vanguard of subsequent developments in this area. On one level, this appears a grandiose claim; at another level the increasing number of reported cases of uncontrolled or unauthorised classroom capture and dissemination points to a growing problem not least because the subjects of this powerless, unable to know or prevent this happening. These incidents highlight how mobile devices are reconfiguring the classroom as a bounded space. On the one hand, this potentially links the classrooms to the new knowledge economies and widening participation; on the other hand, it also poses information-privacy challenges that need governing. It is unlikely that the policies that evolved in the 1990s to govern intellectual property, data protection and disability rights will be adequate for the task. A handful of British universities have recognized this, but their divergent approaches suggest there is little consensus on how to respond to the challenges.

ACKNOWLEDGMENT

This project initially emerged in the author's capacity as a local union official and the wish to make an informed contribution to an internal policy debate at the time. When she stepped down from this official role she turned the work into a formal research project able to inform debates in other universities. All of the universities were contacted and informed of the aims, objectives, publication intentions and the conflicts of interest arising from union involvement in the original work. They were also informed that the findings would be published using similar principles that apply to research council grants.

REFERENCES

- Beetham, H., & Sharpe, R. (Eds.). (2013). *Rethinking pedagogy for a digital age: Designing for 21st century learning*. Routledge.
- Belshaw, D. (2011). Mobile and wireless technologies review. *JISC Advance*. Retrieved February 24, 2012, from <http://www.jiscinfonet.ac.uk/mobile/jisc-mobile-review.pdf>
- Campbell, S. (2006). Perceptions of mobile phones in college classrooms: Ringing, cheating and classroom policies. *Communication Education*, 55(3), 280–294. doi:10.1080/03634520600748573
- Cardiff University. (2008). *Recording of lectures and copying teaching materials: Student guidance*. Retrieved from www.cardiff.ac.uk/govrn/coom/resources/Recording%2520of%2520Lectures%2520and%2520Copying%2520Teaching%2520Materials%2520Students%2520Guidance.doc+&cd=1&hl=en&ct=clnk&gl=uk
- Carvin, A. (2007, February 2). Caught on tape, for better or for worse. *PBS Teachers: Learning Now Blog*. Retrieved from http://www.pbs.org/teachers/learning.now/2007/02/caught_on_tape_for_better_or_w.html
- Chandra, S. (2007). Lecture video capture for the masses. *ACM SIGCSE Bulletin*, 39(3), 176–280. doi:10.1145/1269900.1268864
- Chen, Y. F., & Katz, J. E. (2009). Extending family to school life: College students' use of the mobile phone. *International Journal of Human-Computer Studies*, 67(2), 179–191. doi:10.1016/j.ijhcs.2008.09.002
- Curzon-Hobson, A. (2002). A pedagogy of trust in higher learning. *Teaching in Higher Education*, 7(3), 265–277. doi:10.1080/13562510220144770
- Deci, B. (2013, January 16). Professor caught on tape giving anti-veteran rant. *Fox40*. Retrieved from <http://fox40.com/2013/01/16/professor-caught-on-tape-giving-anti-veteran-rant/>
- Doyle, C., & Robson, K. (2002). *Accessible curricula – good practice for all*. Cardiff, UK: UWIC Press.
- Durham Peters, J. (2001). Witnessing. *Media Culture & Society*, 23(6), 707–723. doi:10.1177/016344301023006002
- Durham University. (2011). *Code of practice on the recording of lectures and other teaching sessions*. Retrieved March 19, 2012, from http://www.dur.ac.uk/university.calendar/volume1/codes_of_practice/recording_of_lectures/
- Fenwick, H., & Phillipson, G. (2006). *Media freedom under the human rights act*. Oxford, UK: Oxford University Press.
- Froomkin, M. (2000). The death of privacy? *Stanford Law Review*, 52(5), 1461–1543. doi:10.2307/1229519
- Gikas, J., & Grant, M. M. (2013). Mobile computing devices in higher education: Student perspectives on learning with cellphones, smartphones & social media. *The Internet and Higher Education*. doi:10.1016/j.iheduc.2013.06.002
- Ginsburg, J. (1991). Reproduction of protected works for university research or teaching. *Journal of Copyright Society*, 39(181), 181–223.
- Gray, M. (2012, May 21). Dharun Ravi: Tyler Clementi's roommate sentenced to 30 days in jail. *TimeNewsFeed*. Retrieved from <http://newsfeed.time.com/2012/05/21/dharun-ravi-tyler-clementis-roommate-sentenced-to-30-days-in-jail/#ixzz2J4zJY382>
- Hindustan Times. (2013, April 10). "Molester" lecturer suspended, sent to judicial custody. Retrieved from <http://www.hindustantimes.com/India-news/Gurgaon/Molester-lecturer-suspended-sent-to-judicial-custody/Article1-1040133.aspx>
- Ibrahim, Y. (2010a). Discourses of empowerment and web 2.0: The dilemmas of user-generated content. In San Murugesan (Ed.), *Handbook of research on web 2.0, 3.0 and X.o: Technologies, business and social applications* (pp. 828–45). Hershey, PA: Information Science Reference.
- Ibrahim, Y. (2010b). The regulation of gaze and capture: New media and the image economy. *International Journal of Technoethics*, 1(3), 49–63. doi:10.4018/jte.2010070105
- Ibrahim, Y. (2011). The 'non-stop' capture: The politics of looking in post-modernity. *The Poster*, 1(2), 167–186. doi:10.1386/post.1.2.167_1
- JISC. (2010). Recording lectures: Legal considerations. *JISC Legal*. Retrieved August 1, 2012, from <http://www.jisclegal.ac.uk/ManageContent/ViewDetail/ID/1608/Recording-Lectures-Legal-Considerations-28072010.aspx>
- JISC. (2012). Security, mobile devices and data protection. *JISC Legal*. Retrieved August 1, 2012, from <http://www.jisclegal.ac.uk/ManageContent/ViewDetail/ID/2326/Security-Mobile-Devices-and-Data-Protection.aspx>

