



# ADA Compliancy

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## Communications Department



**Elizabeth Hollida**  
Webmaster

**Kevin Cook**  
Director of Communications

**"The power of the Web is in its universality. Access by everyone regardless of disability is an essential aspect. "**

*—Tim Berners-Lee  
Inventor of the World Wide Web*

### **Americans with Disabilities**



- 26% of Adults are Living with Disabilities in the US
- 10.8% Cognitive Disabilities
- 4.6% Vision Loss
- 5.9% Deaf or Hard of Hearing

## The Rehabilitation Act & 508



- Rehabilitation Act passed in 1973
- Sections 504 and 508 are amendments
- Federal law now mandated that federal governments provide Effective Communication for people with disabilities under Section 508
- In 2018, the **508 Refresh** took effect



## Americans with Disabilities Act (ADA)

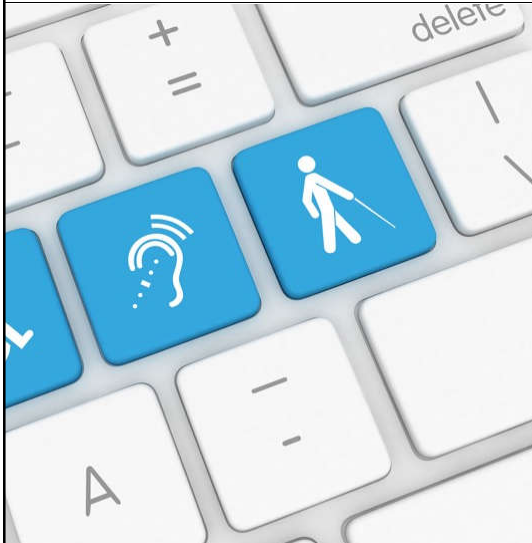


**Prohibits discrimination on the basis of disability.**

*"No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."*



## ADA: Title II



**Title II** covers state and local government operations. Known for addressing barriers such as:

- Wheelchair access
- Acceptance of service animals
- Services for hard-of-hearing individuals
- Equally effective communication

