

## ADA Audio Conference Series August 15, 2017

This session is scheduled to begin at  
2:00pm Eastern Time

Real-Time Captioning and the PowerPoint Presentation are available through the Webinar Platform. Audio Connection is available through the webinar platform/telephone/Mobile App.

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### Listening to the Session



- ▶ The audio for today's webinar is being broadcast through your computer or via telephone for those that registered for that option. If using your computer, please make sure your speakers are turned on or your headphones are plugged in.
  - You can control the audio broadcast via the Audio & Video panel. You can adjust the sound by "sliding" the sound bar left or right.
  - If you are having sound quality problems check your audio controls by going through the Audio Wizard which is accessed by selecting the microphone icon on the Audio & Video panel



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### Listening to the Session, *continued*



MOBILE Users (iPhone, iPad, or Android device (including Kindle Fire HD)

Individuals may listen\*\* to the session using the Blackboard Collaborate Mobile App (Available Free from the Apple Store, Google Play or Amazon)



\*\*Closed Captioning is not visible via the Mobile App and there is limited accessibility for screen reader/Voiceover users

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## Captioning



- ▶ Real-time captioning is provided during this session via the webinar platform.
- ▶ The caption screen can be accessed by choosing the  icon in the Audio & Video panel.



- ▶ Once selected you will have the option to resize the captioning window, change the font size and save the transcript.

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## Submitting Questions



- ▶ If you are listening by phone you will be instructed by the Operator on how to ask a question.
- ▶ You may type and submit questions in the Chat Area Text Box or press Control-M and enter text in the Chat Area. You will not be able to see the question after you submit it but it will be viewable by the presenters.
- ▶ If you are connected via a mobile device you may submit questions in the chat area within the App
- ▶ Questions may also be emailed to [webinars@ada-audio.org](mailto:webinars@ada-audio.org)



Please note: This webinar is being recorded and can be accessed on the ADA Audio Conference Series website at [www.ada-audio.org](http://www.ada-audio.org) within 24 hours after the conclusion of the session. The edited written transcript will be posted at this same site within 7 business days following the conclusion of the session.

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## Customize Your View



- ▶ Resize the Whiteboard where the Presentation slides are shown to make it smaller or larger by choosing from the drop down menu located above and to the left of the whiteboard. The default is "fit page"



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## Customize Your View continued



- ▶ Resize/Reposition the Chat, Participant and Audio & Video panels by “detaching” and using your mouse to reposition or “stretch/shrink”. Each panel may be detached using the icon in the upper right corner of each panel.



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## Adjusting Preferences



### • To turn off notifications (audible/visual)

- Select “Edit” from the tool bar at the top of your screen
- From the drop down menu select “Preferences”
- Scroll down to “General”
  - select “Audible Notifications”  
Uncheck anything you don’t want to receive and “apply”
  - Select “Visual Notifications” Uncheck anything you don’t want to receive and “apply”
- For Screen Reader User – Set preferences through the setting options within the Activity Window (Ctrl+Slash opens the activity window)



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## Technical Assistance



- ▶ If you experience any technical difficulties during today’s session:
  1. **In webinar platform:** Send a private chat message to the host by double clicking “Great Lakes ADA” in the participant list. A tab titled “Great Lakes ADA” will appear in the chat panel. Type your comment in the text box and “enter” (Keyboard - F6, Arrow up or down to locate “Great Lakes ADA” and select to send a message ); or
  2. **By Email** [webinars@ada-audio.org](mailto:webinars@ada-audio.org) ; or
  3. **Call** 877-232-1990 (V/TTY)

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# Digital Accessibility Legal Update ADA National Network (8/15/17)

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## Put the law in your pocket

- How do we **talk about the law**?
- Can we **shift** from fear to motivation?



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## Accessibility is....



A civil right  
A human right

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# Why?

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## With Accessibility. . . .

- Participation
- **I**nclusion
- Equality



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## No accessibility?

- Left out
- **E**xclusion
- Discrimination



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## Right to **information** about

- Education
- Transit
- Voting
- Services

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## Right to **participate** in

- Education
- Private Sector
- Public Sector
- Social community
- Employment

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## Why be afraid of that?

