

Accountability Now: Enforcing Accessibility Standards In the Mobile App Economy



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Executive Summary

Mobile Applications (apps) have become dominant in wireless technology since 2008 in interacting with the digital landscape, exhibiting high demand and widespread global adoption. With over 6.3 billion smartphone users and 1.14 billion tablet users worldwide, the mobile app industry thrives, providing businesses with vast opportunities to engage consumers. (Statista, 2025) Companies continue to develop mobile apps to enhance user experience, streamline services, and increase customer retention. Since 88% of mobile time is spent on apps, and 83% of tablet usage occurs within apps, they are increasingly embedded in daily life. (Buildfire, 2023) In fact, the average American checks their phone 205 times a day, or nearly once every five minutes while awake, underscoring the deep integration of mobile apps. (Wheelwright, 2025)

As mobile apps become indispensable for elevating customer engagement, the significance of app accessibility for users with disabilities cannot be overstated. According to the World Health Organization, an estimated 1.3 billion people – about 16% of the global population – currently experience significant disability. This number is increasing due in part to population aging and an increase in the prevalence of noncommunicable diseases. (WHO, 2025) In the United States alone, 28.7% of adults have a disability that may impact their ability to use digital platforms. (CDC, 2023) Accessibility is both a matter of legal compliance and a vital gateway to expanding market reach and ensuring lasting customer loyalty. Failing to make apps accessible risks alienating a considerable segment of users, particularly those with disabilities, thereby limiting potential market growth.

Landmark legislation such as the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 laid the groundwork for digital accessibility in the U.S. Although these laws initially centered on physical spaces, legal interpretations and enforcement requirements began to extend their essential principles into the digital realm in subsequent years, recognizing that accessibility is now a necessity.



Despite these advancements, mobile app accessibility continues to face formidable challenges due to inconsistent standards, a lack of robust legal and business monitoring, and insufficient accountability from app developers. The existing accessibility gap and continual rise of mobile device usage underscore the urgent and opportune moment for change, particularly in enhancing accountability within the app development and distribution communities.

This whitepaper delves into historical context, research that exemplifies the vital need for app accessibility, challenges surrounding fragmented standards and limitations, and actionable recommendations around legal monitoring, enforcement, and business benefits. By prioritizing inclusive design, companies can meet legal requirements, secure a competitive advantage, and broaden their reach in today's app-centric economy. Ultimately, championing accessibility creates a win-win scenario that benefits both businesses and consumers and enriches our collective digital future.



What is App Accessibility?

Mobile applications were first introduced in the mid-1990s, developed as software applications specifically for use on small, wireless computing devices rather than desktops or laptop computers. App accessibility refers to the design and development of mobile applications that are usable for the widest audience, including people with different and diverse disabilities. An accessible app is designed to integrate features and functionalities that allow individuals with visual, auditory, motor, and/or cognitive disabilities to navigate, interact, and equitably benefit from digital tools. This means compatibility with relevant assistive technologies used and the practice of universal design. App accessibility is guided by global standards such as the Web Content Accessibility Guidelines (WCAG), legal requirements like the Rehabilitation Act and the Americans with Disabilities Act (ADA), and innovations in assistive technology.

App accessibility focuses on designing inclusive user experiences through key considerations:

- Assistive technology (AT) compatibility: Users with different disabilities may use screen readers, magnification, physical or digital keyboards, switches, speech control or text, or other assistive technologies to access, navigate, and interact with digital content. Some AT is built in, while others are external and connected by the user. They may include a device that assists the user in interacting with the screen, or physically handling, or holding the mobile device at a certain orientation (e.g., an attached wheelchair arm is holding a phone horizontally). Apps must be able to support all of these mediums of access.
- **Small screen size**: Because apps function within smaller, portable devices, user interfaces must be intentionally designed to accommodate screens that have less space to indicate actionable element touch targets, text-only content, or changing or static screen orientations.



