

Is your website ADA COMPLIANT?

*10 Critical Steps to Help Ensure That
Your Website is Accessible to Everyone*

The [Americans with Disabilities Act \(ADA\)](#) remains one of the most groundbreaking pieces of civil rights legislation ever enacted. Its mission is simple: to prohibit discrimination and ensure equal opportunities for people with a wide range of disabilities. Most of us are aware of the law's impact on physical accessibility — from wheelchair ramps to Braille signs to accessible parking spots. However, the ADA also applies to web experiences in both public and private sectors.

When the ADA was passed into law in 1990, the Internet lacked the ubiquity it has today. As state, local and federal government agencies expanded their presence into the virtual realm, the Web became a critical communications platform. It provided accessibility to services, programs and activities across the digital frontier. To meet the obligations of the ADA, these agencies and bureaus had to evolve their charters to ensure full and equal enjoyment of goods, services, facilities, privileges and advantages to accommodate Americans with disabilities.



While the ADA has been in effect for nearly three decades, the compliance requirements for public and private sector websites are still largely misunderstood. If you ask most web developers if the websites they design are ADA compliant, you're likely to get "no" for an answer — or even a confused and befuddled look. That's a tragic reality, because for millions of Americans with disabilities, these compliance strategies help improve their overall web experience. If your website isn't ADA compliant, you're not only limiting the accessibility of taxpayers or potential customers, but you're also in the crosshairs of a potential lawsuit.

Don't panic – because you can take steps towards ADA compliance today. In this article, we will explore the many implications of web accessibility, the introduction of Web Content Accessibility Guidelines (WCAG), how accessibility can boost your SEO, and conclude with the ten most critical steps you can take to help ensure your public sector website is ADA compliant and more accessible. But first, you need to understand the dynamics of the law itself and how it applies to both the web and your website.

HOW DOES ADA AFFECT THE WEB AS A WHOLE?

As mandated by the ADA, Americans with disabilities have an equal and unequivocal right to access the services, programs, and activities that are provided through websites on both desktop and mobile devices. But let's put the law aside for a second and consider this simple fact: every single one of us has a relative, friend, or co-worker with a disability. It touches all of us. Millions of Americans rely on this vital legislation to protect their rights and provide them with equal accessibility across a wide spectrum of services. At the end of the day, this is about people, not policy, and it's important that we view ADA compliance through a compassionate lens – and not just as a regulatory obligation when developing a website.

ADA affects the web in many ways; as a result, it can have a significant effect on your web development strategy.

HOW DOES ADA COMPLIANCE AFFECT PUBLIC SECTOR WEBSITES?

In the public sector, websites are primarily used to empower constituents to correspond online with local officials, provide information on government services, renew library books or drivers licenses, provide tax information and accept tax returns, apply for jobs or benefits, and much more.

Public sector websites enable programs and services to be offered in a more dynamic and interactive way, increasing citizen participation and streamlining bureaucratic processes. These websites make it faster and more convenient for your constituents to obtain information and/or services without the need to stand in line at the DMV or impact their own personal schedules. In addition, public sector websites reduce the costs of providing programs and information about government services while significantly reducing the amount of paperwork. Last and certainly not least, public sector

websites expand the possibilities of reaching new sectors of the community or offering new, technology-driven programs.

Nowhere is accessibility more important than the public sector. With this mindset, let's delve into the details and explore the current challenges that exist for public sector websites and achieving ADA compliance.

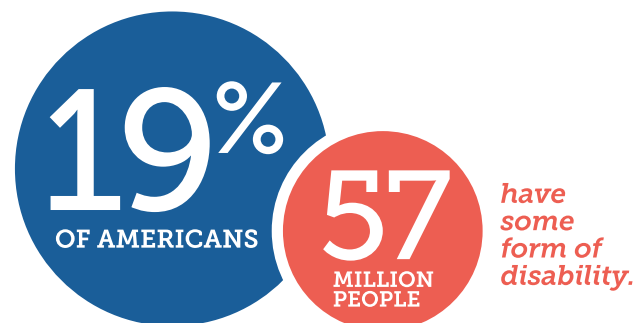
The short answer is that 19% of Americans – roughly 57 million people – have some form of disability. By ignoring ADA compliance, you're not only inviting a legal investigation and a potentially punishing lawsuit, but you're also blocking 19% of potential website visitors from ever experiencing your website. It's already hard enough to build a user-friendly website and manage a successful digital strategy that drives traffic and meets your goals. Why shut out such a large portion of the population from leveraging your services and accessing your offerings?

