

Policy and Procedure Title:
**Policy for Provision of Lecture Recording
as a Reasonable Accommodation**

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Form(s)	Responsibilities/ Owner
	VP Academic Affairs and Registrar Head of Learner Support and Student Services Access Office
Superseded or Obsolete Procedures	
Initial Issue	

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1. Purpose

- 1.1 The South East Technological University Carlow Strategic Plan 2019-2023 highlights that it will exemplify “excellence in education and student life, provide opportunity, engage with all our learners and support them in their development as confident global citizens.” South East Technological University Carlow is committed to ensuring that learners with disabilities are treated in a fair and inclusive manner and given the opportunity to achieve their academic goals in a supportive learning environment. As a result, South East Technological University Carlow ensures its learners with disabilities can access and participate fully in college life. To support this commitment, South East Technological University Carlow shall endeavour to provide the necessary supports and facilities that learners may need as required by the Disability Act, 2005, Equal Status Act, 2000 and the Equality Act, 2010.
- 1.2 The South East Technological University Carlow’s *Learner Disability and Learning Support Policy* states that the Institute “shall take every reasonable accommodation to ensure that specific requirements are met and that all learners are able to participate as fully as is practicable in the academic life of South East Technological University Carlow.”¹
- 1.3 The purpose of this policy is to allow for the provision of audio recordings of lectures, or a suitable alternative, as a reasonable accommodation for learners with disabilities who are registered with the South East Technological University Carlow Access Office and have been assessed and approved for this type of accommodation.
- 1.4 This policy provides a framework for the South East Technological University Carlow to facilitate learners’ requests in a structured and timely manner. It identifies the process that must be followed by learners who are permitted a reasonable accommodation by the Access Office.
- 1.5 Other than according to the provisions in this policy, the recording of lectures by learners is not permitted as per the South East Technological University Carlow’s *Lecture Recording Policy*. Note that the *Lecture Recording Policy* also governs the recording of lectures by lecturers.

¹ See Appendix 1 for details of related policies and sources

2. Definitions

- 2.1 This section will define the use of the following terms as used in this policy: disability, reasonable accommodation, recording device, authorised learner and Lifelong Learning Coordinator.
- 2.2 Disability is understood to mean: “a substantial restriction in the capacity of the person to carry out a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment. Substantial restriction means a restriction that is permanent (or likely to be permanent) which results in significant difficulty in communication, learning or mobility and means that the person has a need for services to be provided on a continuous basis.”²
- 2.3 A Reasonable Accommodation is “any action that helps to alleviate a substantial disadvantage due to an impairment or medical condition.”³

Factors influencing the determination of what is reasonable may include: the effectiveness of taking particular steps in enabling the learner to overcome the relevant disadvantage; whether the steps would significantly compromise the academic standards, pedagogical approaches or professional practices associated with the module/programme; health and safety issues; the effect on other learners; and the financial and other cost to the institution.

- 2.4 “Lectures” includes other forms of classes, such as labs, tutorials and workshops.
- 2.5 A recording device means any device and or recording software provided by the Institute through the Access Office to an authorised learner for use in accordance with this policy to record lectures for which the authorised learner is registered to attend. Recording devices remain the property of South East Technological University Carlow .
- 2.6 An authorised learner is a registered learner of the Institute who has been identified by way of a Needs Assessment⁴ and approved by the Access Office as eligible for a reasonable accommodation, such as receiving a recording device for use in accordance with this policy.
- 2.7 Part time learners must register with the Lifelong Learning Coordinator. For the purpose of this policy, the Lifelong Learning Coordinator will be the Access Office as it relates to part time learners.