- **Device gestures or motions**: Mobile devices are increasingly designed to be operated via gestures on a touch screen, such as shaking the device, swiping up with one finger versus two, or clicking the tactile buttons simultaneously. To accommodate for a diversity of ways users may physically engage with their screen (e.g., one finger capacity, stylus, head pointers, alternative or physical keyboards, alternative cursor), gestures and movements should have workarounds where relevant, be simple, and be designed to ensure that the touch gesture or motion/movement of the device was intentional before an action is taken. Additionally, instructions should be provided where relevant and accessible when needed, regardless of where the user is on their task or activity.
- Contrast, text sizing, and environmental changes: Users have different needs when viewing visual information, and any environmental changes can affect the screen. Contrast and text should be 1) compatible with the user's operating system (OS) settings, 2) compatible with any AT (e.g., magnification), and 3) accessible without AT (i.e., accessible contrast ratios, fonts, and font sizes)

In addition to these considerations, apps must follow the same guidelines also applied to accessible and usable web content, such as ensuring that content is not relying only on one sensory approach (e.g., only audio without captioning, color-only cues, images without alternative text) or welldesigned and user-friendly information architecture (e.g., headings, labels, organizing categories and groupings of content). Because mobile apps have specific uses, such as simplifying services and retaining customer engagement, app developers have the opportunity to establish foundations specific to accessibility that websites are still trying to remediate.



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History and Development

Legal and Regulatory History

Congress's enactment of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 established the foundational civil rights framework that continues to guide federal efforts to ensure digital accessibility and equity for individuals with disabilities.

The Rehabilitation Act of 1973 (29 U.S.C. § 701 et seq.) marked a significant milestone in advancing disability rights in the United States. As the first major federal disability rights law, it prohibited discrimination based on disability in programs and services conducted by federal agencies and all non-federal programs receiving federal funding, including all grantees and sub-grantees. The 1986 amendments to the Rehabilitation Act expanded and revised existing provisions and included new programmatic initiatives. The 1998 amendments to the Rehabilitation Act included additions of new section numbers, including Section 508, which required that electronic and information technology, including websites and software, provide access to "[i]ndividuals with disabilities, who are federal employees or applicants, ... access to and use of information and data that is comparable to the access and use by federal employees who are not individuals with disabilities," as well as members of the public seeking information and services from a federal agency. 29 U.S.C. § 794d (1998) By establishing electronic and information technology accessibility as a fundamental right, the Rehabilitation Act played a crucial role in shaping future accessibility laws and policies in the U.S.



Accountability Now April 2025 Page 6 The Americans with Disabilities Act of 1990 (ADA) is a landmark U.S. civil rights law prohibiting discrimination against individuals with disabilities in all areas of public life. While the ADA does not explicitly mention websites or mobile apps, courts have interpreted its provisions to apply to digital accessibility. In 1996, the U.S. clarified this in the ADA's Title III requirements regarding public accommodations and commercial facilities. At that time, the U.S. Department of Justice (DOJ) acknowledged that the ADA also applies to websites and that "businesses open to the public must ensure their digital spaces are accessible." In 1998, Section 508 of the Rehabilitation Act required federal agencies to ensure that electronic and information technologies/information and communication technologies, such as websites, are accessible to people with disabilities.

Given these sweeping advancements in the span of a decade since the ADA, the internet was no longer a new phenomenon and was rapidly reshaping how business was conducted. (Level Access, 2023) When combined with Section 504 of the Rehabilitation Act, these provisions opened the door for mobile and digital accessibility long before mobile technology became widespread.

As the 20th century drew to a close and concerns over Y2K technology disruptions captured global attention, a clear precedent for digital accessibility had been established. However, a significant gap in implementation remained.

In an effort to have a single coordinating, global governance for web standards, the World Wide Web Consortium (W3C) was established in 1994. The Web Accessibility Initiative (WAI), a specialized initiative within the W3C, was launched in 1997. WAI's primary purpose was to develop standards, guidelines, and resources to make the web accessible and inclusive for people with disabilities, utilizing the development of accessible HTML to be a framework that can be universally and globally used. At this time, the Web Content Accessibility Guidelines (WCAG) 1.0 were published as the beginning of an ongoing project that would parallel the ever-growing technology industry. (Level Access, 2023)



WCAG 2.0 was released in 2008, providing updated guidance on making digital content more accessible, but it lacked formal legal enforcement in the U.S. and, therefore, could be easily ignored by developers and businesses. That same year, the Apple App Store and Google Play launched, fueling an explosion of mobile apps, social media platforms, and communication tools—many of which were not designed with accessibility in mind.

Major technical innovations continue to outpace legal enforcement and industry-wide compliance. The groundwork for accessibility in mobile and web technologies had been laid, but widespread adoption remained—and still remains—a work in progress.

