

The 21st Century Communications and Video Accessibility Act

What Audiovisual Content Providers Need To Know

Summary

This document provides an overview of the 21st Century Communications and Video Accessibility Act (CVAA), a discussion of compliance, and a breakdown of what the act requires providers of audiovisual content to do.

This white paper is authored by Deque Systems, whose consulting services and WorldSpace software platform help Fortune 500 companies, major government agencies and educational institutions achieve the benefits from being fully accessible.

More information is available www.deque.com.

What is the CVAA:

The 21st Century Communications and Video Accessibility Act (CVAA) passed on October 8, 2010. The act covers a range of requirements for making telecommunications services and video content accessible to handicapped users. This white paper will not focus on the telecommunications portion of the bill, but solely on the online audiovisual content aspects.

For online video, the CVAA extends closed captioning obligations to video programming provided by (or generally considered comparable to programming provided by) television broadcast stations, even when distributed over the Internet.

- The CVAA covers video programming previously captioned for television viewing, live video programming, and new video programming provided by or considered comparable to programming provided by multichannel programming distributors.
- The act also explores the need for online interfaces around the navigation of audiovisual interfaces to be accessible.
- Does not cover user-generated content (e.g., YouTube videos posted by individuals).



The new law contains protections to enable people with disabilities to access digital and mobile innovations.

— **FCC Encyclopedia, on the CVAA**

Who must comply with it?

The Act is currently working its way through the legislative process, with the FCC leading an inquiry on the specific requirements of the act, which will lead to specific mandates. The process can be lengthy, and events such as congressional and presidential elections can impact the outcome.

The experts that Deque consulted with in the creation of this white paper concur that the likely outcome is that for-profit, commercial entities will be required to comply with the video accessibility portions of the act.

What are the risks of not complying with the CVAA?

The potential penalties are stiff:

- A fine of up to \$100,000 for each violation of the CVAA, or for each day of an ongoing violation
- Total penalties may be as high as \$1,000,000

What does an organization have to do to comply with the CVAA?

1. Ensure that all audio-visual content is made available via an accessible player application. Accessible player applications should work and be compatible with assistive technology such as screen readers, and all functions should be available via the keyboard only.
2. Audio-visual content should be captioned so that users that are handicapped are able fully understand all aspects of the content.

Type of Content	Likely CVAA Focus	Steps to Compliance	Ways to Confirm Compliance
Video	Video content must be accessible to individuals who cannot hear the audio portions of an online video, and the content must be understandable to individuals who cannot see the visual element of an online video.	<p>Make this content accessible to the hearing impaired through captioning. Captions should be visible, in sync with the multimedia, identify all speakers, provide a full text transcript of all dialogue, and describe all essential sound effects.</p> <p>Make this content accessible to the sight impaired through descriptive audio narration. Narration should contain descriptions of key elements of the video that are visual in nature.</p>	<p>I can turn on closed captions, turn off the volume and not miss any important audio content.</p> <p>I can close my eyes and listen to the video and not miss any important visual content.</p>
Audio	Audio content must be accessible to individuals who cannot hear it.	<p>Captions should be visible, in sync with the multimedia, identify all speakers, provide a full transcript of all dialogue and describe all essential sound effects.</p> <p>A full text transcript describes all essential video, audio, interactions along with any sounds, scene changes, character expressions, and additional descriptive text if necessary to fully describe the multimedia.</p>	I can turn on closed captions, turn off the volume and not miss any important audio content.

FIGURE 1.1- CVAA Compliance Matrix for Audio and Video Material

Additional benefits of complying with the CVAA:

- Accessible content will allow it to have the widest possible reach
- Studies have shown that captions are useful and aid comprehension for users who are not handicapped
- Transcripts allow for audio visual files to be discoverable by search engines



Popular video site YouTube has free, easy-to-use tools to caption video.

Steps to Compliance

- 1) Identify which is the most heavily used audio-visual content, and begin by making that material accessible.
- 2) Create a workflow so that any new material is captioned and made accessible.
- 3) Prioritize existing audio-visual assets. Ensure that any existing assets that are critical to individuals using your site are prioritized highly.
- 4) Test to make sure that the audio-visual players used to deliver content are accessible to users of assistive technology.

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