Guidelines For Situations Where You May Be Recorded

In today’s technology-centric world, it is important to assume that anything written or said might later be made public. New York State law permits one person in a conversation to record that conversation without asking or letting the other person or persons know that they are recording it. However, someone can’t legally record a conversation they are not part of, such as an overheard conversation.

General Advice

Whether or not you know a meeting (group, one-on-one) or presentation is being recorded:

- As in any circumstance, maintain a professional demeanor.
- Speak based on your own knowledge. Do not make assumptions, statements, interpretations or commitments on matters outside your scope of knowledge. Don’t try to answer questions when you don’t know the answer. Do not speculate.
- Stay on topic. Really listen to the individual’s questions and concerns and respond as directly as you are able or as is appropriate depending on the nature of the matter.

Recording at Group Meetings or Presentations:

What steps can I take to find out if anyone intends to record and/or publicly report on a meeting, group meeting and/or presentation?

At the beginning of the meeting or presentation, you may ask if there are any individuals present who intend to record or livestream the meeting or if there are members of the media present. If you have been invited to give a presentation to a Cornell group (including one of the Assemblies), it is reasonable to ask the meeting organizers in advance what the protocol is around media and recording issues.
If you learn that the meeting organizers will allow video recording/streaming/upload or presence of the media, and are uncomfortable continuing, please check in with your supervisor or Human Resources representative about the most appropriate manner to proceed. For instance, you and your supervisor may decide that you might also record the meeting or presentation or bring a colleague with you. If you do record the meeting, please inform the meeting organizers that you are also recording the meeting and make sure to keep a copy.

Whether you proceed knowing that it will be recorded is your decision.

Preparing for Media Attendance

Members of the media may have access to a meeting or event by nature of it being open to the general public or open to media under state or federal law. In other cases, reporters may be invited by the event’s organizers.

Please contact Cornell’s Media Relations Office if you have questions about interacting with media or need assistance preparing for meetings where media will be in attendance.

One-on-One Meeting

e.g. - counseling or performance dialogue

What if an individual asks to record a meeting as it is starting or after it has commenced?

You are within your rights to decline the request; however, before doing so, it is recommended that you ask why the individual wants to record the meeting. If you decide you would prefer not to be recorded, you may decline the request and respectfully outline other options. You can offer to reschedule the meeting so that you are also able to record it or have a colleague present to monitor it, or you can offer to identify someone else to meet with the individual. Most importantly, avoid becoming defensive.

What can I do if the individual continues to record the meeting even after I decline their request?

You may respectfully end the meeting and the interaction, letting them know that you prefer to continue later after you consider their intention to record. This will allow you to review options and further evaluate how to proceed, including whether you are willing to allow them to record a future conversation. You should consult with your supervisor or Human Resources.

Responding to Disability Accommodation Requests

Some individuals need to record meetings as a disability accommodation. You must be respectful and responsive to such requests; however, these requests should be made in advance so that you are aware of and can properly plan. If an individual who has not previously made known their need for such an accommodation arrives at a meeting and demands to record, you may politely inform the individual that the meeting will need to be rescheduled as you were not informed of this accommodation in advance. You are also free to continue with the meeting without delay if you are comfortable doing so.

Additional Information

If you have additional questions that are not answered here, please communicate with your supervisor or Human Resources representative who may seek advice from Workforce Policy and Labor Relations and/or University Counsel. We want to address your questions and concerns.