² Disability Act (2005) p.6

<https://www.irishstatutebook.ie/eli/2005/act/14/enacted/en/html> (accessed 22.03.2022)

³ AHEAD <https://www.ahead.ie/employer-accommodations> (accessed 22.03.2022)

⁴ See South East Technological University *Learner Disability and Learning Support Policy* <https://www.itcarlow.ie/public/userfiles/files/Learner-Disability-Learner-Support.pdf> (accessed 22.03.2022)

3. Scope

- 3.1 South East Technological University Carlow is committed to an inclusive approach to teaching and learning. This policy complements, and is consistent with, the *Lecture Recording Policy* and specifically provides a framework to implement the South East Technological University Carlow 's commitment to "providing access to lecture recordings as reasonable accommodation for students with disabilities", as outlined in the *Learner Disability and Learning Support Policy*:

Academic departments, in conjunction with Student Services and the Teaching and Learning Centre, shall plan, design and adopt teaching and learning strategies, which make the teaching of the programme as inclusive as is possible and, where reasonable, allow adaptation and assistive technology to accommodate the needs of learners with disabilities.

- 3.2 To enable authorised learners to access audio recordings of lectures, or a suitable alternative, as a reasonable accommodation, this policy has been developed to specify the process and procedures for: learners with disabilities to request a reasonable accommodation; South East Technological University Carlow to facilitate and manage such requests; authorised learners to avail of any reasonable accommodations granted, subject to a *Learner Code of Practice* (Section 5) that must be adhered to.
- 3.3 Important considerations are respect for copyright and data protection, and control of any recordings. Participants should know if the lecture is being recorded, why it is being recorded and who will have access to it.
- 3.4 In the absence of specific permission, the recording and transmission of lectures by learners by any means is prohibited and the learner may be subject to disciplinary measures under the South East Technological University Carlow Code of Discipline.

4. Recording of Lectures as a Reasonable Accommodation

- 4.1 To avail of lecture recording, or equivalent, as a reasonable accommodation, a learner with a disability must first have registered with the South East Technological University Carlow Access Office. Part-time learners must first have registered with the Lifelong Learning Coordinator.
- 4.2 A Needs Assessment will be carried out by the Access Office and if this assessment determines that recording of lectures is necessary as a reasonable accommodation, and where the learner requests that this accommodation be put in place, the Access Office and the South East Technological University Carlow shall assist the learner accordingly.
- 4.3 The Access Office shall send written notification to the relevant Head of Department.
- 4.4 The Head of Department shall forward a copy of the written notification to the relevant lecturer(s).
- 4.5 The relevant lecturer, in consultation with the Access Office, shall consider how best to fulfil the request for lecture recording as a reasonable accommodation.

This may be to permit the authorised learner to make audio recordings in accordance with this policy.

Alternatively, in agreement with the Access Office and Head of Department, the lecturer may consider suitable alternatives, which can include one or more of the following:

- i. permitting the learner to use an app to create a text transcription rather than record an audio file
- ii. providing video and/or audio recordings of the lecture/class and/or text transcription captured by the lecturer themselves
- iii. providing an electronic copy of the class slides/notes with an audio recording of the lecturer's comments in class
- iv. providing a copy of the class presentation/slides or class notes with a reasonable transcript of the lecturer's comments in class

The lecturer will confirm written notification to the Access Office of the reasonable accommodation to be provided to the authorised learner.

- 4.6 If there is any concerns or objections by other learners to the lecture recording, the lecturer will discuss these and may consider suitable alternatives as detailed in 4.5.
- 4.7 The authorised learner must adhere to the *Learner Code of Practice* outlined in Section 5 of this policy. The authorised learner must sign the *Terms of Agreement for*

Recording of Lectures (see Appendix 2) and the Access Office will send a copy to the relevant Head of Department and lecturer(s).