- Jones, C., Ramanau, R., Cross, S., & Healing, G. (2010). Net generation or digital natives: Is there a distinct new generation entering university? *Computers & Education*, 54(3), 722–732. doi:10.1016/j.compedu.2009.09.022
- Kukulka-Hulme, A., & Traxler, J. (2005). *Mobile learning: A handbook for educators and trainers*. Abingdon: Routledge.
- Kuznekoff, J. H., & Titsworth, S. (2013). The impact of mobile phone usage on student learning. *Communication Education*, (ahead-of-print), 1-20.
- Manchester University. (2011). *Guidance for staff on the recording of group learning activities by students*. Retrieved March 19, 2012, from <http://www.tlso.manchester.ac.uk/map/teachinglearningassessment/learning/recordingoflectures/>
- Manchester University. (n.d.). *Guidance for students on the recording of group learning activities*. Retrieved March 19, 2012, from <http://www.tlso.manchester.ac.uk/map/teachinglearningassessment/learning/recordingoflectures/>
- Marwick, A., Murgia-Diaz, D., & Palfrey, J. (2010). *Youth, privacy and reputation (literature review)*. Berkman Centre Research Publication No. 2010-5. Harvard Public Law Working Paper No. 10-29. Retrieved March 19, 2012, from http://cyber.law.harvard.edu/publications/2010/Youth_Privacy_Reputation_Lit_Review/
- Mueller, J. L., Wood, E., De Pasquale, D., & Cruikshank, R. (2012). Examining mobile technology in higher education: Handheld devices in and out of the classroom. *International Journal of Higher Education*, 1(2), 43. doi:10.5430/ijhe.v1n2p43
- OfCom. (2012). *Communications market report 2012*. Retrieved from http://stakeholders.ofcom.org.uk/binaries/research/cmr/cmr12/CMR_UK_2012.pdf
- Ongondo, F. O., & Williams, I. D. (2011). Greening academia: Use and disposal of mobile phones among university students. *Waste Management (New York, N.Y.)*, 31(7), 1617–1634. doi:10.1016/j.wasman.2011.01.031 PMID:21376558
- Phippen, A. (2012). The online abuse of professionals: A research report. *UK Safer Internet Centre*. Retrieved from www.swgfl.org.uk/staying-safe/files/documents/prof-abuse-full-report
- Reading, A. (2009). Mobile witnessing: Ethics and the camera phone in the 'War on Terror'. *Globalizations*, 6(1), 61–76. doi:10.1080/14747730802692435
- Reading University. (2011a). *Students online handbook*. Retrieved March 19, 2012, from <http://www.reading.ac.uk/internal/student/OnlineStudentHandbook/osh-recording-lectures.aspx>
- Reading University. (2011b). *Policy on the audio and visual recording and capture of teaching sessions by students*. Retrieved July 19, 2012, from <http://www.reading.ac.uk/internal/qualitysupport/guide/qual-guidehome.aspx>
- Reidenberg, J. (2006). Resolving conflicting international data privacy rules in cyberspace. *Stanford Law Review*, 52, 1215–1370.
- Rennie, F., & Morrison, T. (2012). *E-learning and social networking handbook: Resources for higher education*. Routledge.
- Roehampton University. (2008). *Extract from the university's learning, teaching and quality committee*. Provided in emailed response to Freedom of Information Request.
- Roehampton University. (n.d.). *Arrangements for the recording of lectures/seminars by disabled students*. Provided in emailed response to Freedom of Information Request.
- Salaberry, R. (2001). The use of technology for second language learning and teaching: A retrospective. *Modern Language Journal*, 85(1), 39–56. doi:10.1111/0026-7902.00096
- Santos, I. M., & Ali, N. (2012). Exploring the uses of mobile phones to support informal learning. *Education and Information Technologies*, 17(2), 187–203. doi:10.1007/s10639-011-9151-2
- Solove, D. (2004). *The digital person: Technology and privacy in the information age*. New York, NY: New York University Press.
- St Andrews University. (2011). *University policy on recording lectures and tutorials*. Retrieved March 19, 2012, from <http://www.st-andrews-ac.uk/staff/policy/tlac/miscellaneous/recording/>
- Stripling, J. (2010, November 8). Video killed the faculty star. *Inside Higher Ed*. Retrieved from <http://www.insidehighered.com/news/2010/11/18/videos>
- The Eagle Online. (2012, September 19). *Bullying and cyberbullying at colleges and universities*. Retrieved from <http://eagle.ceu.edu/article/bullying-and-cyberbullying-colleges-univer>
- Tindell, D., & Bohlander, R. (2012). The use and abuse of cell phones and text messaging in the classroom: A survey of college students. *College Teaching*, 60(1), 1–9. doi:10.1080/87567555.2011.604802

