

TAPING LECTURES AS AN ACCOMMODATION

CAN AN INSTRUCTOR FORBID A STUDENT WITH A DISABILITY TO USE A TAPE RECORDER IN CLASS?

No, not if it has been approved as an accommodation for the student's disability in providing meaningful access to the educational experience. Tape recorders are one of the accommodations specifically mentioned in Section 504 of the Rehabilitation Act of 1973.

According to the regulations:

- Students with disabilities who are unable to take or read notes have the right to record class lectures only for their personal study.
- Lectures taped for personal study may not be shared with other people without the consent of the lecturer.
- Tape-recorded lectures may not be used in any way against the faculty member, other lecturers, or students whose classroom comments are taped as part of the class activity.
- Information contained in the tape-recorded lecture is protected under federal copyright laws and may not be published or quoted without the express consent of the lecturer and without giving proper identity and credit to the lecturer.

INSTRUCTOR'S RIGHT TO PRIVACY IN THE CLASSROOM:

If an instructor objects to the use of a tape recorder, it is typically because they maintain that their right to privacy of information discussed in the classroom is being violated. The instructor's right to privacy does not override the student's right to accommodation. It is the responsibility of the Accessibility Resource Office to see that the instructor's concern for privacy is respected and addressed while still assuring the availability of accommodation for the student. In many instances, this has been accomplished through the adoption of a contract between the instructor and student that details the specific limited use of the tapes and arranges for their disposal when the function has been fulfilled.

CLASSES THAT INVOLVE SELF-DISCLOSURE FROM STUDENTS:

Occasionally, instructors object to the use of a tape recorder in classes that involve a great deal of self-disclosure from students as part of the class, fearing that the tape recorder will inhibit students from freely sharing. The use of a tape recorder is to replace the student's note taking ability. If these open discussions are not appropriate subject matter for any student to be taking notes, it would be appropriate to ask the student with disability to turn off the tape recorder during these periods.

Student Name: _____

V#: _____

RECORDER ACCOMMODATION AGREEMENT

- I understand that, as a student enrolled at Jefferson College, who has a disability that affects my ability to take or read notes, I have the right to record my class lectures for use in my personal studies only.
- I realize that lectures recorded for this reason may not be shared with other people without the written consent of the lecturer.
- I also understand that recorded lectures may not be used in any way against the faculty member, other lecturer, or students whose classroom comments are recorded as part of the class activity.
- I agree to abide by these guidelines with regard to any lectures I record while enrolled as a student at the institution.
- If I believe that any recorded information may contain discriminatory actions, I will produce my recording(s) to Accessibility Resource Office Staff for further actions as needed.

Initial each statement and sign below:

Student Signature: _____ Date: _____

Signature of ARO Representative: _____ Date: _____
