

## Assistive Listening Systems & the ADA

By federal law, the ADA - Americans with Disabilities Act, requires all public places that has a seating capacity of 50 or more fixed seats to have an assistive listening system accessible at 4% of seating capacity. This law went into effect January 1992.

There are two general 'waivers', so to speak, from this 50 seat/ 4 percent mandate.

The first is financial hardship. For example, if a small restaurant or other small business can reasonably prove that the expense of such a system would cause undue financial hardship, then a waiver may be permitted.

Municipalities, however, are not subject to financial hardship exemptions, because, in theory, they have unlimited funding resources.

The second general waiver is "reasonable accommodation". This means that public places may be given a 'waiver', so to speak, by having less than the mandated 4% level if that public place shows good faith in complying with the law.

For example, if a sports stadium has a seating capacity of 50,000 people, they would need 2,000 assistive listening receivers to meet its 4% level. "Reasonable accommodation" implies that chances are there would be a number less than 2,000 on any given event needing listening assistance. For easy math, if the stadium had 1,000 units, that may be construed as reasonable accommodation and complying with the spirit of the law.

Reasonable Accommodation is not where a person sits in a public place.

There may be wheelchair sections at stadiums or auditoriums, but seating arrangements do not apply to "listening assistance".

At community/ municipality events, such as public hearings or town meetings, it is not a reasonable accommodation to place someone that needs hearing assistance '*by the speaker*'. In fact, doing so may actually make his ability to listen worse!

Typical hearing loss affects mid to higher frequencies. A 'house pa system', typically with 12" or 15" speakers, produces a full frequency range - lows, mids, and highs. Though a listener may be closer to the auditorium's speakers - thus being able to hear the mids and highs better, he is also hearing what he can already hear well - the lows, effectively making what he already normally hears louder - not clearer.

Garbled sound does not become clearer through volume (loudness) - it becomes clearer through, in simple terms, equalization.

Williams Sound, for instance, the premiere assistive listening system manufacturer, has created their systems to compensate for a person's hearing loss based on this realization.

As stated, typical hearing loss is from the mid range to higher frequencies. Their products, unlike the house pa speakers, '*boost*' through equalization, the mid and higher frequencies, and '*roll off*' the lower frequencies, thus , in effect, normalizing a person's ability to hear and listen.

Assistive listening systems are a "On Demand" product, as a person is not required to call ahead for special accommodations or arrangements, since assistive listening systems are required by such places in the first place.

Assistive listening systems are not just for those with hearing difficulties. Many times, the acoustical nature of a room (auditorium), or the high noise level generated such as that in a factory, will necessitate the need for assistive listening systems. There is also language interpretation and translation needs.

Municipalities can be faced with a multitude of disabilities from its residents, from physical to mental, and those municipalities more often than not, assist those with special needs based on that person's particular situation. However, it is because hearing loss/difficulty is one of the most prevalent and common disabilities there are, that the ADA assistive listening law was established.