WCAG 2.2 was published in 2022. It further refined mobile accessibility guidelines, reflecting the growing importance of accessible digital content. Notably, in 2024, the DOJ issued a final rule stating that WCAG 2.1 Level AA (not 2.2) is the technical standard for state and local governments' web content and mobile apps under Title II of the ADA. Despite adopting the previous version of WCAG, establishing the standard is widely recognized as an important step towards enforcement.

Adding to the global momentum towards digital accessibility, the European Accessibility Act (EAA) was passed in 2019, and its laws, rules and administrative processes were finalized by the member states of the European Union (EU) in 2022. This directive aims to improve the trade between members of the EU for accessible products and services by removing country-specific rules. EAA implementation goes into full effect in June 2025, introducing stricter requirements for digital products and signaling a new era where accessibility is no longer optional but an enforceable standard. It is anticipated that businesses will benefit from having a common set of rules within the EU, which should facilitate easier cross-border trade. This is expected to expand the market for accessible products and services, providing more options for persons with disabilities and older people. The increased market size should produce more competitive prices, reducing barriers and increasing job opportunities.



Digital Development History

The early 2000s marked significant advancements in mobile technology, such as the debut of the iPhone by Apple in 2007. While the iPhone was not the first smartphone, it was revolutionary in offering a new user-friendly and modern technology, showcasing new mobile apps specific to Apple, such as iTunes and Safari. Additionally, the iPhone's multi-touch touchscreen successfully integrated new ways for users to interact with a screen physically. This new interaction model helped spark explosive growth in mobile app development, but the design and functionality of early apps largely excluded users with disabilities.

A significant breakthrough came in 2009, when Apple integrated VoiceOver, a gesture-based screen reader, directly into iOS, making the iPhone the first touchscreen smartphone fully integrated into the OS and accessible to blind users. That same year, Google launched its "Eyes-Free" project, introducing accessibility features such as TalkBack, KickBack, and SoundBack for Android. TalkBack, in particular, served as a screen reader that enabled blind and low-vision users to interact with Android devices through spoken feedback. (Google, 2009) This marked the beginning of Android's accessibility journey and established a precedent for built-in accessibility on mobile platforms.

Developers like Nolan Darilek were instrumental in documenting and shaping the early evolution of Android accessibility, noting that foundational features such as Explore by Touch and keyboard navigation came later and were often community-driven rather than OS-native. (Darilek, 2013) While these developments laid important groundwork, broader industry adoption remained inconsistent. Accessibility features were frequently fragmented, treated as optional add-ons, or left to costly third-party solutions rather than being integrated as core design elements. In many cases, companies only began improving accessibility practices in response to legal action or sustained advocacy from the disability community. (Wentz, Jaeger, & Lazar, 2020) (Level Access, 2023)



Entering the 2020s, accessibility solutions have continued to evolve. For instance, Apple's Voice Control (2020) allows full device operation through speech, opening access to users with limited dexterity or mobility. Meanwhile, Android has expanded TalkBack, Switch Access, and Action Blocks to increase usability for people with disabilities. However, while promising, these tools remain underutilized and unevenly implemented across apps and platforms. (WebAIM, 2025)

While innovation has advanced, enforcement has not kept pace. The accessibility standards outlined in WCAG 2.0 (2008) were initially designed for desktop websites and failed to anticipate mobile-specific interactions like gestures, device orientation, or small touch targets. (W3C, 2008)Even with the release of WCAG 2.1 (2018) and WCAG 2.2 (2023), many mobile apps still fall short due to limited awareness, fragmented platform requirements, and a lack of mandatory enforcement mechanisms. (W3C, 2023) (ArcTouch, 2025)

This disconnect between mobile technology's potential and the uneven implementation of accessibility standards has allowed significant gaps to persist. The following sections will examine how this gap has resulted in obstacles that prevent people with disabilities from equitably accessing today's mobile-first digital world.



The Accessibility Gap & Current Challenges

Mobile apps are essential for people with disabilities and can often provide vital services that exponentially increase a person's independence in their daily life. Apps are commonplace and include industries such as food and delivery, retail and grocery shopping, fitness, streaming and entertainment services, financial institutions, and healthcare. When apps are accessible, this means that the onus is not on the user to bring their own accommodations or require (an often inaccessible) customer service desk to access content or complete the transaction.

For more than 10 years, WID has conducted user experience (UX) research studies on mobile apps nationwide with participants with disabilities. In this span, 10 mobile app-specific studies were conducted with over 130 research participants, testing mobile apps ranging from financial services, telecommunications, account management, telehealth services, digital information guides, emergency alerts and warnings, and retail. The majority of participants were screen reader users, while other assistive technologies used included magnification, text-to-speech and speech-to-text, and color and contrast modifications. Participants were blind, d/Deaf or had hearing loss, had limited dexterity, cognitive, learning, and/or neurological disabilities.