There's also the accelerating legal risk. Recently, the Department of Justice has become profoundly more vigilant in seeking out websites that are not ADA compliant—particularly in the public sector. This is due in part to the publishing of the Web Content Accessibility Guidelines (WCAG) in 2008, which gave web developers and IT professionals a clear and actionable set of rules to help make websites more accessible. Since its introduction, the Department of Justice has

ramped up its investigations into websites that violate ADA. In 2016, 37% more ADA lawsuits were filed in federal court than the previous year; from January 1st of 2017 to April 30th, 2,629 lawsuits were filed – an increase of 18% from the same period in 2016. As you can see, the importance of accessibility has grown exponentially in the last few years, and the trend is continuing.

IMPACTS OF ADA ON PRIVATE SECTOR WEBSITES

While it might seem that the stakes are higher for public sector websites, the private sector isn't exempt from ADA compliance. From 2015 to 2016, the number of federal website accessibility lawsuits quadrupled from 57 to 262, and between 2016 and 2017, the number nearly doubled from 262 to 432 known cases. As of August 2017, there are at least 751 federal website [lawsuits](#) against private businesses' websites, and they're largely concentrated in the retail and restaurant industries. Not only are they enduring the bad press that comes with court appearances, these companies





now have to combat a growing air of brand distrust – especially coming from friends and families of those affected by ADA. [Brand loyalty](#) that took years to build through advertising and experience is now at stake due to underestimating the importance of ADA compliant websites.

The Department of Justice has yet to fully update ADA for website accessibility, but that hasn't stopped more users with disabilities from filing class action lawsuits against private companies. Some of these big names include:



[Target](#) – The National Federation of the Blind (NFB) filed a lawsuit against the retail giant in 2005, making Target one of the first private companies to be hit with a class action lawsuit. The NFB cited a number of issues including

a significant lack of alternative (ALT) text, inaccessible image maps, poor navigation, and misleading headings. To make matters worse, Target didn't bother trying to remedy the issues brought forth by NFB. What ensued was a three-year-long battle in the courts that ultimately cost Target time, money, and energy to finally update their website. It also led to a slew of bad press for the popular chain, relating Target's hesitancy in fixing issues to it not caring about good customer experiences for anyone – regardless of ability.



[Five Guys Burgers and Fries](#) – ADA compliance issues affect more than just online retailers; they even affect the fast food industry. In 2017, a legally blind woman sued Five Guys in New York district courts on behalf of herself and every other blind person who attempted to

find information on the Five Guys website. The plaintiff simply wanted to buy a cheeseburger through their online delivery system using a screen reader but wasn't able to add the condiments she wanted due to software shortcomings.

Rather than trivialize the frustrations of not being able to add pickles and ketchup to a cheeseburger, the courts stood by the woman. While the case is still ongoing, the briefs have said that Five Guys denied this user with disabilities a full and equal opportunity on its website. However, unlike Target, Five Guys is currently in the process of amending its website to be ADA compliant before the gavel falls on the case.

[Omaha Steaks](#) – Omaha Steaks was also hit with a screen reader violation and a lawsuit. Advocacy group Access Now filed the lawsuit against Omaha Steaks and noted 13 “access barriers” on the website. These included not being able to resize text and not having text equivalent for every visual element. Rather than make a statement saying they would address the claims, the company decided to wade through the legalities and avoid public response.



While it was never directly addressed in the law, courts are more inclined to consider private retail websites as places of accommodation under ADA, according to accessibility expert [Thomas J. Barton](#). This is due to private sector brick-and-mortar alternatives being held to physical ADA standards as well as the volume of traffic frequently experienced by private websites that often outweighs those in the private sector. And it's not just major private companies who need to worry about the implications of an ADA lawsuit. The law affects everyone, and those most vulnerable include smaller businesses that might lack the development resources who can maintain ADA compliance standards.

