# Access Ready Media

Imagine that you are a blind person who wants to help the people in war-torn Ukraine. The television news anchor tells viewers to point their phones to a QR code on the screen to get information on how to donate. How will a blind person use the phone camera to find that information on the screen?

How will a person who is deaf find out what was said in an online video chat about high gas prices when there are no captions in place to provide details of the conversation.

Everyone relies on media outlets for so many facets of their daily lives, but the disabled are often left in the cold, on the outside looking in, so to speak.

When the Americans with Disabilities Act (ADA) was enacted in 1990, the Internet as we know it today did not exist as the ubiquitous marketplace for information, goods and

services. Neither did the information and communications technology-(ICT) driven media environment. The Federal Communications Commission has moved more expeditiously to keep its requirements for closed captioning up to date with evolving digital technology, but still exempts a great deal of video content and does not address mechanisms to make video accessible to the blind.

Today, the ADA's promise that individuals with disabilities will be able to participate in all aspects of American civic and economic life largely depends on whether or not today's technologically advanced society allows for it.

Media at all levels need to understand that their success, as well as their moral and perhaps legal obligations, depend on their ICT systems being accessible.

Today the Internet and ICT play a critical role in the daily personal, professional and media life of Americans. More and more, the Internet and

ICT are central to the personal and professional lives of people and to how media does the business of entertaining, informing, and influencing each of us.

The modern media universe encapsulates and expands the meaning of "press" enshrined in the First Amendment to the United States Constitution, which declares that:

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

This First Amendment enshrines the most basic rights of American citizens in ways that are clearly meant to protect those parts of our lives that affect us most. Freedom in our Religion, Speech, press, assembly and the right to be heard.

Being included in this First Amendment should bring with it special responsibilities for modern media to make every effort to be accessible to all Americans through all of its streams of connectivity, whether analog or digital in nature.

As the digital media universe continues to grow, it has become a moral imperative that the industry recognize its special responsibilities and be as inclusive as the limits of technology allow.

Access Ready INC. is an independent, non-profit, cross-disability education and advocacy organization promoting a policy of inclusion and accessibility of ICT. Access Ready's strategies include technical findings, policy discussions, best practices, and advocacy efforts made available to the public through www.accessready.org, its social media stream, and other public relations efforts.

Access Ready asks the question, "If physical facilities in this country must be built in

accordance with accessibility standards, why not ICT?"

Digital and traditional media, employers, and federal, state, and local governments are becoming increasingly dependent on ICT to provide goods and services. For people with disabilities, accessible ICT is a necessity, not a luxury or a convenience, which fosters independence, economic self-sufficiency, and active, meaningful participation in civic life.

Increasingly, media outlets are using digital technologies like websites to market themselves and to provide direct access to content, information, goods, services, and activities. To support these activities the internal or employee facing operations of media are driven by ICT.

Many media websites and other ICTs are difficult or impossible for individuals with disabilities to use because the platform does not interface with the adaptive technology used

by people with disabilities. Being unable to access websites and ICT puts individuals with disabilities at a great disadvantage in today's society and starves the media of potential customers and workers.

Having been given special protection under the U.S. Constitution in order to ensure they could freely serve American citizens, the press should have an obligation to serve all those citizens. They should certainly be held to no less a standard than typical businesses who offer goods and services via websites.

Thus, traditional media outlets like newspapers, magazines, radio and television stations that also deliver news and information online should, by virtue of both the Constitution and the federal disability civil rights laws, be responsible for providing for the accessibility needs of their audiences.

When digital media allow programming to be presented that does not include accessibility

features like special audio programs that describe the visual aspects to blind and visually impaired users (audio description), they are discriminatorily excluding blind people from their services.

When digital media run contests that require the listener to hear a clue on the radio in order to participate, they are discriminatorily excluding deaf people from their services.

When digital media allow commercial advertising that does not provide accessibility features like captioning and audio description, they are perpetuating discrimination against people with disabilities.

