

## WHITE PAPER



## ADA CHANGING HOW YOU THINK ABOUT WEBSITE ADA CONFORMITY

Too often website owners think of ADA conformity as a “necessary evil.” While it is true that having ADA conformity on your website will minimize the risk of lawsuits, the reality is that by not thinking about consumers with disabilities, you may be alienating a significant number of potential buyers.

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**50**  
Million Americans  
have a disability

## What is ADA

The Americans with Disabilities Act (ADA) is a set of laws enacted by the US congress to provide for equal access for the disabled across a broad range of industries and practices. Over 50,000,000 Americans are affected by some form of disability – that’s more people than there are the state of California. ADA was designed to make their life a little easier.

As part of the ADA, the law mandated that websites should abide by a minimum set of best practices to ensure that users with impairments would have equal access to the world-wide web. The challenge with ADA conformity, is that Congress never set any guidelines for what would be acceptable for ADA “conforming” websites.

Over the years, as the legal system has had to deal with lawsuits related to ADA conformity, courts have leveraged the guidelines established by the World-Wide Web Consortium, otherwise known as the W3C, as guidelines by which to interpret the ADA conformity of specific sites. The W3C has issued a set of guidelines, known as the WCAG in three distinct levels: A, AA and AAA guidelines. The court system has largely held that websites must meet level A and AA guidelines to be considered “conforming.”

**7,000+**  
ADA lawsuits were filed in  
2017, 800 of them against  
Hospitality sites

## Why does ADA matter?

The default answer, of course, is legal protection. Over the past few years a series of well publicized lawsuits have been brought against website owners, particularly small to mid-sized businesses often resulting in awards in the tens of thousands of dollars. In fact, 2017 saw over 7,000 businesses sued for ADA website violations, with over 800 of those being in the Hospitality space. While protecting your business from ADA lawsuits is a very real and tangible reason to ensure your website is ADA conforming, there are more important reasons. In fact, by not providing ADA access to your website, you are alienating the estimated 20% of US consumers who have some form of disability.

**35**  
Million Americans suffer from  
visual impairments - nearly the  
population of California

In fact, in the US alone, there are 20 Million people with some form of physical disability. That’s more than half of the population of the state of California that might not be able to use a mouse or a keyboard on your website. More than 7 Million Americans suffer from visual disabilities and more than 35 Million suffer from some form of hearing loss. To put those

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# 4

There are four primary areas of impact to your website when it comes to ADA

numbers in context, if you ignore just the visually and hearing disabled, you are ignoring more people than there are internet users (respectively) in the states of Georgia and California. When you consider that 50% of disabled people in the US use the Internet *every day*, the need for ADA conformity quickly becomes a matter of good business, not just legal protection.

## How ADA Impacts your site

Having established that ADA conformity is a good business proposition, what exactly do you need to consider before making your site ADA conforming?

ADA conformity for websites is largely focused on four areas:

### Visual

How does the website work when visually impaired visitors arrive? Is it screen-reader friendly? Are there elements of the site that are only accessible with a mouse and do not have keyboard access?

### Auditory

Auditory conformity is largely focused on the interaction of audio and the user. More specifically, Audio issues related to any video that is presented and whether it provides closed captioning.

### Tactile

Can users access your website without relying on a mouse? Is keyboard navigation of all items on your site possible (including carousels)?

### Cognitive

Cognitive conformity deals with issues around color, contrast and the ability for users who may have learning or interpretive impairments

## Keys to conformity

There are three key considerations to ensuring that your website becomes ADA conforming: Technology, process, and design. On the technology front, the most important question is about your Content Management System (CMS). Is your CMS capable of creating ADA conforming websites? Do you have alert-systems in place in the CMS that will flag when ADA conformity issues are introduced in your site?

# Tech

ADA is about far more than how your website is "designed," you must also consider your CMS software

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# Process

Do you have an efficient process for designing and maintaining your ADA conformity?

ADA conformity is not a “do it and forget it” approach; modern websites are constantly evolving, constantly changing, and being updated, it’s critical to have a CMS that is able to not only create ADA conforming content but is also able to dynamically warn you when you have ADA problems in your website.

With the constant evolution of websites, having an ADA-friendly process is also critical. If your website development is done in-house, you need to ensure that planning and testing for ADA conformity becomes a core part of your website design and development process. If you work with an agency or a third-party vendor, on the other hand, it’s critical that your vendor has a process well laid out and documented for creating ADA conforming content and checking for problems monthly.

Finally, from a design perspective, ADA conforming design must consider a full set of subtleties and nuances that might escape the untrained eye. Once again, it’s critical to ensure that your in-house designers or agency designers understand ADA conformity issues and have had experience dealing with ADA conforming design.

## Examples of ADA conformity requirements

To understand the complexities of ADA conformity, consider a couple of quick examples of some of the subtle changes that must be made to a traditional website to achieve ADA conformity:

### Skip to content

ADA conforming websites must provide a means for a user to quickly “skip” non-screen-reader friendly content (like hero images) and jump to the text part of your website.

### Manual carousel control

Website carousels may be popular and fashionable, but they can create problems for users who have disabilities. ADA conforming carousels must be manually controlled and avoid excessive use of animations.

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## Learn More



Learn more about ADA: watch our on-demand Webinar. Just clicks the screen icon above.

### Full keyboard control

How much of your website can be controlled and used with just a keyboard? Having full access to all content without having to rely on a mouse is a critical part of ADA conformity

### Screen reader friendliness

Is your website friendly to people with visual disabilities? Is your content screen-reader friendly?

### Field label problems

Finally, consider something as simple and, seemingly, straight-forward as a form on your website. While placing field labels within the field may provide a “unique” look, it often makes the form unreadable for screen readers.

### Getting certified

ADA-Certification in the field of website design is a tricky word. There is no such thing as a “guarantee” that having an ADA-conforming website will provide 100% protection from lawsuits. It does, however, significantly lower your risk. While you can self-certify for ADA-conformity, there are several third-party organizations that will provide ADA-conformity audits to provide you with a full report, either confirming that your website conforms to ADA guidelines as of a specific date or providing you with an audit of the changes necessary to become ADA conforming.

## Summary

The issue of ADA conformity for website is not new and is not likely to go away any time soon. Any consumer-facing business, but especially location-based businesses like hospitality, retail, or financial-services businesses, should make ADA-conformity a core part of their business strategy and of their website development process. Not having ADA conformity as a central goal of your website strategy, is simply asking for trouble, and sends the wrong signal to your client-base.

To learn more about Milestone, visit us at: [www.milestoneinternet.com](http://www.milestoneinternet.com) or call us at (408) 200-2218.