

Kellogg Community College Audiovisual Captioning Policy

I. Policy Statement

Kellogg Community College is committed to providing equitable access to information technology for KCC Users, including services and the environments in which information technology is used. This policy establishes minimum standards for the accessibility of Technology-related Environments considered necessary to meet this goal and ensure compliance with applicable state and federal regulations.

Compliance with federal law requires captioning of all created, purchased, or continually used audiovisual media productions shown at KCC. All audiovisual media used as part of classroom activities, instruction, distance learning, training modules for institution personnel, campus run events, and co-curricular activities must include either closed, open, real time captions, interactive transcription, or subtitles; whichever is appropriate. There may be exceptions where captioning is postponed temporarily or not immediately required due to factors outlined in this document under procedures.

All audiovisual media utilized must be captioned and appropriate permissions required for all copyrighted materials. If using existing, legally obtained audiovisual media currently owned or recorded from a broadcast, copyright permission to caption must be obtained or attempted in good faith. Audiovisual media may not be utilized unless it has been captioned and will not be captioned without received or good faith attempted contact for copyright permission without reply.

II. Reason for the Policy

Incorporating principles of universal design in the development, acquisition, and implementation of information technology and related resources helps the college to ensure that these Technology-related Environments are accessible to all KCC Users.

All electronic and information technologies shall comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794, and its implementing regulation at 34 C.F.R. Part 104, and the Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Section 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35.

Implementing this policy will help ensure that all KCC Users have access to information and information technology associated with administration and services, courses of instruction, departmental programs, and college-sponsored activities.

III. Those Affected by this Policy

This policy affects KCC Users of Technology-related Environments.

IV. Who Should Read this Policy

All KCC Users of Technology-related Environments.

V. Related Documents

- [Requesting Written Permission to Caption](#)
- [Caption Request Form](#)
- [Permission Request for Closed Captioning of Online Audiovisual Media template](#)
- [Permission Request to Create Captioned Version of DVD template](#)
- [Copyright Subject Guide](#)
- [Accessibility in Technology Policy](#) – KCC Policy Manual
- [Kellogg Community College Copyright Policy](#) – KCC Policy Manual
- U.S. Department of Justice Civil Rights Division Disability Rights Section – Title II Highlights
https://www.ada.gov/withdrawn_docs_list.html
- U.S. Department of Justice Civil Rights Division Disability Rights Section – Effective Communication
<http://www.ada.gov/effective-comm.htm>

VI. Contacts

Questions regarding policy manual: Human Resources

Questions regarding the Audiovisual Captioning Policy: Accessibility Task Force

Technology questions: Information Services

Website and social media: Public Information and Marketing

Student disability accommodations: Support Services

Employee disability accommodations: Human Resources

Community accommodation coordination: Human Resources

VII. Oversight

Responsibility

Oversight of the Audiovisual Captioning process by the Accessibility Task Force.

Monitoring

Continual monitoring of applicable laws and regulations from the state and federal level as pertaining to technology accessibility will be done through annual updates to the KCC Policy Manual, consultation with KCC legal counsel as necessary. Communication of relevant topics pertaining to technology will be communicated to college as necessary. Institutional compliance with regard to technology will be a joint effort through Human Resources, Information Services, Marketing, and Learning Technologies.

Accountability

All KCC employees using college-owned technology internally and externally are accountable to adhere to this policy.

Training

Training is required for all KCC employees.

VIII. Definitions

Audiovisual Media

Defined as any visual material with sound, images, and/or spoken words used in any part of a course, training module, or event at KCC.

Campus Run Event

An event run, coordinated, sponsored, and hosted by the college utilizing primarily college employees.

Closed Captioning

Captions can be turned off or on at the viewer's discretion.

Interactive Transcription

Searchable transcription provided side by side with audiovisual media which allows users to scroll through text as it is streaming. Users may scroll back and review the previous text on the computer. KCC considers audiovisual media with an interactive transcript as an accepted alternative to open or closed captions and subtitles of video content.

KCC Users

Kellogg Community College employees, students, board members, contractors, vendors, and guests of the institution.

Open Captioning

Captions cannot be turned off and on at the viewer's discretion.

Real-Time Captioning

Captions, composed of text, are used by people who are deaf or hard of hearing to access content delivered by spoken words and sounds. Real-time captions, or Computer Assisted Real-time Translation (CART), are created as an event takes place. Requires a professional captioner to have access, in-person or remotely, to a classroom lecture or other live event in order to produce an exact or conceptual transcript of the live presentation.

Subtitles

Words that appear on the screen that describe what is being said or heard in films, television programs, video games, etc. Subtitles may also include descriptions of background audio or other relevant sounds.

Technology-related Environments

Any environment in which technology is made available for general use by KCC Users.