When digital media allow the use of technologies like QR codes without providing for accessibility features that allow blind and visually impaired users to access the benefits hidden behind the QR code they are perpetuating discrimination against people with disabilities.

These are just a few examples of how modern media may be failing to meet their responsibilities to be accessible to all.

## Why Media Should Care

For many, it is now difficult to imagine a world without the unprecedented access to information that the web and ICT provide. Media large and small are increasingly providing customers access to content, goods and services through their websites and social media streams. Electronic commerce, or "e-commerce," often offers consumers a wider selection and lower prices than traditional "brick-and-mortar" storefronts. For individuals with disabilities who experience barriers to their ability to travel, the Internet and digital media may be their only way to access certain content, goods and services. The availability of these services online not only makes life easier for customers but allows media to operate more efficiently and cost-effectively, as ICT reduces

the overhead costs of the retail locations of their advertisers and their on-site sales staff.

For media to ignore people with disabilities as a market for content, goods and services is a tremendous mistake. This minority now represents 25% of the general population, an estimated $490 billion in disposable income (approaching that of African Americans), and an estimated $21 billion in discretionary income (exceeding that of African Americans and Latinos).

Further, why would it be acceptable not to provide access to content and online goods and services to people with disabilities? Would any other minority stand for such a limitation, and would society allow such a thing? It could be considered a moral outrage.

It is a fact that the Internet and digital technology is dramatically changing the way that media serves their customers. The recent COVID pandemic brought this home to millions

in very stark ways. When we were all told to go home to live, work, learn, teach and shop many people with disabilities found the inaccessibility of digital media, websites and other ICT based services severely limited their abilities.

People with disabilities also represent a vast untapped talent pool ready to join the workforce. Accessible internal and back-office ICT opens up many employment opportunities. Given the competition for good employees in today's economy, the availability of qualified unemployed and underemployed workers with disabilities, the supportive services and accommodations offered by state and federal taxpayer funded programs, such as Vocational Rehabilitation, and the tax and other incentives in place for employing people with disabilities, it is foolish for media not to seek out qualified individuals with disabilities.

Again, the COVID pandemic has pushed forward the need for employees who can and want to work from home. This is a perfect scenario for

workers with disabilities in this employee deprived recruitment environment.

In short, making internal and external ICT accessible is the foundation that makes it possible for companies to increase their customer base and their employee pool.

## What is an Access Ready Environment?

An Access Ready Environment is where access for people with disabilities at the physical and technological levels is a matter of forethought, design, inclusion and planning instead of a condition of afterthought, delay and discrimination resulting in risk to all concerned.

An Access Ready policy advances accessibility across the web and ICT. Like curb ramps to sidewalks, building bridges between the standard ICT and the assistive technology used by people with disabilities is accomplishable and necessary to allow people with disabilities to access the systems that are foundational to our workplaces and civic spaces. Also, like curb

ramps, these bridges benefit everyone - with and without disabilities. Including accessibility features, like including curb ramps, from the beginning means they are affordable and seamless.

Accessibility across ICT is no longer rocket science. It simply must be required of the developers and marketers of these products and services. In many cases actions to provide accessibility are simple matters of policy, forethought, design, inclusion and planning. Oftentimes simple steps can provide accessibility, like including a contest visual clue audibly at the end of the segment or through audio description aired with the show. Other times it will require media institutions to impose policy guidelines requiring accessibility on their content and technology providers.

Media that embraces an Access Ready policy can accomplish this over reasonable budget cycles without real difficulty.

More and more customers with disabilities are asserting their rights to access through litigation. By adopting an Access Ready policy, media can achieve and maintain accessibility on the web and through their ICT-driven content delivery.

An Access Ready policy establishes a commitment, a framework, and clear roadmap to achieving accessibility, increasing customers, and improving employee skill and productivity, as well as fulfilling moral and legal civil rights obligations.

To whom much is given, much is expected. Media, who have been given a strong constitutional protection in order to allow them to serve the people, are expected to serve all the people.

Douglas George Towne

Chair and Chief Executive Officer

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