There's extensive debate regarding the Web Content Accessibility Guidelines (WCAG) AA 2.0, which many courts use as standards for online ADA compliance. However, those debates aren't large enough to shift the favor back into the hands of private sector organizations.

For business owners, one of the best ways to ensure their website avoids the courtroom is to make sure each web element ultimately gives the same experience online as it would in-person. If it's easier for a customer with blindness to purchase an item in person rather than from a business's website and the comfort of their home, then it might be time for that organization to reexamine its compliance posture.



WHAT ARE THE MOST COMMON DISABILITIES THAT EFFECT WEBSITE USE?

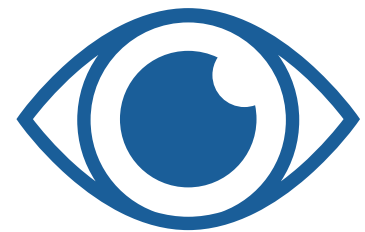
Given the sheer number of websites across both the private and public sector, it's entirely possible that many will slip through the cracks. But if you visit the ADA website, you'll immediately notice a large button on the homepage that reads: "File an ADA Complaint." As citizens become more informed and empowered, they are reporting instances of online violations and accelerating the process. But what are some of the disabilities that businesses and organizations need to accommodate for? How do they know what to prepare for – or how to prepare at all?

When it comes to ADA compliance, there are several key issues that must be considered when developing a web experience that truly serves everyone. Some are more obvious than others, but many are overlooked or even misunderstood. It's important to periodically review the scope of ADA-related accessibility issues at www.ada.gov.

These are some of the most common areas where accessibility is a challenge for disabled Americans:

Blindness and Visual Impairment

According to the National Federation for the Blind (NFB), it is estimated that as many as 10 million Americans suffer from total blindness or visual impairment. Of these, almost 5.5 million are seniors, who often struggle with many other physical limitations. Every year, 75,000 more individuals become blind or suffer some form of vision loss – making it one of the most acute areas of chronic disability.



In addition to deteriorating eye conditions such as cataracts, disabilities such as color blindness and Photosensitive Epilepsy can severely impact a website visitor's ability to read text, discern buttons or even look at a screen. Life-threatening seizures can be the result

of variable brightness/contrast, flashing effects, background patterns and other visual triggers. As mobile device screens become smaller and smaller, this population is further tested by decreasing font sizes and diminished legibility.

Deafness, Hearing Loss and Auditory Impairment

The Oxford Academic Journal of Deaf Studies and Deaf Education and SIPP estimates that nearly 10 million people are hard of hearing in the United States – and around 1 million are functionally deaf. The National Institute on Deafness and Other Communications Disorders (NIDCD) suggests that around 18% of adults aged 20-69 have speech-frequency loss in both ears due to years of loud noise at work, making the reality of environmental or age-related hearing loss even more pronounced.

For people with mild hearing loss, hearing aids and headphones can help improve their web experience. But these devices aren't always available or compatible with website content – nor do they compensate for individuals who are completely deaf.



Specific Learning Disabilities

The Dyslexia Center of Utah estimates that between 70% and 80% of people with low or poor reading skills are most likely dyslexic – and many aren't even aware of this cognitive issue. Roughly 1 in 5 students (around 15% to 20% of the population) struggles with some form of a language-based learning disability, making it difficult to comprehend written content. The good news is that a number of these learning issues can be managed with education or treatment.

In addition to cognitive learning disabilities, emotional and behavioral conditions can be a factor in the way people relate to their web experience. Nearly 4% of adults manage Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD) every day, which can range from mild to severely debilitating. Websites that are confusing to navigate or lack clear instructions can create a more pronounced sense of agitation and frustration with this community – and impede their ability to access information or services.

Physical, Mobile & Motor Skill Disabilities

The Arthritis Foundation states that more than 50 million adults have doctor-diagnosed arthritis – and almost 300,000 babies and children suffer with childhood forms of arthritis or rheumatic



condition. Mobility and motor skill issues also include Parkinson's Disease, stroke, muscular dystrophy, cerebral palsy and other temporary or permanent injuries.

