Why your website is not inclusive:

Digital Accessibility Report and How To Make Your Website Accessible

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Introduction
You might have heard that we have access to "all the information and knowledge we could ever want", thanks to the internet. However, this ease of access is limited to a specific group of people. The internet itself is still a highly inaccessible ecosystem for persons with disabilities.

If you are under the impression that anything that lives online is automatically accessible, you are not alone, but your assumption is incorrect. The disabled community is most often not considered when a new website is developed, a new mobile app hits the store, or a new social media platform is launched. This exclusion happens due to several key oversights: 1) lack of awareness around the user experience of people with different disabilities; 2) what digital accessibility is; and 3) that this exclusion is being experienced by a significant part of the population.

The truth is that disability - physical, cognitive, psycho-social, sensory, mental health and learning impairment - is a universal human experience that will happen to everyone, at some time in life, permanent and/ or temporary. Furthermore, disabilities are not limited to any one group of people. - In fact, as the largest minority, people with disabilities intersect every other identity group - yet they are most often the last group to be considered, if they are even considered at all, in every segment of society. The digital landscape is no exception.

Correcting Misconceptions
The misconception that an internet connection is all that is needed to access the internet is not entirely true nor complete. If websites and online content don't incorporate all of the accessibility features outlined in the Web Accessibility Content Guidelines (WCAG 2.1),[1] then people with disabilities who depend on them are excluded. According to Information Communication Technology Solutions and Education (ISE) ninety-eight percent of web pages, out of 10 million audited, are not accessible to persons with disabilities.[2]

Here are some surprising statistics discovered in the ISE survey about just how inaccessible the web is are as follows:

- 98% of menus fail to comply with the Web Accessibility Content Guidelines (WCAG)
- 52% of images fail to comply with the Web Accessibility Content Guidelines (WCAG)
- 89% of popups fail to comply with the Web Accessibility Content Guidelines (WCAG)
- 71% of forms fail to comply with the Web Accessibility Content Guidelines (WCAG)

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[1] https://www.w3.org/WAI/standards-guidelines/wcag/
[2] https://isemag.com/2020/11/telecom-98-percent-of-websites-fail-to-comply-with-accessibility-requirements-for-people-with-disabilities/

- 76% of icons fail to comply with the Web Accessibility Content Guidelines (WCAG)
- 83% of buttons fail to comply with the Web Accessibility Content Guidelines (WCAG)
- 22% of links fail to comply with the Web Accessibility Content Guidelines (WCAG)

People without disabilities, when consuming online content, don't realize that they rely on many design features and structures that were included to accommodate people with disabilities. For example, have you ever watched a video with only captions? Or turned night mode on because it made things easier on your eyes to read? Or used a keyboard or touchpad, instead of a mouse, to scroll through a long article? All of these are accessible design elements that make website experiences better for everyone, not just people with disabilities who can interact the same when accessibility features are present.

While digital accessibility is a company-wide commitment, it needs to be taken seriously by the teams responsible for creating digital assets. Developers and designers need to take into account that if they don't incorporate accessibility features, users with different impairments are excluded from using the technology or accessing the content. Digital accessibility focuses on three main senses: sight, sound, and touch. Imagine going to a website that has white text against a white background, watching a video where the audio has been stripped away or getting to a website and not being able to interact with it. Websites need to be built and designed in a way that allows everyone to discover, explore, and engage. As platforms, websites, and applications become more accessible in development and design, the low levels of compliance will begin to become a norm in the process as compared to where things currently sit as an option or something to consider after publishing.

If so many people can benefit from accessible digital platforms and content why is compliance so low?
In the United States, there are a number of measures in place to hold businesses accountable for inaccessibility, but most people, especially business owners, are unaware of the requirements and how to comply with them. The Americans with Disabilities Act (ADA) was signed in July of 1990, which is before the internet was widely used.[3] So how could the disability advocates and activists who wrote the ADA know that the internet would be created and introduce a new host of issues around

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[3] https://adata.org/research_brief/digital-access-and-title-iii-ada

access for people with disabilities? They couldn't. The ADA Amendments Act of 2008 (ADAAA)[4] amended the Americans with Disabilities Act of 1990 (ADA) and other disability discrimination laws at the federal level. The ADAAA was passed in September of 2008 in response to a number of decisions by the Supreme Court that had interpreted the original text of the ADA. On September 15, 2010, the Department published final regulations revising the Department's ADA regulations, including the adoption of updated ADA Standards for Accessible Design (2010 Standards). The revised final rules went into effect on March 15, 2011.[5]

Title III of the ADA prohibits discrimination on the basis of disability in the activities of places of public accommodations and requires businesses to comply with the ADA Standards. Any business that is public-facing is required by law to comply with accessibility standards. However, there are some specific requirements for certain types of businesses and industries. State and local governments, federal agencies, government contractors, and programs receiving federal funding are subject to title III of the ADA section 508, which requires that federal agencies' electronic and information technology is accessible to people with disabilities.[6] Organizations working with or for the government are held to slightly more strict standards primarily because of the government's duty to serve the citizens it represents. Without considering the inclusion and abilities of everyone, the government would be failing to fully support the people.

