



## Update on Mainstream ICT Accessibility Policy

The Accessible Technology Webinar Series is sponsored by the Great Lakes ADA Center and the Pacific ADA Center, both members of the ADA National Network.

- The Session is Scheduled to begin at 1:00 pm CST
- We will be testing audio quality periodically

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## Webinar Features

- **Closed captioning** – click **CC** icon (located in the Audio/Video Panel) or control-F8 (command-F8) and adjust your screen.
- **Questions** - Highlight "Great Lakes" in the participant list and "right click" on your mouse to send a private message. Type your message into the chat area that appears. The question will be viewed by all moderators. (Keyboard - F6, Arrow up or down to locate "Great Lakes" and select to send a message )
- **Customize your view** – You can change the size and location of any of the panels (Chat, etc.) by hovering your mouse over the ☰ icon at the right of each panel and select "Detach Panel". Each panel can be repositioned and resized.
- Please do not use emoticons or hand-raising features during this session

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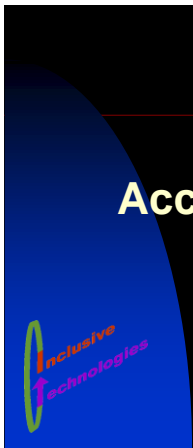
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## Update on Mainstream ICT Accessibility Policy

July 2013

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## Outline

- Relevance of mainstream ICT policy
- Where have we come from?
- What's going on now?
  - ◆ ADA
  - ◆ Section 508
  - ◆ CVAA & Section 255
  - ◆ Section 503
  - ◆ Non-regulatory policy activities
- Where you can help



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## Relevance of Mainstream ICT Policy

- Trends in mainstream ICT
  - ◆ permeation
  - ◆ personalization & self-service
  - ◆ disruption: pace, volume, costs
- Need for AT and expertise remains
- Goals:
  - ◆ maximize accessibility in mainstream ICT
  - ◆ keep AT & services sustainable



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## Where have we come from?

- Pre-ADA
  - ◆ Television Captioning Decoder Act
  - ◆ Hearing Aid Compatibility Act, TTY laws & rules
- ADA
- Section 255 (Telecom Act)
- Section 508 (Rehab Act)
- CVAA



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## Current Situation

- Continuing development of regulations
- Re-authorization of Rehab Act
- Non-regulatory policy development
  - ◆ R&D
  - ◆ Programs
  - ◆ Information resources



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## ADA

- New Rulemakings
  - ◆ Web, Movies, NG-911, Equipment
  - ◆ ANPRMs 2010
  - ◆ NPRMs: Title II July; Title III December



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## Web

- Court cases ruled out web; DoJ opposed this view throughout
- What standard to apply?
  - ◆ Probably WCAG 2.0 AA, possibly as interpreted by Access Board/508
- Clarifications
  - ◆ Effective date and old content
  - ◆ Public accommodation
  - ◆ Undue burden



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## Equipment

- Mostly non-ICT (e.g., medical exam tables)
- ATMs covered by new ADA rules
- What else could be covered?
  - ◆ Transaction devices (like ATMs)
  - ◆ Communication (phones and more)
  - ◆ Anything with user interface that is essential to the offered good or service in a covered entity



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## Section 508

- Federal ICT must be accessible when developed, procured, maintained, or used
  - ◆ Adopted by others in public sector
- Technical provisions for 6 product categories, Functional Performance Criteria, documentation & support
- Went into effect June 2001
- ICT providers communicate via VPAT



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## 508 Refresh (1/2)

- TEITAC 2006 - 2008
- Access Board issued 2 ANPRMs
- DoJ Report <http://www.ada.gov/508/>
- 508 Strategic Plan (OMB)
  - ◆ <http://www.whitehouse.gov/sites/default/files/omb/procurement/memo/strategic-plan-508-compliance.pdf>
  - ◆ Transparency, accountability, collaboration



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## 508 Refresh (2/2)

- Expect NPRM by end of 2013; Final Rule by middle of 2014; effective date late 2014 or early 2015
- WCAG 2.0 incorporated by reference
  - ◆ AA level
  - ◆ Translation to non-web: WCAG2ICT



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## 21<sup>st</sup> Century Communication and Video Accessibility Act (CVAA)

- Updated Section 255 for digital, wireless, TV, web, equipment
- Most provisions are settled and in place
- “Achievable”: reasonable effort and expense (stronger than 255)
- Product line & portfolio approach



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## CVAA Covers...