Physical, mobility and motor skill issues can impact a user's ability to interact with physical devices like mice and keyboards as well as tactile surfaces like track pads. But it can also extend into the digital realm, affecting their ability to access the interactive components of a website. Simple actions like scrolling, hovering or clicking can be severely limited by arthritis, chronic pain, tremors or other physical disabilities.

Age-Related Challenges

The elderly population is one of the fastest-

growing segments of new web users – and can truly benefit from the many services that public sector websites offer. However, they are also at the greatest disadvantage when it comes to adopting new technologies and overcoming the physical and mental challenges inherent with advanced age.

In addition to struggling with many of the visual, auditory and mobility issues that have already been outlined, the elderly are often intimidated by complex experiences that create fear and anxiety. Websites that are layered with content, visually confusing or difficult to read can leave an older web visitor discouraged – and reluctant to access information and services that can truly help improve their quality of life.

HOW CAN I MAKE MY WEBSITE ADA COMPLIANT?

Actions speak louder than words, so let's get to it. From an operational standpoint, you need to start documenting your processes and methods to establish a firm, continuous policy around accessibility. From a web design and development perspective, you can start by ensuring that all of your existing web pages and content meet the accessibility requirements outlined in the WCAG.

Once you've taken the initial steps to make your current website accessible, the most difficult part is maintaining that accessibility as new web pages, websites, and content emerges. Develop a plan for making any new web content accessible before publishing it to your live site. You can even make your process more public and accelerate adoption by hosting it on an accessible web page. Encourage input on improvements, including which pages should be given a high priority (for example, the most popular and trafficked pages on your website). Most importantly, let your citizens know about the standards and guidelines that are being used to embrace and support ADA compliance on your website.

The next step is a two-pronged approach and involves creating an internal workflow to maintain continuous compliance. First, ensure that your internal staff and third party vendors are properly trained in the ADA

compliance requirements. This is key, as most web designers, content marketers, and developers still have very little knowledge around ADA compliance and how to apply it to their output. There are a number of tools and best practices that can be applied to your training methodology, providing a backbone for their knowledge base and go-to resources for ensuring success.

Second, designate a member of your staff as the "chief web compliance officer," taking on the responsibility and accountability for achieving and maintaining ADA compliance on your website. By having a team member own this critical role, you are far more likely to implement and maintain compliance by being transparent, accountable, and responsible from the top down. We also strongly recommend providing a link on your website that allows a way for users to submit feedback regarding the accessibility of your website.

Here's some good news: achieving ADA compliance on your website doesn't require a lot of additional work. In that sense, there's no excuse for not doing it.

And the resources are easy to get: WCAG 2.0 provides some comprehensive, in-depth guidelines for making your website ADA compliant, which you can [download here](#).





“ By making your website accessible, you are ensuring that all of your potential users, including people with disabilities, have a decent user experience and are able to easily access your information. By implementing accessibility best practices, you are also improving the usability of the site for all users.”

usability.gov

This begs the question: why are so many websites in both the private and public sector not compliant? It's simple: while the actual work of developing ADA compliant web pages and content is fairly simple, most organizations fail in maintaining accessibility. That's why you need to be vigilant in developing and managing your ADA compliance strategy at the highest level.

SEO AND WEBSITE ACCESSIBILITY

While many may see no correlation between search engine optimization and website accessibility, the two go hand in hand. The more accessible your website is, the stronger its search engine visibility is. Many of the action steps you'll take to make your website accessible will inadvertently boost your website's search engine rankings. Here's a list of some of the more common accessibility items that enhance your website's SEO:

ALT Tags: The term "ALT Tag" is shorthand for "alternate" text, and provides just that: a clear alternative that describes the images and graphics on a website. ALT Tags are particularly important for vision-impaired or blind users who require screen readers. Many people mistakenly believe that adding ALT tags with descriptions is a short cut to web accessibility, but that's just the tip of the iceberg. ALT Tag text is "human



readable," mainly for web accessibility but also for SEO, as crawlers can identify what the image content is through the ALT Tag text description. The description also provides more information to search engines on the image itself, further enhancing the overall visibility. The proper use of ALT Tags not only makes your website more accessible but also significantly improves your search engine rankings.