- 4.8 The relevant lecturer shall advise the authorised learner of instances where copyright is held by a third party and recordings may not be made.
- 4.9 At the start of a module, lecturers will inform learners that lectures may be recorded and what this entails. At the start of each lecture that is being recorded, lecturers will inform learners but without disclosing the identity of the learner who is recording.
- 4.10 The lecturer shall have the right to request access to recorded material for review and retain such recordings at their discretion.
- 4.11 The lecturer may direct the authorised learner to delete a particular recording.
- 4.12 The copyright and intellectual property rights of teaching materials is not altered should lectures/classes be recorded.
- 4.13 The Access Office (in conjunction with the Lifelong Learning Coordinator) will monitor the implementation of this policy, including recording the number of learners requesting a reasonable accommodation of lecture recording or suitable alternative, the number reviewed and granted, feedback from authorised learners, and feedback from lecturers on the experience and workload of fulfilling these requests. This will be reported annually to the appropriate committee of Academic Council.
- 4.14 This policy will be reviewed within 24 months of being approved.
- 4.15 Summary of Process for Recording of Lectures as a Reasonable Accommodation

Learner registers with Access Office/Lifelong Learning Coordinator
Needs Assessment to determine reasonable accommodation and
authorised learner requests permission to audio record lectures

Access Office contacts HoD with request,
who forwards to lecturer(s)

Lecturer permits audio recordings and confirms to Access Office,
or agrees suitable alternative

Authorised learner signs *Terms of Agreement*
to confirm adherence to the *Learner Code of Practice*
and receives recording device

Access Office sends lecturer copy of signed *Terms of Agreement*
and lecturer informs learners of recording before each lecture

5. Learner Code of Practice

- 5.1 Learners granted permission to record lectures/classes as a reasonable accommodation must read and familiarise themselves with this policy and the *Learner Code of Practice*. Learners granted a reasonable accommodation of a suitable alternative to the audio recording of lectures are also bound by the applicable provisions of this *Learner Code of Practice*.
- 5.2 Learners recording lectures must accept and sign the *Terms of Agreement for Recording Lectures* detailed in Appendix 2 and comply with the conditions laid out in this *Learner Code of Practice*.
- 5.3 Recording of lectures/classes, or segments therein, is not permitted where copyright is held by a third party.
- 5.4 Only digital audio recordings may be made by a learner using a dedicated device belonging to the South East Technological University Carlow Access Office.
- 5.5 Recordings made by learners shall be provided to the relevant lecturer if requested.
- 5.6 Recordings of in-class learner discussions and presentations are not permitted. Recordings may capture interactions between learners and the lecturer, such as learners' questions and comments.
- 5.7 Learners are prohibited from recording lectures/classes on behalf of another learner or any third party.
- 5.8 Learners are prohibited from sharing lecture/class recordings with other learners or any other person.
- 5.9 Learners are prohibited from reproducing, transferring, exchanging, distributing, modifying, or displaying in any public or commercial manner, lecture/class recordings. In this context, the following is strictly prohibited:
 - i. the copying, by any means, of recorded lectures/classes
 - ii. the posting/displaying of recorded lectures/classes on any public or private forum including the internet and all electronic fora
- 5.10 Learners are solely responsible for storing recordings safely and securely.
- 5.11 Learners shall delete recordings by the end of the academic year in which the module was taken.
- 5.12 Learners shall delete a recording if directed to do so by the lecturer.
- 5.13 Learners who are in breach of the commitments in this *Learner Code of Practice* may be subject to disciplinary measures under the South East Technological University

Carlow Code of Discipline and may have their right to record lectures/classes rescinded.

- 5.14 Learners are reminded that covert audio and/or visual recording of lectures/classes is strictly prohibited and will be treated as a serious disciplinary matter.
- 5.15 Learners shall return the digital audio recording device to the Access Office at the end of their requirement to record lectures/classes or when requested to do so by the Access Office.