**The digital age focus has turned to websites.**



## ADA: Title II

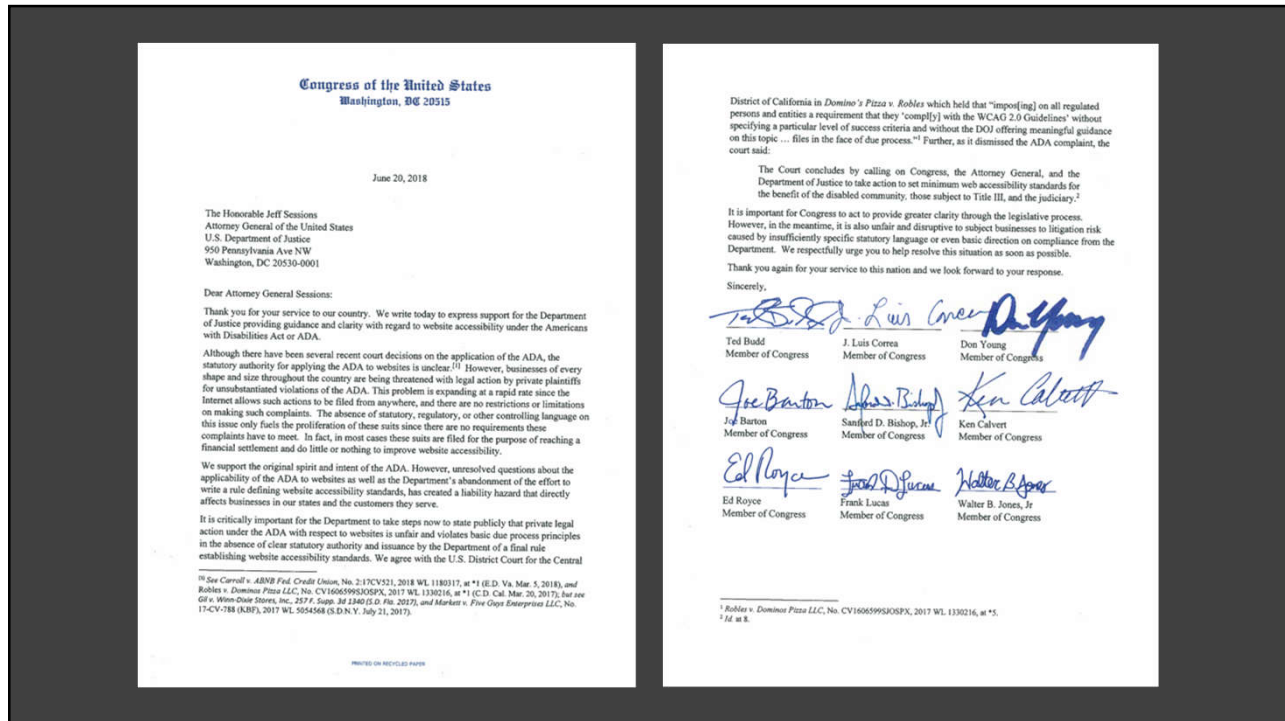


**Unfortunately**, the ADA does not specifically address websites and there is no clear direction from the ADA on how to be compliant.

The ADA was passed in 1990; the first website was launched in 1991.

In 2018, Congress asked for clarification and urged the DOJ to issue web compliancy guidelines.





## DOJ Response

- Absence of specific regulation does not serve as a basis for non-compliance.
- Entities have flexibility on how to comply.
- There are no binding specific regulations to tell you how to comply with the ADA's Effective Communication Requirement



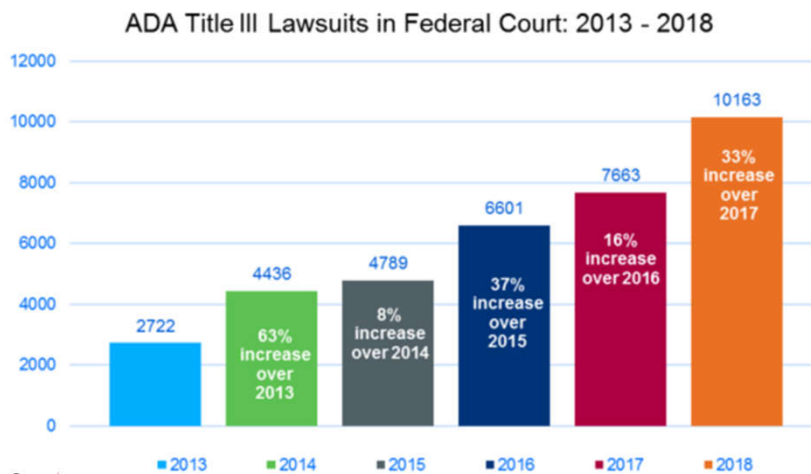
## ADA: Title III



**Title III** prohibits discrimination on the basis of disability in the activities of places of public accommodations and requires newly constructed or altered places of public accommodation—as well as commercial facilities to comply with the ADA Standards.



## Lawsuits

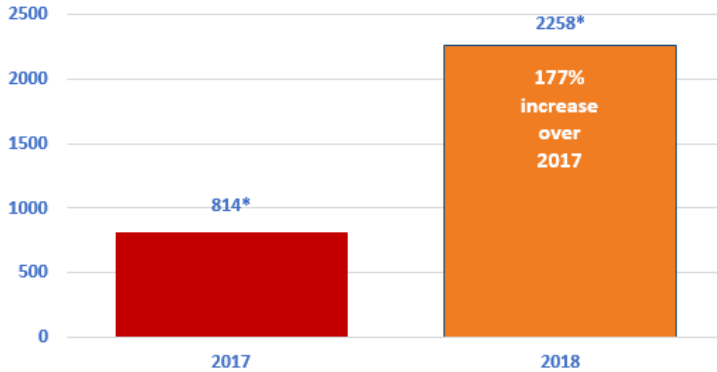


- Department of Justice enforces ADA
- DOJ interprets ADA as applicable to websites
- Title II & III claims are on the rise
- Website compliance litigation filed by plaintiffs' firms and advocacy groups have similarly seen a significant rise



## Lawsuits

ADA Title III Website Accessibility Lawsuits in Federal Court (2017-2018)

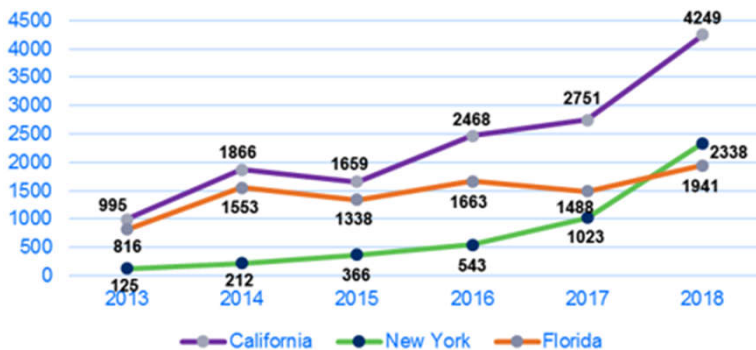


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## Lawsuits

California, New York and Florida ADA Title III Lawsuits in Federal Court (2013-2018)



- California, New York, and Florida led the pack by as the states with most ADA Title III lawsuits.
- Florida was surpassed by New York in 2018.
- Over 2000 federal lawsuits were filed in 2018 about allegedly inaccessible websites.