The most commonly identified accessibility issue in all of WID's user experience research studies has been inconsistent focus navigation and inconsistent layouts for screen reader users, meaning that these issues prevent the user from efficiently completing their task or activity. While an app *may* visually meet expectations and navigation behaviors, this was not the same experience for screen reader users. Regardless, mobile apps are experienced differently depending on the user's disability, and even within the disability 'type', users may have different needs, preferences, or usage (or lack) of assistive technologies. The following other issues were identified, a handful paralleling what is also consistently identified on websites:



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- Apps tested were frequently missing appropriate headings and labels to assist users in navigating the digital environment.
- Elements that trigger actions or changes (e.g., buttons, form fields, text fields, next or back buttons) were not sufficiently distinct or clearly distinguishable from non-actionable elements (e.g., text, content, images), and therefore were not detectable by users who rely on programmatically determined accessible names (i.e., assistive technology users).
- Alternative text was missing from meaningful images or disrupted user flow, and was distracting due to a lack of alternative text.
- There were missing (and much needed) discoverable, easy-to-use, or easy-to-remember instructions for interfaces that required specific gestures or specific information.
- Error and status messages were missing, inadequate, or inaccessible.
- App developers not accommodating the small screen size and touch targets were often too small (i.e., there is no dedicated mobile UI for the smaller screen size, or the UI is still not sufficient, even if intentionally designed).
- Magnification and zoom methods are blocked, not allowing users to resize the text as needed with or without assistive technologies (i.e., with user-set OS preferences), or other accommodations, such as captioning or video-conferencing, as not available.
- Predictable keyboard layouts, such as number pads, were not consistent across apps or within the app.

This past March (2025), WID surveyed 28 individuals with a variety of disabilities in the U.S. regarding mobile app accessibility experiences. This survey confirmed that **the same obstacles found within the 10 years of user research studies are still just as relevant today**: complicated layout and/or navigation (46.4%) and lack of captions and/or transcripts for audio/video (42.9%) were identified as the largest challenges from this pandisability survey.



Analysis from this survey also presented a glimpse into how users with disabilities have dedicated extra time as consumers to improve accessibility, with almost 50% of the respondents sharing that they provide feedback within the app or reach out to the company's support team via email, phone, or chat. This conveys that people with disabilities want to use these apps and related services, finding the apps and services relevant and valuable as consumers. The consideration for accessibility in the design of mobile apps is the crucial step that can elevate an app to be life-changing for its users. Because mobile apps are increasingly growing in relevance, mobile app developers have the opportunity to embed universal design practices into their work and include people with disabilities as valuable consumers from the start.

Our research uncovered that there is no single point of failure but rather the result of intersecting systemic gaps that prevent developers, platforms, and businesses from consistently delivering inclusive experiences. Three core challenges have emerged as persistent barriers to accessible mobile app development: fragmented standards and inconsistent implementation across platforms, inadequate testing tools and practices that overlook real user experiences, and a widespread lack of accessibility education and support within the developer community.

Developer Awareness and Education

To better provide accessibility features, developers are supposed to interpret the users' needs and translate accessibility requirements into actionable development practices. However, the previous study reveals that systemic gaps in developer education and awareness constrain effective accessibility implementation. This knowledge gap manifests particularly when the developers encounter real-world implementation challenges that guidelines don't explicitly address, such as handling dynamic content updates or complex gesture-based interactions. This shortage of accessibility expertise among software professionals has significantly originated from the inadequate incorporation of accessibility topics within Computer Science (CS) curricula. (Aljedaani, Parthasarathy, Joshi, & Eler, 2025) Furthermore, accessibility is often deprioritized due to time constraints, focus on functional requirements, and lack of executive support. (Aljedaani, Parthasarathy, Joshi, & Eler, 2025) Accessibility is often perceived as a "nice-to-have" rather than a core quality attribute. (Da Silveira, et al., 2023)



Teach Access, a nonprofit collaboration among leading tech companies, academic institutions, and advocacy organizations, has actively responded to this educational gap. Their initiatives include integrating accessibility into computer science curricula and collaborating with companies to provide training and resources, helping developers understand and implement accessibility features effectively. Additionally, Teach Access has released free online courses designed to incorporate concepts of digital accessibility into existing higher education curricula, targeting various disciplines including Computer Science, UX Design, and Web Development. (Teach Access, 2024)

The education gap is particularly severe in smaller organizations and startups, which often lack the resources to implement accessibility effectively. Pandey and Dong (2023) report that about 30% of developers have received formal accessibility training, and small teams typically do not have access to specialized tools or audits. (Pandey & Dong, 2023) Teach Access's work underscores the importance of scalable, resource-friendly educational interventions that can empower even small teams to prioritize accessibility without requiring extensive infrastructure.

