



**IS YOUR NON-PROFIT CLIENT'S
WEBSITE ADA COMPLIANT?**

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AMERICANS WITH DISABILITIES ACT (ADA)

What is the ADA



What it is

“a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.”



Purpose

“It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.”



How disability is defined

A physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

WHAT DOES A DISABILITY LOOK LIKE?

General Perceptions of Disabilities



KEY ASPECT OF DISABILITY

According to the ADA Definition

A physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

AMERICANS WITH DISABILITIES ACT (ADA)

What Case Law Says



Crohns Disease

EEOC v. Browning Ferris, Inc.



Depression & PTSD

EEOC v. Land Air Express of New England



AIDS

EEOC v. Complete Auto Transit



Hearing/Visually Impaired

EEOC v. Wal Mart Stores, Inc. / EEOC v. Windmill Inns of America

KEY ASPECT OF DISABILITY

According to the ADA Definition

“a civil rights law that prohibits discrimination against individuals with disabilities **in all areas of public life**, including jobs, schools, transportation, and all public and private places that are open to the **general public.**”

WHAT DOES THIS HAVE TO DO WITH WEBSITES?

The New Frontier

“all areas of public life”

- Was the law intended for the digital landscape?
- Does limited access to website information adversely impact someone with a disability?

Website access

- Definitions now include “Accessible information technology” and “Adaptive technology”
- The claims we’ve seen and the Supreme Court say suits are an option

ADDITIONAL RESOURCES

Information for Further Research



First Federal Court Rules That Having An Inaccessible Website Violates Title III Of The ADA

<https://adata.org/glossary-terms#Dhttps://www.seyfarth.com/news-insights/first-federal-court-rules-that-having-an-inaccessible-website-violates-title-iii-of-the-ada-1.html>



Number Of Federal Website Accessibility Lawsuits Nearly Triple, Exceeding 2250 In 2018

<https://www.seyfarth.com/news-insights/number-of-federal-website-accessibility-lawsuits-nearly-triple-exceeding-2250-in-2018.html>



ADA questions remain over web accessibility cases and the lack of DOJ regulations

<http://www.abajournal.com/magazine/article/ada-web-accessibility-doj-regulations>

QUESTIONS?



YOUR NON-PROFIT MANAGEMENT LIABILITY CONTACT



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THANK YOU