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Alliance for Community Media
West Region

Accessibility and Captioning: Solutions for Community Media Centers

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Some Basics on the ADA

- The ADA Applies to Municipalities
- The ADA Applies to Agents of Municipalities
 - i.e. Nonprofits
- The ADA Applies to Internet Streaming by Municipalities
 - Subject of the most litigation related to video
- Municipalities Must Do Due Diligence
 - What Options Available for Captioning and the Cost
- Have a Plan
 - How to Meet Needs of Disabled Persons
 - Reasons Why Certain Captioning would be an Undue Burden
- Very Limited Exceptions to the ADA
- FCC Rules – Different than ADA – Largely Exempt



ADA Lawsuits at All-Time High

- Over 4,000 Cases Filed in 2024 ([source](#))
 - 40% in California, Florida, and New York
- Make sure your Video platforms are all ADA compliant
 - Cable Channel and all streams
 - Solution should not be to shut down any video platforms
- **Websites** are huge source of ADA litigation



New ADA Rules – Web Content and Mobile Apps

- New [ADA rules from the Department of Justice](#) relating to accessibility of web content and mobile apps provided by state and local governments were published in the Federal Register April 24, 2024.
- Here is the [DOJ Rule Fact Sheet](#).
 - It requires compliance with the **AA level** of the [WCAG 2.1 standard from 2018](#).
 - Includes captioning requirements for live programming
 - Audio description requirements for prerecorded programming.
- Rules [applies to more than just video](#), so you may want to forward this information on to the department responsible for ADA compliance and other online content for your organization.

New U.S. DOJ Resource On New Rule

- The U.S. Department of Justice [published “action steps”](#) in early January designed to help city and county governments ensure that their web content and apps comply with DOJ’s *Web and Mobile Application Accessibility Rule* adopted in 2024.
- Additionally, DOJ’s [Small Entity Compliance Guide](#) is designed to help people working for or with state or local governments better understand the rule.

Some Exceptions

- Archived web content
- Preexisting conventional electronic documents (PDFs, word processor file formats, presentation file formats, and spreadsheet file formats)
- Content posted by third parties
- Exception for individualized, password-protected conventional electronic documents (PDFs, word processor file formats, presentation file formats, and spreadsheet file formats)
- Exception for preexisting social media posts

Benefits of Compliance (Besides the Obvious)

- Reduce Legal Risks (the obvious)

 - Decrease in Possible Barriers Accessing Services of Disabled Persons (obvious)

 - Attract more Users
 - More attractive interface
 - More capabilities
 - Ease of Use

 - Improve SEO
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New ADA Rules – Compliance Steps

- Review new DOJ Rule
 - Review Applicable WCAG 2.1 Standards
 - Follow DOJ Actions Steps (Ten Steps)
 - Consult with your Equipment Vendors - ASAP
 - Partner Opportunities with Other Government Agencies?
 - Sharing Technologies?
 - **The deadline to comply** with the new rules is
 - **April 26, 2026**, for cities greater than 50,000 in population and
 - **April 27, 2027**, for cities smaller than 49,999 and commissions
 - Department of Justice Compliance [Resource](#)
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DOJ Information Line

- Have questions about the ADA?
- Call the U.S. Department of Justice ADA Information Line:
 - 800-514-0301 (voice) or
 - 1-833-610-1264 (TTY)

Thank You!



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