IX. Procedures

All audiovisual media utilized must be captioned and appropriate permissions required for all copyrighted materials. Use the Copyright Permission Request for Closed Captioning of Media/Online Materials form for more information. Individuals seeking to have materials captioned should utilize the captioning request form found on the [Accessibility in Technology webpage](#).

The notification process for captioning created or existing audiovisual media includes the following steps:

1. Requestors will receive notification of Prioritization or Clarification on the request (i.e., is the request in response to an accommodation need) within one business day.
2. A second notice will be sent to the requester after the project has been completed.

Captioning Required:

Immediate captioning is required if a student, staff member, or community member requests accommodation to engage and participate with audiovisual media.

Captioning is also required when:

- **Purchasing New Audiovisual Media/Instructional/DVD/Film Audiovisual:** Audiovisual media purchased by a department, library, or school after policy implementation must be the captioned version or a version equipped with subtitles. Request a Voluntary Product Accessibility Template (VPAT) from any vendor and verify the vendor meets the college's Accessibility in Technology policy requirements.
- **Creating Audiovisual Media:** If any audiovisual media is newly created after policy implementation and will be continually used, the individual showing the video will need to take necessary steps to ensure that the audiovisual media is captioned.
- **Continually Utilized Audiovisual Media:** If any previously utilized audiovisual media will be consistently used going forward after policy implementation, the individual(s) showing the material will need to take necessary steps to obtain copyright permission and ensure that the audiovisual media is captioned. Essentially, if any audiovisual media will be used repeatedly in the future, even in cases where the audience is not known to have a member who self-identifies as deaf or hearing challenged, captioning is required.

Captioning Advised:

While compliance with federal law requires captioning of all created, purchased, or continually used audiovisual media productions shown at KCC, there are exceptions where captioning may be postponed temporarily or not immediately required due to the determining factors listed below:

- **Currently Owned Non-captioned Video/DVD/Film Releases**
Non-captioned audiovisual media utilized **prior to policy implementation** which can or will be transitioned out as new versions are purchased will not require high priority captioning. However, if a request for an accommodation is received applying to a course or event where audiovisual media does not ensure access to equal and effective communication, any non-captioned audiovisual media will then need to be immediately captioned. If there is a

possibility of the audiovisual media being used long term with no plans for transition or replacement with an accessible alternative, captioning is strongly advised.

- **Classroom Projects/Student Produced Media**

Student produced audiovisual media for distribution to a defined audience is strongly advised but not required in instances where no one has been identified as needing the accommodation. However, in the event that a presentation will be distributed on KCC's network of outlets (e.g., Ensemble, etc.) audiovisual media will need to be captioned.

If an audiovisual media production is made available to an unrestricted audience in which it is impossible for KCC to know whether an individual accessing the material is in need of accommodation, captioning is strongly advised. However, an offer to accommodate those individuals with captioning needs must be extended during the marketing of the event.

Captioning Not Required

If an audiovisual production will only be used for a very limited duration (e.g., one class period) in a restricted group in which there are no known audience members who are deaf or hearing challenged, captioning is not required.

- **Impromptu Classroom Materials**

When utilizing audiovisual media in a classroom setting for the purposes of enhancing learning with current events or a topic that could not have been prepared for ahead of time, every effort must be made to seek a captioned version of the video or clip.

Necessary steps include:

- a. Seek an alternative video/clip/film with closed-captioning; or
- b. Offer an equally effective alternate assignment or video to a student that provides the same learning objectives
- c. If conditions a and b have been attempted without success and the video will only be utilized for a limited duration and the audience is restricted to a group of users known not to need an accommodation, the material is not required to be captioned.

English language captioning is not required in courses where foreign language or comprehension and recall of spoken word would be negated by the addition of these captions (i.e., if the objective of an assignment is to have students watch a Spanish speaking movie and assess comprehension based on Spanish listening skills, providing written captioning for the movie would eliminate the ability of a faculty member to know whether reading skills or listening skills were being assessed).

However, if subtitles in the germane language are available, and they do not circumvent course objectives and may enhance the learning experience, they are encouraged.

Remediation

If a KCC employee is noncompliant with the Audiovisual Captioning Policy, the supervisor will work with the employee and/or any contracted audiovisual media company in a timely manner to obtain compliance.

When audiovisual media cannot be made accessible in a timely manner, the individual(s) found to not be in compliance will be responsible for providing alternative access to the information immediately. The supervisor will follow up with the content owner(s) of the audiovisual media to ensure understanding of the policy and proper training is administered.

X. Forms

- [Requesting Written Permission to Caption](#)
- [Caption Request Form](#)
- [Permission Request for Closed Captioning of Online Audiovisual Media template](#)
- [Permission Request to Create Captioned Version of DVD template](#)
- [Copyright Subject Guide](#)

XI. Effective Date

[insert date]

XII. Policy History

This is a new policy created to address KCC technology accessibility for persons with disabilities.

XIII. Next Review/Revision Date

One calendar year from Effective Date

Last updated: November 20, 2019