**Audio, Video, and Digital Recording Policy**

Because audio, video, and digital recording include voices or images of participants, they are considered identifiable data and are not considered anonymous. Confidentiality of these data records must be protected. Protocols using these types of recordings could be considered Exempt, if they satisfy the requirements of one of the Exempt categories. Because these are not anonymous, they will require augmented HREB review and researchers must give special consideration to both data security and consent.

Audio, video, and digital recording of public behavior is also covered by this policy. Public behavior refers to behavior taking place in a publicly accessible location in which the subject does not have an expectation of privacy (e.g., a public plaza or park, a street, a building lobby, a government building). If participants have a reasonable expectation of privacy at the location where the researcher is conducting the observation, the project will not be considered exempt.

Research involving surveys or interviews with children or observation of public behavior when investigators interact with the children does not qualify for exemption.

Research must meet one of the following three conditions to qualify under Exempt Category 2:

(1) The data are collected anonymously (which means that no identifiers can be connected to the data, either directly or through a coding system). In addition to videotapes and photographs, audio recordings are considered identifiable; therefore, any data collection that involves audio recordings, video recordings, or photographs of subjects would not be considered anonymous. It is also possible that multiple pieces of information, none of which are identifiable on their own, may uniquely identify a person when brought together; in this case, the data would be identifiable and would not be considered anonymous.

(2) The information collected is not anonymous (because, for example, the researcher has a key linking respondents’ names to coded identifiers), but the information is so innocuous that, in the event of disclosure outside of the research, there would be no significant detrimental consequences to the subject. The significance of “detrimental consequences” depends in part on context. For example, including a question about sexual identity in an interview study that investigates adults’ plans to change careers could be non- controversial – and exempt – in some locales, but highly sensitive – and non-exempt – in other places.

(3) Data collection is not anonymous and potentially sensitive or harmful information is collected from subjects. Studies only qualify for this exemption category if the HREB conducts an augmented HREB review and determines that there are adequate provisions for protecting participant privacy and maintaining confidentiality.

In terms of data security, the following questions must be addressed:

*1) What is the justification for using audio, video, or digital recordings in the research?*

*2) What is the sensitivity of the data being collected?*

*3) What is the* *likely retention period for the audio, video, or digital recordings?*

*4) What security controls do you have in place for the audio, video, or digital recordings (i.e., physical safeguards for paper records and recordings, technical safeguards for electronic recordings, Secure sharing or transfer of data outside the institution, if applicable)?*

*5) What is the potential risk for harm that would occur if the security of the data was compromised?*

Researchers must obtain informed consent for all audio, video, and digital recordings. The consent can either be written or verbal (e.g., at the beginning of the recording). Consent must describe how the data will be collected, stored, and used. It must describe who will have access to the recordings. In addition, it must describe how long the records will be retained and when they will be destroyed. If archiving the recordings for future research use, researchers must satisfy the requirements for creating a data repository and informed consent must satisfy the requirements for Broad Consent. Please contact the HREB Chair for further information.

The use of audio, video, or digitally recorded segments must be clearly defined in the informed consent form and participants must have the option of whether or not they consent to such uses of the recordings. For example, participants must consent to the use of segments in conference presentations, images in publications, or in educational training. An example follows:

*In addition to analyzing your recording for this research study, we would like to ask your permission to use excerpts from your recording for other purposes. You can choose whether you want to allow your recording to be shared. If you choose to allow us to share your recording, we will not use your name in any report, publication, or presentation. Please tell us your decision(s) by placing a check beside your choice(s).*

*□ The recording can ONLY be studied by the research team for use in the research project and CANNOT be published or used in any presentations.*

*OR if you agree to share your recordings, please mark your choice(s) below:*

*□I agree that my recording can be shown in public presentations to scientific/nonscientific groups.*

*□I agree that my recording can be shown to participants in other research studies.*

*□I agree that my recording can be used for scientific publications.*

*□I agree that my recording can be shown in classrooms to students for education and training*

*Your signature indicates that you have read the information and made a decision about how your recording may be used.*

Please contact the HREB for additional assistance and/or information.

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