# Lawsuits



Local Governments are being sued for not being ADA compliant.

Plaintiffs: Juan Carlos Gil, Joel Price & Emily Fuller have filed over 350 lawsuits regarding website compliancy.



415 North Halifax Avenue  
Apartment 211  
Daytona Beach, Florida 32118

September 24, 2018

Via US Mail

Nassau County  
96135 Nassau Place  
Yulee, Florida 32097

Attn: Ted Selby, County Manager

**REQUEST FOR ACCOMMODATION**

Dear Ted Selby:

On September 22, 2018, I went to your information site [www.nassaucountyfl.com](http://www.nassaucountyfl.com) trying to learn about the governmental functioning of Nassau County through the documents you provide within your site.

I am legally blind, so I depend on a screen reader to help me understand electronic documents. My screen reader would not work with your electronic documents. I was specifically interested in documents related to the budget of the Nassau County (electronic documents) for 2018, 2017, 2016 and 2015 and all County Commission agendas and back up material for year 2018, 2017 and 2016. Would you please make these documents accessible in your site so that they will work with screen readers?

Your site has many other electronic documents other than the specific ones which I have asked for above. In addition to the specific documents listed here, can you also make the other electronic documents within your site accessible so that they will work with screen readers so I don't have to take the steps to ask for each document in a mail request?

I appreciate your reply as soon as possible. Please send via U.S. mail.

Thank you,  
*Joel Price*  
Joel Price

RCVD COUNTY MGR  
1 OCT '18 PM 3:45

JUAN CARLOS GIL  
2656 SW 28<sup>th</sup> Avenue  
Miami, FL 33133

RECEIVED  
MAR 27 2019  
City Clerk's Office

March 22, 2019

Via US Mail

City of Lakeland  
2258 s. Massachusetts Ave  
Lakeland, FL 33801

Attn: Kelly Koos, City Clerk

**REQUEST FOR ACCOMMODATION**

Dear Kelly Koos:


On March 22, 2019, I went to your information site (the website [www.lakelandgov.net](http://www.lakelandgov.net)) trying to learn about the governmental functioning of City of Lakeland through the documents you provide within your site.

I am legally blind, so I depend on a screen reader to help me understand electronic documents. My screen reader would not work with your electronic documents. I was specifically interested in documents related to the budget of the City of Lakeland (electronic documents) for 2018, 2017, 2016 and 2015 and all City Commission agendas and back up material for year 2018, 2017 and 2016. Would you please make these documents accessible in your site so that they will work with screen readers?

I have visited [www.lakelandgov.net](http://www.lakelandgov.net) in the past and I continue to desire to visit [www.lakelandgov.net](http://www.lakelandgov.net) in order to become informed about the programs, services and activities offered by City of Lakeland particularly relate to governmental functioning.

Your site has many other electronic documents other than the specific ones which I have asked for above. In addition to the specific documents listed here, can you also make the other electronic documents within your site accessible so that they will work with screen readers so I don't have to take the steps to ask for each document in a mail request?

I appreciate your reply as soon as possible.

Thank you,  




## World Wide Web Consortium

- Develops web standards
- Web Content Accessibility Guidelines (**WCAG**) 2.0 published in December 2008 and became a standard
- Accessibility Guidelines make content more accessible, primarily for people with disabilities—but also for all users, including highly limited devices, such as mobile phones



## WCAG



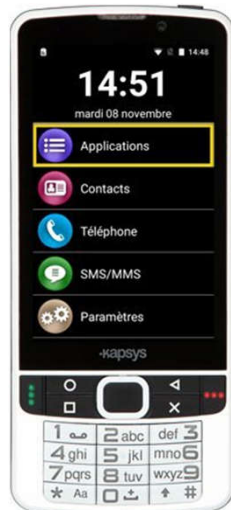
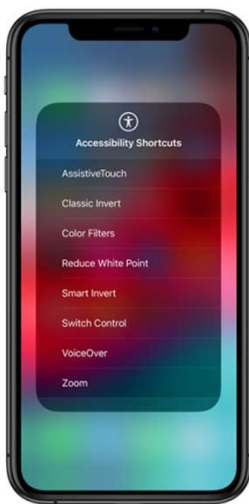
**WCAG 2.0 AA Guidelines** are considered a best practice by the DOJ and used to judge ADA compliance in court.

