

ACADEMIC ACCOMMODATIONS—

Auxiliary Aids and Services and Class Recordings (3/4)

AUXILIARY AIDS AND SERVICES

The University of California is committed to ensuring that students with disabilities are provided with equal access to all its programs, services, and activities.¹ As part of that commitment, the University provides auxiliary aids and services to students approved for such accommodations after an individualized evaluation of the student's circumstances. For students who have related access needs, auxiliary aids and services provide an opportunity to effectively communicate in the classroom environment.

COMMON AUXILIARY AIDS AND SERVICES

The following is a non-exhaustive list of common auxiliary aids and services provided by the University of California.² "In determining what types of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of individuals with disabilities." (28 C.F.R. § 35.160(b)(2).)³ Campuses must honor an individual's request for a particular accommodation unless another equally effective means of communication exists or that use of the means chosen by the individual results in a fundamental alteration in the program.

- Qualified American Sign Language interpreters (live or video remote interpreting)
- Qualified readers
- Note taking services
- Screen reader software
- Computer Aided Real-Time Transcription (CART)
- Accessible written materials (e.g., Mp3 audio recordings of text, electronic texts, large print)
- Assistive listening devices
- Open or closed captioning
- Recorded (audio) texts
- Audio recordings
- Braille materials

RECORDING AS AN ACCOMMODATION

Class recordings are a recognized auxiliary aid and should be provided to students for whom it is approved. Faculty may have concerns regarding academic freedom or copyright infringement when a student is approved to record the class as an academic adjustment. However, the Department of Education prohibits the denial of class recording as an academic adjustment if such a denial precludes the student from participation in the class:

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 tape recorder. College teachers may believe recording lectures is an infringement upon their own or other students' academic freedom, or constitutes copyright violation. The instructor may not forbid a student's use of an aid if that prohibition limits the student's participation in the school program.*

– [Department of Education, Office for Civil Rights September 1998 Guidance](#)

As such, "[a]ny prohibition against the use of tape recorders ... may not be adopted." (PACAOS 143.33(b).) In lieu of denying class recording as an accommodation, students may be required to sign an agreement that prohibits the unauthorized sharing of any classroom recordings. Questions about class recording as an accommodation, and agreements related thereto, should be addressed with the assistance of the campus [Disability Services Office](#).

¹ PACAOS 140: Guidelines Applying to Non-Discrimination on the Basis of Disability

² This list is not exhaustive; 28 C.F.R. § 35.104 lists, "and other similar services and actions" to account for other equally effective mechanisms for effective communication and new technologies. See 28 C.F.R. § 35.104 and 34 C.F.R. § 104.44.

³ See also PACAOS 143.34.