

## **Chapter 3 – General Institution**

### **AP 3450 Accessibility of Audiovisual Media – Captioning**

#### **References:**

Section 508 of the Rehabilitation Act (29 U.S.C. Section 794d, Subpart A, 1194.24, 36CFR part 1194); Section 504 of the Rehabilitation Act (34CFR Sections 104.3, and 104.44); Americans with Disabilities Act (42 U.S.C. Section 12101); Title 5 Sections 56000 et sec.; Education Code Sections 66010.2, 67310, 67302.5 (AKA aka Assembly Bill 386) and 84850; BP 3410, BP 3420, BP 3440, and BP 5140, AP 5140, and AP 5142.

This Administrative Procedure provides College employees with guidance in the preparation of audiovisual materials and informs the campus community members as well as College visitors with disabilities as to how they may gain access to these accessible materials.

Section 508 (1194.24) provides that all training and informational video and multimedia productions that contain speech or other audio information necessary for the comprehension of the content, shall be open- or closed-captioned. Videos must have captions to be used at the College for general campus viewing including the College's general public website. All videos shown for general campus/community use must be shown with captions on.

In compliance with Section 508, and upon the recommendation of the California Community Colleges Chancellor's Office, the College directs the following options regarding video materials:

1. Purchase video materials that are already captioned;
2. Obtain copyright permission to caption legally-obtained videos currently in inventory and then caption those videos;
3. Obtain loan of captioned media; and
4. Provide alternate selection of materials

#### **New Purchases:**

All materials purchased with College funds must be captioned or subtitled for the deaf or hard-of-hearing (SDH) before they are shown. If materials are only available in non-captioned, non-SDH formats, it is the responsibility of the purchasing party to pay for and have them captioned and/or subtitled for the deaf or hard-of-hearing.

If a College employee purchases materials on their own which are not captioned or in an SDH format, the materials cannot be shown until they meet the criteria of being captioned or subtitled.

## **Obtaining Copyright Permission:**

Copyright laws require that a reasonable attempt must be made to identify and contact the owner of any material prior to adding captions to any audiovisual material. There are times when an owner does not respond to these requests. Education Code Section 67302.5 grants public colleges and universities permission to create captioned versions if a publisher does not respond to a written request to caption within ten (10) days.

## **Videos in Division/Department Collections:**

Uncaptioned videos should be replaced with captioned versions. College employees may request that their division/department purchase a captioned version of the video. If an uncaptioned video is an integral part of a College program, event, or curriculum, the College may pay a captioning agency to have a video captioned provided the video is owned by the College.

## **Videos Purchased, Owned, or Produced by College Employees:**

College employees may also request to have the College caption a personally purchased video that is integral to a College program, event or curriculum. In this latter option, the employee must obtain permission to make an additional captioned copy from the owner of the copyright. Once copyright permission has been obtained, the employee will contact the Technical Services Department. Within available resources, Technical Services will begin the process to have the material captioned. The captioned copy of the video will be owned and retained by the College. The owner of the original video retains his/her original copy. The materials will be kept in the corresponding department so the captioned materials may be available to show by all personnel who are assigned to the department.

College employees who produce their own videos must include captions before requiring others to view it. Technical Services and ~~DSPS~~ **the Accessibility Resource Center (ACCESS)** are available to provide advice concerning the addition of captions.

## **Recording and Using Videos from Broadcast Sources:**

Recordings may only be used if they are captioned. Most broadcast television shows are captioned, by law. However, depending on the recording equipment, the captions may or may not be captured within the recording. Recordings should be reviewed to ensure that they are captioned.

## **Broadcasts, Webcasts, Podcasts, Website, and Campus Portal:**

All live-streamed campus events will include captioning. All events which are archived and shown on campus must be captioned and be shown with captions on.

## **Purchase of Captioning Encoder/Decoder Equipment:**

All new purchases of audiovisual display equipment will be equipped to display captioning, on demand. Technical Services should be consulted regarding accessibility requirements prior to new purchases.

**Access to Captioned Materials for Faculty/Staff:**

When videos are to be used during campus events in which faculty and/or staff may reasonably be expected to be in attendance, the videos will be captioned and shown with the captions on.

**Resources for the Loan of Captioned Media or Alternate Selection of Media:**

Described & Captioned Media Program is offered without endorsement by the College.

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