

## **Connecticut College Student Accessibility Services**

### **Use of Audio Recording Device as Accommodation Policy**

#### **Preamble**

Section 504 of the Rehabilitation Act of 1973 contains the following requirement relating to a postsecondary school's obligation to provide auxiliary aids to qualified students who have disabilities:

A recipient . . . shall take such steps as are necessary to ensure that no disabled student is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under the education program or activity operated by the recipient because of the absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills.

The instructor may not forbid a student's use of an aid if that prohibition limits the student's participation in the school program. The Section 504 regulation states:

A recipient may not impose upon handicapped students, other rules, such as the prohibition of tape recorders in classrooms or of dog guides in campus buildings, that have the effect of limiting the participation of handicapped students in the recipient's education program or activity.

Sometimes postsecondary instructors may not be familiar with Section 504 or ADA requirements regarding the use of an auxiliary or personal aid in their classrooms. Most often, questions arise when a student uses a recording device. College instructors may believe recording lectures is an infringement upon their own or other students' academic freedom, or constitutes copyright violation.

#### **Policy**

If an instructor's policy forbids the use of recording devices (tape recorder, digital recorder, smart phone, Livescribe pen, computer recording, etc.) in the classroom, students must be approved by Student Accessibility Services to receive an accommodation for the use of a recording device in the classroom in order to be able to use such a device.

In order to allow a student with a disability the use of an effective aid, and at the same time protect the instructor and fellow students, Connecticut College ("the College") requires the student utilizing such an accommodation to sign an agreement so as to not infringe on potential copyright or right to privacy, nor limit freedom of speech.

Recordings shall be used for personal and private use only. Students may not share such recordings with others in any way; this includes but is not limited to posting such recordings online.

Students who wish to use a device to record lectures for other uses such as publications, transcriptions, duplications, etc. must obtain prior written approval from their instructor for that specific purpose. Any use of recordings in such a manner without the instructor's approval constitutes academic misconduct and may result in an Honor Code violation resulting in suspension or being directed to withdraw from the College.

**\*\*\* Students who violate this policy will not be allowed to use a recording device as an accommodation in any course \*\*\***

Classes that involve self-disclosure from students:

In some cases, instructors may object to the use of a recording device in classes (or portions of classes) that involve personal discussion and self-disclosure by students, fearing that audio recorders will inhibit the free exchange of information and potentially violate students' right to privacy. However, because the use of a recording device is necessary as a substitute for or supplement to note-taking by the accommodated student, it would be unfair to require the accommodated student to stop recording while allowing other students to continue taking notes. Therefore,

- At the discretion of the instructor both note-taking and audio-recording may be prohibited during classes or portions of classes which involve personal discussion and self-disclosure.

- Or, as an alternative in such cases, the accommodated student may be provided with copies of notes made immediately subsequent to such discussion by a designated note taker. Such notes should refer only to principles, theories, and techniques demonstrated within the context of those discussions, and not to specific content or personal details that may have been shared in such a forum.

Visiting Lecturers:

Visiting lecturers are considered to be "agents" of the College. As such, they should be notified by the inviting party that a student has been given permission to audio-record classes in order to prevent them from being at a substantial disadvantage for reasons related to a disability. If the visiting lecturer does not grant permission, the responsibility remains with the College to ensure that any existing disadvantage is alleviated. In such circumstances, alternative options, such as those listed above, must be considered.

Amendment of Policy:

Connecticut College reserves the right to amend this policy at any time as circumstances require.

7/2016

## Agreement Form – Recording Lectures

I understand that because of my disability I have been approved for the accommodation of the ability to record classroom lectures/discussions.

I understand that the use of such recordings is for my personal study only.

I understand that the recording is intended for my appropriate use as a student, and no other purpose.

I understand that therefore I may not share the audio recording with anyone without the consent of the instructor.

I understand that recordings are only to be stored on my personal computer hard drive and will not be stored on any cloud-based storage.

I understand that I must delete the recordings from my personal hard drive at the end of the semester.

I understand that information contained in the audio-recorded lecture is protected under federal and international copyright legislation, and may not be published or quoted without the lecturer's explicit consent and without properly identifying and crediting the lecturer.

I understand that violating this agreement will result in the withdrawal of the authorization to audio-record, as well as a review of access to similar services in the future.

I understand that any use of recordings in violation of this policy constitutes academic misconduct and may result in an Honor Code violation resulting in suspension or being directed to withdraw from the College.

I have read and understand the Policy on Use of an Audio Recording Device as an Accommodation, and I agree that I will follow the terms of this agreement in accordance with the spirit of the policy.

\_\_\_\_\_  
(Student's Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print Student Name)

\_\_\_\_\_  
(Camel ID#)