Who is accountable for upholding digital accessibility standards?
Organizations being funded or working directly for/under the governments are not the only ones who are held to specific standards in terms of digital accessibility and accountability. Some private sectors have been outlined as places of public accommodation, while others have been indirectly referenced at other times.

Let's look at which private sector businesses have been defined as places of public accommodation. Inside Title III of the ADA, twelve private business categories are listed, which are specifically required to comply with accessibility standards.[7]

These categories include:
1. lodging
   a. All people travel, including people with disabilities. So it is essential to be able to book, pay, and confirm a place to stay while traveling, regardless of ability.

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[4] https://www.eeoc.gov/statutes/americans-disabilities-act-amendments-act-2008
[5] https://www.ada.gov/2010_regs.htm
[6] https://www.ada.gov/508/#:~:text=Overview,and%20members%20of%20the%20public
[7] https://www.rev.com/blog/web-accessibility-laws-in-the-u-s

2. food and drink service businesses
   a. Everyone enjoys going out to eat with friends and family, so it would be wrong to assume people with disabilities don't or can't enjoy this as well. Making digital menus and online reservation bookings accessible to everyone allows people with disabilities to enjoy their time spent with friends and family without having to rely on printed formats of menus and/or the help of those around them.
3. entertainment or exhibition
   a. Incorporating accessibility into the process of buying tickets, requesting accommodations in physical environments, and planning for special events is crucial for people with disabilities to ensure they can enjoy themselves in activities of entertainment and exhibition.
4. public gathering
   a. Information about public gatherings needs to be accessible to allow people to actively participate in areas of interest and areas of importance. If times, locations, and details are not accessible, people with disabilities cannot engage in the physical world.
5. sales or rental businesses
   a. People with disabilities need to be able to rent or purchase goods online with full knowledge of what is being exchanged and at what rate. Prices, durations, and item details influence buying decisions, and people with disabilities are buyers just as much as people without disabilities.
6. service establishments
   a. Businesses providing services to the general public need to be accessible to everyone as people with disabilities utilize and rely on services in the same ways as people without disabilities.
7. public transportation
   a. Public transportation is a wonderful resource for people with disabilities and without accessible digital information on fares, departure times, and payment, the website of public transportations is useless to people with disabilities.
8. public display
   a. Locations with physical public displays such as museums, galleries, and landmarks need to provide accessible forms of content to ensure everyone can learn, enjoy, and engage with the exhibits and environments.
9. Recreation

a. Areas of recreation such as parks need to have accessible digital content to ensure that people with disabilities can learn and plan visits without concern for accommodation in the physical environments.

10. Education
    a. Any form of online education should be made accessible to people with disabilities to allow everyone who wants to learn the ability to do so, regardless of abilities.

11. social services
    a. Since disabilities are not limited to anyone, social services need to be made available for discovering and utilizing in online environments as people shift towards providing hybrids of virtual and in-person services.

12. Exercise
    a. Fitness centers and exercise facilities need to share accessible content online for managing memberships as well as informing the user on what type of equipment is featured to ensure proper and effective use of specific machines by users of all abilities.

While these business categories have been specifically defined, other categories have been considered to be a place of public accommodation. Any business that sells goods and services online shares information or provides value to users is a public resource. Only websites with gates or password requirements for access are considered outside of public access. A website that writes blogs based on current news, a hobbyist site selling handmade goods, and even an app for viewing select forms of content are all examples of public resources that can exist online. But if all of these sites are considered public, why are so many of them still inaccessible to people with disabilities? Well, let's explore this question a bit further.

In 2022, in an age when tourists are soon to be going to the moon, why isn't digital accessibility - which seems comparably basic to the technology needed to travel to space - universal? In an article titled, "The Inaccessible Web: How Did We Get Into This Mess", Mischa Andrews discusses four reasons why.[8] At the top of her list is a lack of curriculum on accessibility in classes for developers, designers, managers, and supporting team roles. Next, Andrews lists lack of accountability for being inaccessible, misconceptions and assumptions about accessibility and people with disabilities, and an unclear process on how to achieve accessibility.

Let's dive into each of her points a little more.

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[8] https://uxdesign.cc/the-inaccessible-web-how-we-got-into-this-mess-7cd3460b8e32

1. Lack of curriculum on accessibility.

Mischa shares her own experiences as a computer science and psychology student that during her time as a student, accessibility was never mentioned.[9] It wasn't until entering the workplace that she learned about accessibility and had to unlearn the misconceptions that surround making digital environments accessible. However, even in the workplace, unless it was specifically about accessibility, it was not a common topic of teaching or discussion.