6. Appendices:

Appendix 1: Related policies and sources

- 6.1 Related South East Technological University Carlow policies:

- Lecture Recording Policy
- Policy for Learner Access and Widening Participation
- Learner Disability and Learning Support Policy
- Learner Engagement and Progression Framework
- South East Technological University Carlow Strategic Plan 2019-2023

Related external guidelines:

AHEAD / DAWN: Inclusive Learning and the Provision of Reasonable Accommodations to Students with Disabilities in Higher Education in Ireland

- 6.2 Acknowledgment of sources:

LIT Policy for Provision of Lecture Recording as a Reasonable Accommodation 2019 - 2024

[https://lit.ie/admin/LIT/media/LIT/Quality/Quality%20Handbook%202019 2020/Vol
ume%20\(5\)%20Student%20Support%20Policies Procedures/\(8\)-LIT-Policy-for-
Provision-of-Lecture-Recordings-as-a-Reasonable-Accommodation.pdf](https://lit.ie/admin/LIT/media/LIT/Quality/Quality%20Handbook%202019%2020/Volume%20(5)%20Student%20Support%20Policies%20Procedures/(8)-LIT-Policy-for-Provision-of-Lecture-Recordings-as-a-Reasonable-Accommodation.pdf)

Policy on the Recording of Oral and/or Visual Presentations in Waterford Institute of Technology for Students Registered with the Disability Office

https://www.wit.ie/about_wit/documents_and_policies/for_students

Trinity College Dublin Reasonable Accommodation Policy for Students with Disabilities

<https://www.tcd.ie/disability/assets/pdf/RA-Policy.pdf>

Appendix 2: Terms of Agreement for Recording of Lectures



Terms of Agreement for Recording of lectures/classes

I, _____ (Student Number _____) confirm that any recordings of lectures (or suitable alternatives) which I obtain are for the sole purpose of assisting me in my learning.

<<insert details of approved reasonable accommodation, eg audio recording of lectures>>

I, the authorised learner, undertake to comply with the following **Learner Code of Practice**:

- Learners granted permission to record lectures/classes as a reasonable accommodation must read and familiarise themselves with this policy and the *Learner Code of Practice*. Learners granted a reasonable accommodation of a suitable alternative to the audio recording of lectures are also bound by the applicable provisions of this *Learner Code of Practice*.
- Learners recording lectures must accept and sign the *Terms of Agreement for Recording Lectures* detailed in Appendix 2 and comply with the conditions laid out in this *Learner Code of Practice*.
- Recording of lectures/classes, or segments therein, is not permitted where copyright is held by a third party.
- Only digital audio recordings may be made by a learner using a dedicated device belonging to the South East Technological University Carlow Access Office.
- Recordings made by learners shall be provided to the relevant lecturer if requested.
- Recordings of in-class learner discussions and presentations are not permitted. Recordings may capture interactions between learners and the lecturer, such as learners' questions and comments.
- Learners are prohibited from recording lectures/classes on behalf of another learner or any third party.
- Learners are prohibited from sharing lecture/class recordings with other learners or any other person.

- Learners are prohibited from reproducing, transferring, exchanging, distributing, modifying, or displaying in any public or commercial manner, lecture/class recordings. In this context, the following is strictly prohibited:
 - the copying, by any means, of recorded lectures/classes
 - the posting/displaying of recorded lectures/classes on any public or private forum including the internet and all electronic fora
- Learners are solely responsible for storing recordings safely and securely.
- Learners shall delete recordings by the end of the academic year in which the module was taken.
- Learners shall delete a recording if directed to do so by the lecturer.
- Learners who are in breach of the commitments in this *Learner Code of Practice* may be subject to disciplinary measures under the South East Technological University Carlow Code of Discipline and may have their right to record lectures/classes rescinded.
- Learners are reminded that covert audio and/or visual recording of lectures/classes is strictly prohibited and will be treated as a serious disciplinary matter.
- Learners shall return the digital audio recording device to the Access Office at the end of their requirement to record lectures/classes or when requested to do so by the Access Office.

I have read and accept the above as an Official Agreement between me as the authorised learner and South East Technological University Carlow .

Signed: _____ Date: _____

Signed: (Staff Member)

_____ Date: _____

Access Office, South East Technological University Carlow