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## Theory > Practice

Foundation (Laws and Regulations)

+

Advocates (Who)

+

Strategies (How)

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Access Wins

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## Laws = Foundation



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## US Laws and Policies

- ADA
- Federally funded (504)
- Federal employment (501)
- Airline disability law
- CVAA
- Federal Procurement (508)

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## ADA and Digital #A11y

- Public Sector
- Private Sector
- Employment

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ADA Web  
Regulations?

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Web regs are **inactive**  
The ADA Isn't!

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## U.S. State Laws

- State funded IT
- State procurement IT
- State anti-discrimination laws
- Local laws



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## Watch for Roll-Backs

- **Arizona:** “This Article Does Not Apply to WEBSITES”
- **Oklahoma:** HB 1429 (Notice)
- **ADA??**



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## Beyond the US

- CRPD
- W3C WAI site  
<https://www.w3.org/WAI/Policy/>
- LFLegal website  
<https://llegal.com/2013/05/gaad-legal>

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## Accessibility is about . . .



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## Without Advocates....



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## Without Strategies....



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## Strategies for Enforcement

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## Advocate's Toolbox



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## US Legal Strategies

- Federal Agency Complaints (*still?*)
- Lawsuits
  - Federal court
  - State court
- Structured Negotiation

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## Strategy #1

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## Lawsuits - Foundational



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## More Lawsuits



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## And more....

- McDonalds
- Eatsa
- Redfin
- Red Lobster
- Red Robin
- Ruby Tuesday
- Texas De Brazil
- Texas Roadhouse
- The Cheesecake Factory
- Panda Express
- **AND MORE!**

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## 4 (new!) Wins

- Winn-Dixie
- Hobby-Lobby
- Blick Art Materials
- 5 Guys



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## 1 (new!) Loss

- Domino's Pizza



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# Lots of Lawsuits



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# Big Picture #1

▪ **Some Courts:**  
Need connection  
to physical place



▪ **Other Courts:**  
Nope

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# Big Picture #2

▪ **Some Courts:**  
Defendant pays  
fees



▪ **Other Courts:**  
Phone (might be)  
good enough

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## Big Picture #3

- Don't be **distracted** by court losses



- Legal road leads to access

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## Spend Money on **Access** – Not on Lawyers



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## Strategy #2

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# Gov't Agency Activity

- DOJ
- State Attorney Generals
- Dept. of Ed
- FCC



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# 1700 and counting...

- Department of Ed Complaints
- Web Access
- K-12 and Higher Ed
- State Departments of Education



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# Strategy #3

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## Structured Negotiation



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## More Structured Negotiation Win-Wins!



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Laws  
+ Advocates  
+ Strategies  
Results

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## Digital Access Rights to...

- Education
- Finance
- Movies
- Sports
- Transportation
- Voting
- Healthcare
- Work
- Public info

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## Digital Access Rights for..

- Students
- Homeowners
- Movie fans
- Sports fans
- Transit riders
- Voters
- Patients
- Employees
- Citizens

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## Good Strategies Make Access Stick



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## Agreements require. . .

- Web and Mobile ++
- WCAG 2.0 AA
- Web Accessibility Coordinator  
(but where?)
- Independent consultant
- Train all staff
- Add to performance evaluations
- Post a policy
- Homepage AIP
- Use a testing tool
- Usability Testing
- Vendor Contracts (specificity)!

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## Higher Ed Settlements



- Technology Audit, fix
- Web + apps (video!)
- Library Systems
- Course Materials / LMS
- Training
- Accessibility Tech Coordinator in IT Dept

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## Want more law?

- Higher Ed Updates: <http://bit.ly/HigherEda11y>
- Lainey's A11y Legal Updates: <http://LFLegal.com/contact>
- Seyfarth ADA Blog: <http://www.adatitleiii.com/>

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# LFlegal.com/book



- Stories!
- Strategies!
- A11y!

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# Stay In Touch

- @LFlegal 
- LFlegal.com/contact
- [LF@LFlegal.com](mailto:LF@LFlegal.com)
- Website has: updates, settlements, media

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# Questions?

You may type and submit questions in the Chat Area Text Box or press Control-M and enter text in the Chat Area

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Thank you for participating in today's  
ADA-Audio Conference Session

The next scheduled session is:

*"Facebook Friends-Workplace Enemies"*

**September 19, 2017**

Register at: [www.ada-audio.org](http://www.ada-audio.org) or call 877-232-1990 V/TTY

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