

# Is Your System's Website ADA/508 Compliant?

Recently there has been a lot of press about website compliance with the American with Disabilities Act (ADA). There have been cities and special districts in Florida sued over noncompliance. It is your responsibility to make your website compliant and to maintain it for the future.

## **What is ADA Compliance?**

The Department of Justice (DOJ) published the Americans with Disabilities Act (ADA) Standards for Accessible Design in September 2010. These standards state that all electronic and information technology must be accessible to people with disabilities.

The ADA differs from Section 508 regulations, which are an amendment to the Rehabilitation Act of 1973 and apply to all information technology, including computer hardware, software and documentation.

## **Who needs to follow these requirements?**

The ADA standards apply to commercial and public entities that have "places of public accommodation" which includes the internet. Currently the guidelines to compliance are very vague. The DOJ is currently determining the specific regulations, however that does not mean website discrimination will be tolerated.

## **Who does the law affect?**

- Americans with disabilities and their friends, families, and caregivers
- Private employers with 15 or more employees
- Businesses operating for the benefit of the public
- All state and local government agencies

The Americans with Disability Act (ADA) and Section 508 of the Rehabilitation Act both ensure that all people have equal access to goods, services, and communication. While Section 508 is specific to Information Communication Technology for federal government agencies and services. The ADA is a broader law that covers all entities, organizations, public, private, and not-for-profit, excluding federal

agencies. The ADA Standards require equal access to all goods, services, information, and communication. So, between the two Acts, everyone is covered.

Not having an accessible site is similar to someone with a disability going to a business and having the door closed in their face blatantly denying entry. That's what occurs when a person with a disability cannot access all aspects of your website.

To achieve digital accessibility, an experienced company should audit your website and define areas in need of remediation. They'll provide a report that will help your developers make the necessary corrections to bring your website into compliance.

Once you have the corrections made, ADA compliance is an ongoing project. When files, photos, and information are uploaded to your compliant site, it can become non-compliant. Many choose to have the company that performed the initial audit keep any new website additions in compliance. This may involve code-level changes by your web developer or document Remediation for accessible PDF documents posted to your site.

Steps that are taken now towards compliance and monitoring what is uploaded to your website may save you a lot of headaches in the future.