- ◆ Captioning
- ◆ Video Description
- ◆ Emergency communication
- ◆ “Advanced Communication Services”
- ◆ Accessible equipment
- ◆ Miscellaneous & admin



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## Captioning

- Digital TV – same as analog
  - ◆ 100% of new programming, 75% of old programming; some exemptions & waivers
- All screens (not just 13”+)
- Online videos
  - ◆ only programs that have been broadcast with captions – not online-only programs



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## Video Description

- 50 hours per quarter for top 4 broadcast networks (ABC, CBS, Fox, NBC) in the top 25 markets
- 50 hours per quarter of top 5 non-broadcast networks (USA, Disney, TNT, Nickelodeon, TBS)
- Live and near-live are exempt
- Expands in later years



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## Emergency Communications

- Accessible interfaces on all equipment for emergency alerting
- Accessible emergency alert content
- Text to 911



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## Advanced Communication Services (ACS)

- VoIP – contribute to relay fund
- Electronic messaging
  - ◆ email, text messaging, chat
- Interoperable videoconferencing
  - ◆ includes collaborative platforms
  - ◆ hardware, software, services



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## Accessible Equipment

- Video (settop boxes, TVs, etc.)
  - ◆ captioning (button on remote)
  - ◆ onscreen menus (channels, recording)
  - ◆ electronic program guide
  - ◆ emergency information
- Browsers on mobile phones
  - ◆ bundled browsers, not apps or content
- National Deaf-Blind Equipment Distribution Program
  - ◆ \$10M/year; state programs



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## Miscellaneous

- Hearing aid compatibility
- Recordkeeping
  - ◆ executive signoff
- Clearinghouse
  - ◆ <http://apps.fcc.gov/accessibilityclearinghouse/>
- Complaints



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## Section 503

- Covers federal contractors
- New proposed rules December 2011
  - ◆ 7% target for employment of PWD
  - ◆ must document applications by PWD and action taken
  - ◆ must have plan for accommodations
- Private sector pushback
- Final Rule expected by end of July 2013



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## Rehab Act Reauthorization

- Home of 503, 508, other relevant sections
- Senate HELP Committee Hearings June 20
  - ◆ Sen. Harkin, lead staffer Andy Imparato
- House?
- What could change:
  - ◆ 508 process
  - ◆ Role of Access Board
  - ◆ Interagency policy committees
  - ◆ Harmonize on 508 & universal design



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## Other Public Policy Items

- NIST Cloud Computing Roadmap
- CIO Council
  - ◆ Accessibility Committee to monitor and improve 508 performance
- DoL ODEP ATAC
- Transition to IP
- International policy: G3ict.org; UN Millennium Development Goals



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## Conclusions

- Ambitious agenda
- Political collisions ahead: regulating the Internet, transition to IP
- Harmonization on WCAG for all accessibility rules
  - ◆ Translation for non-web: WCAG2ICT



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## Participate! (1/3)

- Regulatory proceedings
  - ◆ Need more comments from consumers and AT community – esp. dexterity and cognitive disabilities
  - ◆ Easy to do
  - ◆ More proceedings on the way – ADA, CVAA, 508
- Complaints – getting easier



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## Participate! (2/3)

- Rehab Act reauthorization
- Programs
  - ◆ Funding for mainstream solutions via Medicare, Medicaid, voc rehab, education
  - ◆ Administration on Community Living
  - ◆ State coordination: SILCs, Tech Act, ADA Network, equipment distribution programs



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## Participate! (3/3)

- Implementation
  - ◆ Request accessibility information when your organization is buying ICT (VPATs and beyond)
- Information
  - ◆ FCC Clearinghouse
  - ◆ Other information sources



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## Q&A

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**Thank you for participating!**

**NEXT SESSION IS SEPTEMBER 19, 2013  
CREATING ACCESSIBLE PDFS – PART 1**

*The session today was recorded and will be archived at*

<http://www.ada-audio.org/Webinar/AccessibleTechnology/>

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