2. Misconceptions and assumptions about accessibility.

The financial requirements to implement accessibility are often the first questions asked when initially discussing digital accessibility. While the mega big companies are moving towards accessibility, many of the small and medium-sized businesses don't believe they have the financial means to incorporate accessibility into their websites. This is a common misconception that I have seen consistently from small and medium-sized business owners. Following the questions about financial requirements are questions about the time commitment for implementing digital accessibility. Since technology can't fix all accessibility issues automatically, there are a lot of conversations happening across social platforms like LinkedIn and TikTok as to how long the project of digital accessibility will take. This mindset needs to shift away from digital accessibility being a project with time frames to something that grows and evolves over time, similar to a financial plan or growth strategy. When it comes to making digital environments accessible, accessibility should become ingrained in the process, not be an afterthought or a one-time deal.

3. Misconceptions and assumptions about people with disabilities.

Unfortunately, it is still not common knowledge that 25% of people living in the USA - or 64 million people - have disabilities. Furthermore, it is not common knowledge that 62% of people who live with a disability and utilize technology are being excluded because of a lack of digital accessibility. This is a massive consumer base craving to have the same user experience as everyone else.

4. An unclear process system on how to achieve accessibility.

If you've ever looked into digital accessibility, then chances are you have heard of the Web Accessibility Content Guidelines(WCAG), The World Wide Web Consortium (W3C), and maybe even the Web Accessibility Initiative (WAI).[10] Each of these aims to establish standards and guidelines for making online experiences accessible to everyone. The issue with standards and guidelines is that they are often left up to

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[9] https://uxdesign.cc/the-inaccessible-web-how-we-got-into-this-mess-7cd3460b8e32
[10] https://www.w3.org/standards/

interpretation and rarely have concrete rules to follow. For example, providing clear and complete link text could mean two different things to two different content authors, and likewise, marking up interactive elements can mean two different levels of clarity for two developers. On top of this, the guidelines seem to be delayed when stacked up against current methods for building, designing, and publishing content online. The last update for the WCAG came out in version 2.1 in June of 2018, and to say the least, a lot has happened over the last four years.

Conclusion

From the classroom to the workplace, accessibility needs to be included in the process to reduce misconceptions around accessibility and the people who benefit from accessible designs. On the other hand, more clear and concise criteria that is up to date with current development and design methodologies must be available to teach, learn, and implement. Until both sides begin to intertwine and work together, accessibility can only go so far, or at least, only as far as the teams involved know or understand. Teams with a solid foundation paired with expert professionals in the accessibility space and topped off with tools and programs that were built for accessibility can take accessibility above and beyond even what the standards say.

So what hope is there forever achieving universal digital accessibility? Here are three.

The rapid development of technologies is making things easier for users and the product/service providers. As smartphones and mobile devices continue to improve, assistive technologies are also making great headway. This means that users with disabilities are becoming more independent as they have more tools and resources to accommodate their needs. As a legally blind user, who also works in the digital space, I am finding it easier to design user experiences that are inclusive while also having an easier time finding ways to make the digital world more accessible independently.

While advances in technology had initial hopes of enhancing accessibility for people with disability, it has in fact created a new host of issues for people with disabilities. A prime example comes from a research brief on digital access within Title II of the ADA that explains that people with disabilities cannot apply to or get jobs because of lack of access to technology, while also not being able to access technology because of financial constraints due to unemployment. Title II goes on to explain how technology influences areas like healthcare, education, employment, and social inclusion while people with disabilities report less overall benefit in each area. These reports directly reflect that people with disabilities do not benefit nearly as much from technology - as they could - compared to people without disabilities.

Another sign of hope for achieving universal digital access comes from an investment standpoint. In "Solving "Then What": Empowering Investors to Achieve Competitive Integrated Employment for Persons with Disabilities," Robert Ludke breaks down how over the last decade, investors have moved into environmental, social, and governance strategies when determining where to invest.[11] These strategies have introduced non-financial performance measurements that investors now look very carefully into. Some of the factors being watched include pollution reduction and use of clean energy, workforce diversity, and forming a board of directors that are qualified and engaged. With investors paying more attention to non-financial factors, this will ultimately lead to more diverse teams and more conscious business.

In conclusion, the inclusion of people with disabilities is slowly but surely making its way into conversations, not only in regards to digital accessibility and universal design but also in pop culture, music, advertising, marketing, film, and unlike ever before in national politics. This general awareness and understanding are not only shining the spotlight on disability advocates and activists who are taking full advantage to raise awareness about the issues they face, but these conversations are seeing increased support among allies of the disabled community. And like any other social justice movement where a minority is being excluded, as we saw in the Civil Rights movement and the Women's Rights movement, it takes the force for everyone, advocates and allies, at all levels and across all sectors and industries to see significant and sustainable change that makes a difference in people's lives.

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[11] https://harkininstitute.drake.edu/wp-content/uploads/sites/103/2021/01/White-Paper_DI-in-ESG.pdf

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