These Guidelines and Section 508 Standards are recognized as best practices for website accessibility and have been used by the DOJ as a benchmark in website accessibility matters.



# WCAG 2.0<sup>1</sup>

[w3.org/TR/WCAG21](http://w3.org/TR/WCAG21)



**WCAG 2.1** provides 17 additional success criteria to address including:

- **Mobile Accessibility**
- **People with Low Vision**
- **People with Cognitive and Learning Disabilities**

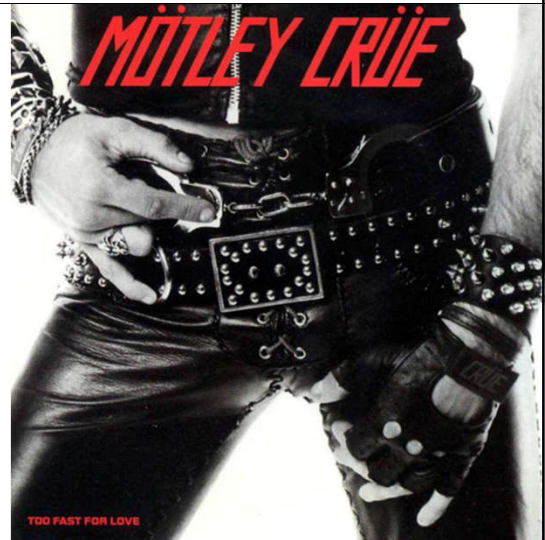
## WCAG 2.1 Principles of Accessibility

- Perceivable
- Operable
- Understandable
- Robust



## Perceivable: Sight, Hearing, Touch

- Provide text alternatives for non-text content.
- Provide captions and other alternatives for multimedia.
- Create content that can be presented in different ways, including by assistive technologies, without losing meaning.
- Make it easier for users to see and hear content.



## Operable: Navigation a User Can Perform

- All content can be **easily** navigated and located
- Make all functionality available from a keyboard.
- Give users enough time to read and use content.
- Do not use content that causes seizures.
- Help users navigate and find content.



## Understandable: User-Friendly

- Make text readable and understandable.
- Make content appear and operate in predictable ways.
- Help users avoid and correct mistakes.



## Robust: Adaptable

- Maximize compatibility with current and future tools.
- Content must be able to be interpreted reliably by a **wide variety** of user agents, including assistive technologies.
- Users must be able to access the content as technologies advance and content should **remain accessible**.



## WCAG Levels of Accessibility

A

Good

AA

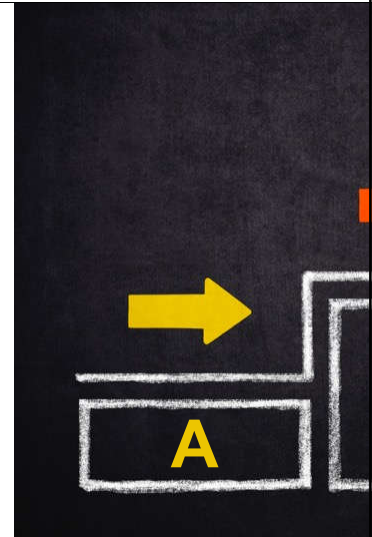
Better

AAA

Great

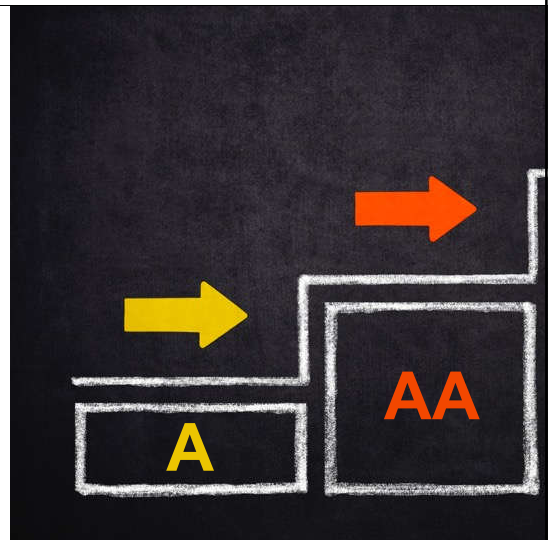
## Level A

- Text **alternatives** for non-text content
- Alternative **options** for video-only and audio-only content
- **Captions** for videos with audio or text embedded within video
- **Logical reading structure** on website & content
- Content that is presented in a meaningful order **using more than one sense**
- Fully navigable by **keyboard only**