Toppin, I. (2011). Video lecture capture system: A comparison of student versus faculty perceptions. *Education and Information Technologies*, 16, 383–393. doi:10.1007/s10639-010-9140-x

University of Westminster. (2009). *ICT acceptable use policy and procedures*. Retrieved January 14, 2012, from <http://www.westminster.ac.uk/about-us/information-compliance-and-records-management>

University of Wolverhampton. (2009). *Protocol for taking images and recordings on university property and at university events*. Retrieved from http://www.wlv.ac.uk/PDF/dp_pols_image_taking.pdf

University of York. (2010). *Guidelines regarding the recording of lectures, seminars, etc. by students*. Retrieved March 19, 2012, from http://www.york.ac.uk/media/communications/weboffice/documents/eaforum/student_recording_lecture_policyv3.pdf

Wishart, J., & Green, D. (2010). Identifying emerging issues in mobile learning in higher and further education: A report to JISC. Retrieved October, 1, 2012.

ENDNOTES

¹ The Freedom of Information Act (2000) gives any member of the public the right to ask any public sector organisation for the information they hold on a particular topic. The organisation is legally required to make

this available within 20 days unless it would incur ‘unreasonable costs’ to collect it. Where it does incur a small cost they can charge for collecting the data. Public sector organisations are also expected to ensure formal policies are publically available on their websites but pilot work here found variable and unreliable results from a search on these websites because universities tagged these policies differently.

² The following universities have specific policies governing mobile devices: St Andrews, Durham, Cardiff, Manchester, Reading, York, Westminster, Roehampton and Wolverhampton. Some - for example - De Montfort considered the possibility of introducing a new policy to allow recording but decided on minor amendments to existing policies to allow disabled students to record. Others – for instance, Newport and Northumbria said that they had no formal policy but had issued guidance for disabled students wanting to record.

³ These were Dundee, Goldsmith, Institute of Education, Southampton, Birmingham, Newcastle, Surrey, Swansea, Derby, Kingston, Leeds Metropolitan and Bournemouth

⁴ The universities that provided policies in the form of guidance were: York, Reading, Manchester and Cardiff

⁵ The universities that provided Codes of Practice and Protocols were Durham and Wolverhampton

⁶ Designated ‘policy’ documents came from Reading, St Andrews and Westminster

⁷ These were provided by Roehampton.