



**Commission for Accessibility
Meeting Minutes
Monday, September 8, 2025**

Meeting Via Zoom

In Attendance: Maureen Culhane, Debbie Prieger, Debra Franceschini, Divya Dorairrajan, Tony Phillips, Don Ciota.

5:03 PM CALL TO ORDER

N.B. There were three motions made during this session.

APPROVAL OF MINUTES

MOTION 1: To approve CfA minutes from June 9, 2025

Motion by Don, Second by Debra
APPROVED UNANIMOUSLY

COMMISSION BUSINESS

MOTION 2: To advocate for a commendation for a deserving individual.

Motion by Don, Second by Divya
APPROVED UNANIMOUSLY

ADA AND EMERGING LEGAL LANDSCAPE

GOAL: TO EXPLAIN HOW DISABILITY LAW IS ADAPTING TO AI CHALLENGES.

Title I – Employment	Employers must ensure AI hiring tools do not screen out qualified individuals with disabilities.	A company uses AI to scan video interviews. The AI favors candidates with steady eye contact and animated facial expressions, disadvantaging neurodivergent applicants (e.g., individuals with autism).
Title II – State & Local Governments	AI systems used by governments must be accessible and non-discriminatory.	A city implements an AI chatbot to handle public service requests. It does not support screen readers , blocking blind residents from accessing essential services.
Title III – Public Accommodations	Businesses offering goods/services online must ensure AI-powered platforms are accessible.	A bank uses an AI-driven mobile app for loan applications, but voice navigation doesn’t work for blind users , violating Title III obligations.

2. Recent Federal Guidance

Agencies are clarifying how existing disability laws apply to AI.

Agency	Guidance	Example in Practice
EEOC (Equal Employment Opportunity Commission)	<i>2022 Guidance:</i> Employers must ensure AI tools used in hiring and evaluation don’t unlawfully screen out individuals with disabilities .	A tech company uses an AI résumé screener that automatically rejects applicants with gaps in employment history , penalizing people who took time off for a disability or medical treatment.
DOJ (Department of Justice)	<i>2022 Statement:</i> Digital tools and algorithms used by public services must comply with ADA standards.	A state unemployment benefits portal relies on an AI identity verification system that cannot verify people with speech disabilities who use communication devices.

Agency	Guidance	Example in Practice
HHS (Health and Human Services)	Warned that AI in healthcare must comply with Section 1557 of the Affordable Care Act and disability laws.	An AI-based triage tool assigns lower priority for organ transplants to people with intellectual disabilities , resulting in discriminatory care decisions.

3. Section 508 & Rehabilitation Act Updates

Federal agencies and contractors are legally required to provide accessible technology, including AI systems.

Scenario	Example
Federal agency deploys AI-driven service.	The Department of Veterans Affairs launches an AI scheduling system for telehealth appointments. The interface is not compatible with screen readers , preventing blind veterans from booking services independently.
Contractor providing AI technology to the government.	A contractor develops a smart benefits application platform for Social Security. Under Section 508, they must ensure WCAG 2.1 AA compliance, including full accessibility for people with mobility or vision disabilities.

4. Pending and Proposed Legislation

Lawmakers are considering **new rules** to regulate AI specifically.

Proposed Law / State Action	Example of Impact
Algorithmic Accountability Act (Federal, pending reintroduction)	Would require companies to audit AI systems for bias, including disability discrimination. <i>Example:</i> An e-learning company using AI to determine student performance would need to test for bias against neurodivergent students .
NYC Local Law 144 (Enacted 2023)	Requires bias audits of automated hiring tools used by NYC employers. <i>Example:</i> A Manhattan law firm must test its AI résumé screener to ensure it does not disproportionately reject applicants with disabilities , such as those with speech-related disorders flagged by automated phone screenings.

Proposed Law / State Action	Example of Impact
California AI Regulation Proposal	Would impose transparency rules on companies developing AI, including disclosure of accessibility features. <i>Example:</i> An AI mental health app would need to publicly explain how it accommodates users with visual impairments .

5. Key Legal Takeaway

The ADA is being stretched to cover modern technologies like AI, even though it was written in a pre-digital era.

Federal guidance and state-level rules are emerging, but enforcement depends on advocacy and awareness.

Illustration Idea for Slide:

A timeline graphic:

- **1990** – ADA enacted
- **2010** – DOJ applies ADA to websites
- **2022** – EEOC guidance on AI hiring tools
- **2023** – NYC automated hiring bias law goes into effect
- **2025+** – Proposed Algorithmic Accountability Act (pending)

BOARD DISCUSSION

Debra requested an update for the current status of the ADA transition plan. Tony said he would seek information from Jake Muller.

Divya spoke about this evening’s topic from an HR perspective, which may use an applicant tracking system (ATS).

Applications for employment often leave information about ADA Reasonable Accommodation to the very end, if they are present at all. Such systems may not consider an otherwise qualified applicant with a disability because the algorithmic system is not properly programmed to recognize an applicant

with a disability automatically rejects what it interprets as non-compliant with company expectations.

In further discussion about the responsibilities of employer and applicant with a disability, Don said it is the responsibility of the employer to define the position and its requirements. If an applicant believes they can do the job with a reasonable accommodation, they can explain the nature of what would enable them to fill the position successfully. The employer must seek a solution to that accommodation.

Key issues remain education, advocacy and awareness of how AI is and will be used to screen applicants taking into consideration the abilities of an individual and how their talents can be utilized. Even though the ADA and many other disability laws precede AI, their core requirements must still be met.

ADJOURN: 5:57 PM

Minutes prepared by Don Ciota

2025 Meeting Dates:

October 6

Nov 10

Dec 8