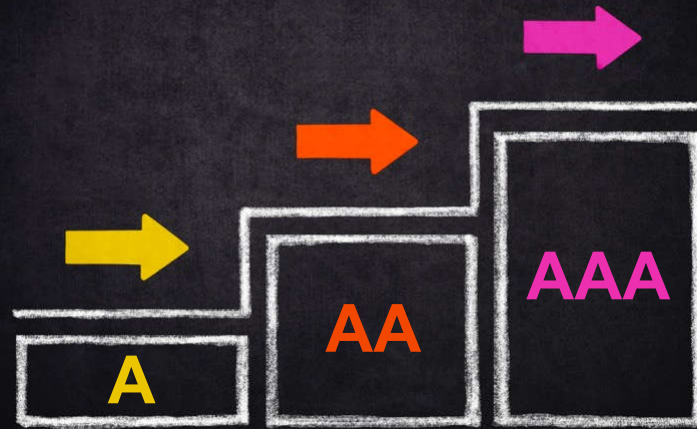
## Level AA

- Higher level of accessibility
- Most commonly required level by the DOJ in enforcement actions and settlements
- Includes all Level A requirements
- Captions provided for all live content and synchronized media
- **The Goal**



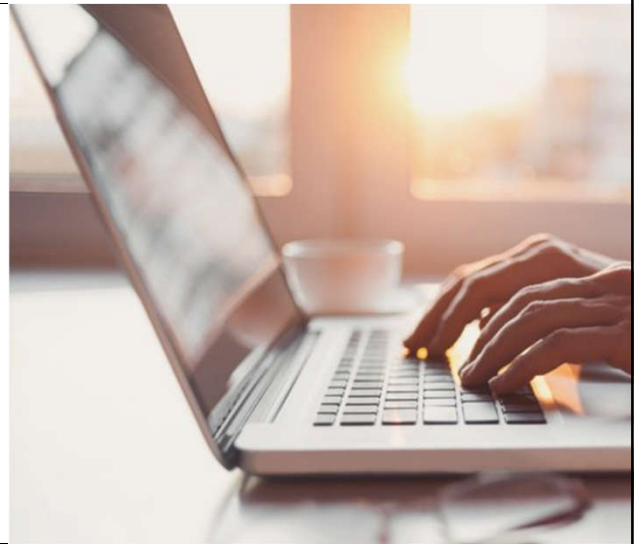
## Level AAA

- Highest level of accessibility
- A best practice
- Not practical for most
- Includes all Level A and AA features
- Sign language interpretation provided for all audio content & synchronized media



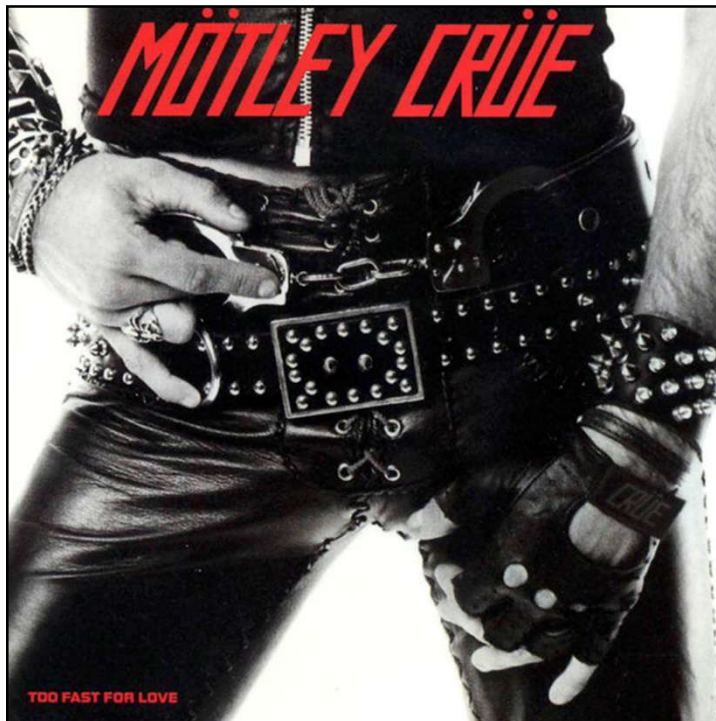
## Assistive Technology

- **Screen readers** use a synthesized voice to read pages on a website, one element at a time
- **Audio** transcription
- **Braille** displays
- **Eye movement-controlled** assistive technology



