

Captioning Municipal Video: Responsibilities, Benefits and Solutions

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FCC Captioning Rules

- Covers ALL Television Channels
- Outlines Quality Standards
- Provides Self-Implementing Exemptions and a Process for Gaining Exemptions if an Organization Qualifies After Review

<https://www.fcc.gov/consumers/guides/closed-captioning-television>

FCC Captioning Rules

- **Quality Standards include**
 - **Accurate:** Captions must match the spoken words in the dialogue and convey background noises and other sounds to the fullest extent possible.
 - **Synchronous:** Captions must coincide with their corresponding spoken words and sounds to the greatest extent possible and must be displayed on the screen at a speed that can be read by viewers.
 - **Complete:** Captions must run from the beginning to the end of the program to the fullest extent possible.
 - **Properly placed:** Captions should not block other important visual content on the screen, overlap one another or run off the edge of the video screen.

FCC Captioning Rules

Self Implementing Exemptions

<https://www.fcc.gov/general/self-implementing-exemptions-closed-captioning-rules>

These Exemptions do not need FCC review before they are implemented. They Include:

Non-Spanish and Non-English Language Programming

Textual Programming

Non-Vocal Music Programming

Programming Between 2 and 6am

Captioning Expense in Excess of 2% of Operating Revenues in CY

Channel Revenue Under \$3M in CY

CVAA

- Ensures Electronic Devices are Accessible
- Ensures that Streamed Video and Websites are Accessible
- *Video that is Exempt Under FCC TV Rules is Exempt Under CVAA*
- *All Non-Exempt Video Must Be Accessible Under CVAA*

ADA Requirements

- PEG Channels operated by local governments, educational institutions and non-profits are subject to Americans with Disability Act requirements SEPARATE from FCC requirements
- Department of Justice administers ADA and issued rules for how different entities must effectively communicate with people with disabilities
 - <https://www.ada.gov/effective-comm.htm>
 - https://www.ada.gov/regs2010/titleII_2010/titleII_primer.pdf

ADA Requirements

- Covered entities are required to provide aids and services unless doing so would result in an “undue burden,” which is defined as significant difficulty or expense.
- If a particular aid or service would result in an undue burden, the entity must provide another effective aid or service, if possible, that would not result in an undue burden.
- Determining what constitutes an undue burden will vary from entity to entity and sometimes from one year to the next. The impact of changing economic conditions on the resources available to an entity may also be taken into consideration in making this determination.

ADA Requirements

- *State and local governments*: in determining whether a particular aid or service would result in undue financial and administrative burdens, a title II entity should take into consideration the cost of the particular aid or service in light of all resources available to fund the program, service, or activity and the effect on other expenses or operations. The decision that a particular aid or service would result in an undue burden must be made by a high level official, no lower than a Department head, and must include a written statement of the reasons for reaching that conclusion.
- *Businesses and nonprofits*: in determining whether a particular aid or service would result in an undue burden, a title III entity should take into consideration the nature and cost of the aid or service relative to their size, overall financial resources, and overall expenses. In general, a business or nonprofit with greater resources is expected to do more to ensure effective communication than one with fewer resources. If the entity has a parent company, the administrative and financial relationship, as well as the size, resources, and expenses of the parent company, would also be considered.

Benefits to Captioning

- Captioning Enhances and Increases Usability of Video Content
 - Increased Search Engine Optimization
 - Increased Use by Multiple Populations
 - Distracted Viewers and Distracting Environments
 - Aging Viewers
 - Non-English Speakers
 - Viewers who are Deaf or Hard of Hearing

3 types of Live Captioning Solutions.

As used by Community Cable Channels and
Streams for ADA compliance.

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Example 1:

Encoder + Stenographer



Pay by the hour. Rush fees, cancellation fees and 2 hour minimums may apply.

Example 2:

Encoder + Local A.I. Server



Pay by the year for X hours per month or capitalize and buy outright for 24/7 usage

Example 3:

Encoder + Cloud A.I. Service



Pay by the hour,
monthly hour plan, or
annual block of hours.

Generic Costs for 200 hours/year of Closed Captioning.

Example 1 - Encoder + Stenographer

- Encoder + Updating Airpath (replacing converters)= \$5,000-\$10,000
- 200 Hours at \$125/hour = \$25,000

General costs of \$30,000 to \$35,000 first year and \$25,000 after.

Generic Costs for 200 hours/year of Closed Captioning.

Example 2a - Encoder + A.I. Server (leased)

- Encoder + Updating Airpath (replacing converters)= \$5,000-\$10,000
- 200 Hours under entry (30hrs/month) lease plan = \$12,000

General costs of \$17,000 to \$22,000 first year and \$12,000 after.

Generic Costs for 200 hours/year of Closed Captioning.

- Example 2b - Encoder + A.I. Server (capitalized)
- Encoder + Updating Airpath (replacing converters)= \$5,000-\$10,000
 - 200 Hours using hardware purchased with PEG funds = \$45,000-\$50,000

General costs of \$50,000 to \$60,000 first year and optional support

Generic Costs for 200 hours/year of Closed Captioning.

Example 3 - Encoder + Cloud A.I.

- Encoder + Updating Airpath (replacing converters)= \$5,000-\$10,000
- 200 Hours using cloud service = \$5,000

General costs of \$10,000 to \$15,000 first year and \$5,000 after.

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created on 9/23/21 by Daniell Krawczyk

Please call or email with any questions

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Questions?

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