Note: Do not use ALT Tags to [keyword stuff](#) your content as this will only hurt your website accessibility and SEO. This is a common mistake in web development – and while it may have been effective in the past, it can now negatively impact your searchability.

Links and Relevant Anchor Text: Text links do not require any additional information or description if the text clearly indicates what the link is supposed to do. However, link text like "Click Here" may confuse a user. Adding relevant anchor text is essential for both SEO and web accessibility, as "Click Here" doesn't necessarily help those with disabilities and fails to provide any information to search engines. If your link is to a particular product page, modify your anchor text to be more specific.

Example: 'Learn more about the iPhone 7' rather than 'Learn More'.



Breadcrumbs: Breadcrumbs can tell search engines – and those with disabilities – exactly where they are on a website and what content they are consuming. We cannot stress the [importance of breadcrumbs](#) enough as they add further context to the page on which they live in terms of web accessibility and search engine visibility. In addition, breadcrumbs provide a significantly improved user experience to those with and without disabilities.

Captions and Transcripts: Multimedia is taking on an increasingly important role. Video and audio have become more common components of almost every modern website, and continue to grow in their pervasiveness. As a result, these assets must also meet the requirements of ADA and be rendered more accessible. When displaying multimedia

content, it is important that all video feature captions as well as being fully transcribed. The same is true for audio – each clip must include a clear link to the accompanying transcription. Adding these critical components to your multimedia will not only aid the user experience and enhance ADA compliance, but it will increase your overall search engine visibility by enriching the context of your content.

Heading Tags: The importance of heading tags usually relates to search engine optimization and general best practices for web design. Heading tags are particularly important for web accessibility, as they are the first descriptions of content on any given web page.



TOP 10 CRITICAL COMPONENTS TO ADA COMPLIANCE WEBSITES

While ADA compliance may seem like an alarming and daunting task, it doesn't have to be. Here are the 10 most critical steps you can take immediately on your website to help get you closer to ADA compliance.

1. Make **proper use of your page titles**, H1s, and H2s; heading tags need to be nested correctly.
2. Ensure that **ALT Tags are used** whenever applicable. Some images contain content that cannot be described in the limited text of an ALT tag. Use a long description tag to explain the image so it is accessible to a person using a screen reader but not visible on the web page.
3. Add **relevant anchor text** to your website's links.
4. **Utilize breadcrumbs** throughout your website to make navigation easier.
5. Use [ARIA landmarks](#) to notate regions of your web pages.
6. **Ensure all elements can be tabbed through.**
7. Provide [functionality to enlarge text](#) for the visually impaired.
8. **Add captions to video content** and provide online transcripts of any audio or video content on your website.
9. When posting documents on your website, always provide them in **HTML or a text-based** format even if you are primarily using PDFs.
10. A **skip navigation link** gives screen reader users an option to bypass navigation and jump straight into the start of web page content. Often when navigation links are used, screen reader users have to listen to all links before continuing into the content.

TOOLS TO ANALYZE YOUR WEBSITE FOR ADA COMPLIANCE

Websites never stop evolving. Designs, layouts, and content will always be changing, so it's important that you have a set of tools to ensure everything is accessible – and remains accessible.

We recommend using the [Functional Accessibility Evaluator](#) (FAE) which evaluates a website or a

single web page based on Web Content Accessibility Guidelines (WCAG 2.0). This is a great tool to test your content for accessibility before it goes live. [The AInspector Sidebar](#) browser plugin evaluates the accessibility of web pages based on *WCAG 2.0 using OpenAjax Alliance* rulesets.

While there are many accessibility evaluation tools on the market, it is essential that you use them prior to pushing your content live, and periodically evaluate your live website's accessibility.

GET AN EXPERT ON YOUR TEAM

When it comes to ADA compliance for your website, the mission is simple: make it accessible to everyone you serve. Everyone. Because it's about people, not policy – and you can lead that mission in both the real and virtual worlds.