## Alternative “Alt” Text

- One of the most **critical yet often missed** components of online accessibility is alternative text.
- Alt text **describes an image** file for a user so that the user can understand the message of the image.
- Due to the volume of **images and PDFs** scattered throughout the web, a person using screen reading technology is very likely to miss crucial information about content being offered by an organization if alternative text is not provided for web and PDF images.



### How Would You Describe This Picture?

The Hair Band Mötley Crüe - Too Fast For Love album cover depicting a man in black leather pants wearing silver chains and studded belt





## Alternative “Alt” Text

- Images with text must include that text in alt descriptions
- Describe the image how you might if you were describing an image to someone over the phone



## PDFs

- Logical Structure & Reading order: Tagging
- Alt Text
- Navigational Aids  
*i.e.* - Table of Contents
- Accessible Fonts



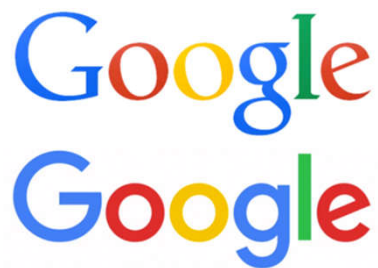
## PDFs & Screen Readers

Scanned documents saved as an image are not ADA Compliant.

Screen readers are not able to decipher image into text.

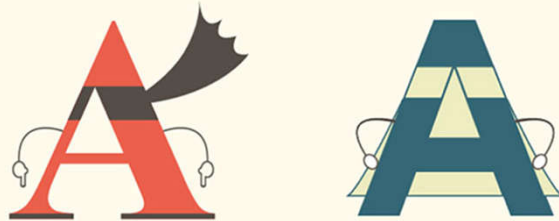


## Fonts



## Fonts

- Arial
- Calibri
- Century Gothic
- Helvetica
- Tahoma
- Verdana
- Times New Roman  
*(if you must)*



## Color

Limit reds and greens, individuals who are color blind can't see them

Follow text contrast ratios for text color against backgrounds

Colour Contrast Analyser (CCA) Edit View

Colour Contrast Analyser (CCA)

Contrast ratio 1.6:1

Foreground colour #F1B548 HEX

Background colour #DA7C46

Sample preview  
example text showing cont

WCAG 2.1 results

- ▶ 1.4.3 Contrast (Minimum) (AA)
  - ✘ Fail for large and regular text
- ▼ 1.4.6 Contrast (Enhanced) (AAA)
  - ✘ Fail for large and regular text
- ▶ 1.4.11 Non-text Contrast (AA)
  - ✘ Fail for UI components and graphical objects

Colour blindness simulation

Monochromacy

- Achromatopsia (1.7:1) no color
  - Sample
- Achromatomaly almost no color
  - Sample

Dichromacy

- Protanopia (1.7:1) no red
  - Sample
- Deuteranopia (1.7:1) no green
  - Sample
- Tritanopia (1.7:1) no blue
  - Sample

Trichromacy

- Protanomaly (1.7:1) low red
  - Sample
- Deuteranomaly (1.7:1) low green
  - Sample
- Tritanomaly (1.7:1) low blue
  - Sample

Paraphrased Text (including images of text) has a contrast ratio of at least 7:1 for "regular" sized text and at least 4.5:1 for large scale text (at least 18pt / 24px, or bold and at least 14pt / 18.5px), unless the text is purely decorative.

- ✘ Fail for large and regular text



## Closed Captioning

- All video content should be close captioned
- Vimeo, YouTube, Facebook, Twitter, Instagram, other
- Auto-captioning
- Manual caption editing
- Hire a captioning company
- Most settlements don't require captioning for archived videos



## Additional

- Forms = Compliant
- Add a Disclaimer
- Remember: Keyboard-Friendly Navigation
- Be Proactive
- Stay Current
- Refer to Resources





**New Norm:**  
Author with  
accessibility in mind

