1 DIGITAL ADA COMPLIANCE – WHAT IS IT?

Some people with disabilities use assistive technologies to access the Internet, mobile apps, and other web-based resources. These resources need to be properly configured so that individuals with disabilities can get to the information they need.

The Americans with Disabilities Act (ADA) was enacted in 1990 and was passed to protect disabled individuals from discrimination. The Internet was new, so "access barriers" were widely understood to mean physical barriers. In 2010, the US Department of Justice issued an Advance Notice of Proposed Rulemaking indicating that they intended to also apply ADA requirements to websites, mobile apps, and other digital technologies.

2 WHY SHOULD I COMPLY?

The easy answer is it's the right thing to do. You work hard to make sure your property is accessible to all who enter, and the same should stand for your digital properties as well.

But it's more than the right thing to do. It is quickly becoming a requirement as recent court rulings are extending legal requirements to include accessibility to the digital presence of public spaces.

3 WHAT'S THE RISK?

Companies who decide to do nothing risk a formal complaint and/or lawsuit to enforce compliance. Currently, US Federal Court rulings state that all publicly accessible websites used by companies that otherwise qualify as a place of public accommodation must extend visibility. The emergence of this requirement has created a cottage industry for ADA website accessibility lawsuits.

Companies wanting to minimize the risk of a lawsuit are opting to adopt The World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG 2.0 or 2.1 AA).

4 HOW DO I KNOW IF MY SITE IS COMPLIANT?

To determine if your website and other web-based resources are ADA compliant, start with your web services provider or in-house team. Ask them if they're familiar with W3C's Web Content Accessibility Guidelines and if your web-based tools and website can meet the WCAG 2.0 AA standard.

If you get a puzzled look, seek out a third party who specializes in ADA compliance to evaluate your website, and if necessary, develop a plan to get you there.