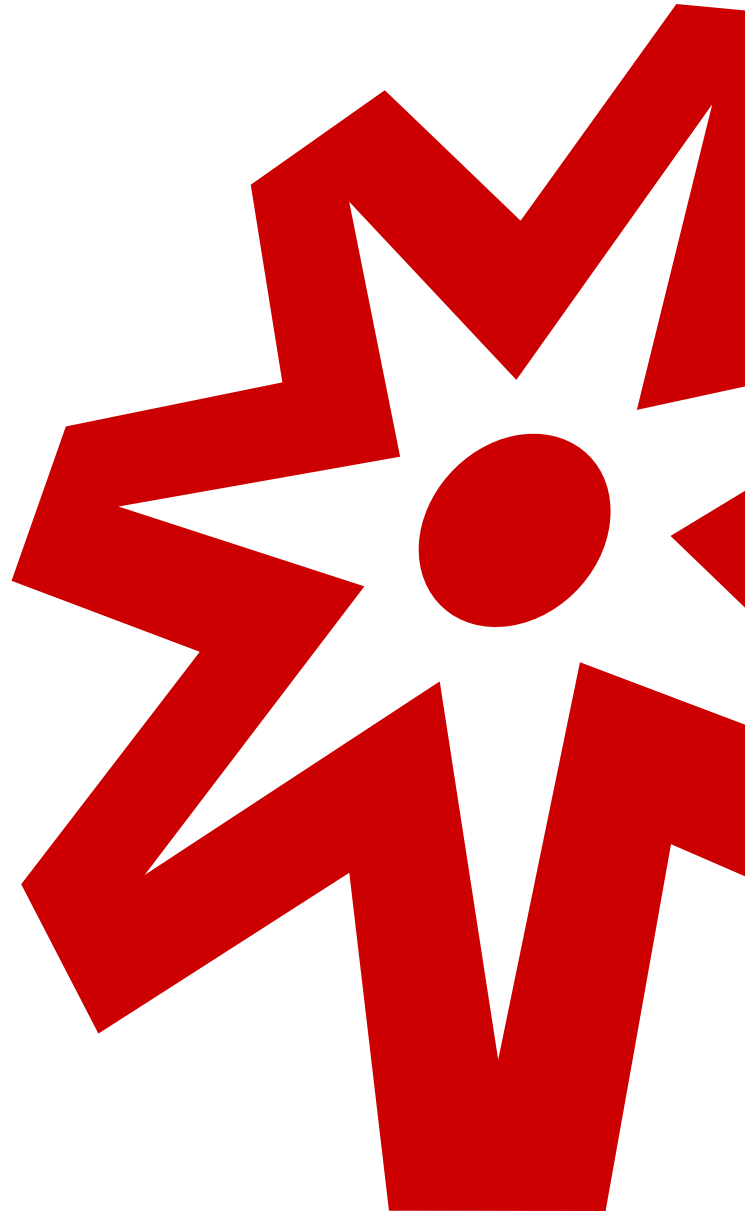
These 10 steps are just the beginning. To help ensure your compliance – from auditing to development to best practices – you need a partner with a proven track record and a laser focus on ADA compliance. Solodev has over a decade of experience working across industries and the public sector, developing ADA compliant websites and mobile applications that meet the requirements and help drive continuous accessibility. In addition to holding the GSA Schedule Contract, Solodev is also an Amazon Web Services (AWS) Advanced Technology Partner and recipient of the AWS Government and Education Competencies – awarding our distinct expertise in these complex and highly regulated areas.

Whether you're looking to make your current website ADA compliant or are in the process of a complete website redesign, Solodev can help you attain and maintain ADA compliance with your public or private sector web experience. Call [800-859-7656](tel:800-859-7656) or email us at info@solodev.com to get in touch with an ADA web specialist today!

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Leading brands like the Florida Department of Education and OneBlood rely on the Solodev Web Experience Platform (WXP) to create without compromise and build unique digital experiences across any device with unparalleled control and 24/7/365 U.S.-based support. An AWS Advanced Technology Partner with competencies in Public Sector and Marketing & Commerce, Solodev's revolutionary cloud solution is available for purchase in the [AWS Marketplace](#) or at solodev.com





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