Both Apple and Android provide extensive resources and built-in tools to help developers create mobile apps that are accessible and usable by people with disabilities. Apple offers Accessibility APIs and UIKit features that support technologies like VoiceOver, Switch Control, and Dynamic Type, with many features working automatically when developers follow best practices and use standard components. (Apple, 2025) Similarly, Android provides robust accessibility APIs, including support for TalkBack, magnification, dynamic text scaling, and system-wide settings like Reduce Motion. Developers using standard UI elements and semantics can often enable accessibility features with minimal additional code. (Google, 2025)

Both platforms also offer testing tools and detailed documentation, empowering developers to build apps that meet the diverse needs of users without starting from scratch. However, despite the availability of these resources, many developers still fail to implement them effectively. A 2023 audit of popular mobile apps found that over 70% had critical accessibility issues, such as unlabeled buttons, poor color contrast, or layouts that were unusable with screen readers. (Deque Systems, 2023) This underutilization highlights the ongoing need for accessibility training for developers and accountability in mobile development.



While policies can establish essential frameworks and guardrails, ultimately, businesses possess the power and responsibility to bridge these divides. If app marketplaces were to adopt uniform accessibility standards and mandate compliance documentation, businesses would rise to the challenge. By investing in advanced and inclusive testing practices and prioritizing accessibility education within their teams, organizations can transform their approach. Accessibility should not be viewed merely as a compliance checkbox; it must be embraced as a core pillar of product quality, innovation, and market opportunity.

Testing Limitations

Human-centered design is a critical principle for developing solutions that are not only functional but also user-friendly, effective, and accessible. Involving disabled users throughout the development lifecycle helps ensure that the product meets their specific needs, contexts, and preferences. Research consistently shows that accessibility is most successful when people with disabilities are included early and often in the design and testing processes. (Lazar, Goldstein, & Taylor, 2015) Testing with real users with disabilities is particularly essential but often overlooked in mainstream development workflows, leading to solutions that may technically meet standards but fail in real-world use. (Wentz, Jaeger, & Lazar, 2020) (Shinohara & Wobbrock, 2011)

There are also pressing challenges within the current landscape of accessibility testing tools. While automated tools like Google Accessibility Scanner and Android Lint offer some relief, they are still limited in scope, often detecting only surface-level issues without recognizing dynamic or contextual accessibility barriers. For example, testing tools like Google Monkey achieve only 40% activity coverage, leaving developers ill-equipped to handle nuanced issues. (Mehralian, Barik, Nichols, & Swearngin, 2024) Compounding this problem is the lack of actionable fix recommendations in most existing tools, despite 69.4% of developers saying they would accept automated suggestions if available (Fok, Zhong, Ross, Fogarty, & Wobbrock, 2022) (Mehralian, Barik, Nichols, & Swearngin, 2024)



While emerging technologies such as Apple's FixAlly show promise, with 77% effectiveness, they remain underutilized, pointing to the need for a more sustainable and integrated testing ecosystem. Furthermore, accessibility tooling decisions are not always aligned with inclusive development goals. For instance, Google's decision to geo-restrict TalkBack beta testing limited feedback from users in the Global South, who are disproportionately affected by digital accessibility barriers, demonstrating how policy and distribution decisions can directly impact the quality and inclusivity of accessibility solutions. (Darilek, 2023)

Fragmented Standards and Implementation

Although there are legal requirements like the ADA and global standards like WCAG 2.2, following these rules is inconsistent across different platforms. For example, studies have shown that Android apps tend to have higher violation rates than iOS apps because the enforcement of standards is weaker on Android. (Google, 2024) (W3C, 2023) New standards, such as those adopted under the European Accessibility Act, suggest stricter rules will be enforced in the future. However, significant gaps remain in ensuring that global standards meet the specific needs of mobile platforms. (Alexiou, 2024) (W3C, 2023)

The rapid growth of mobile apps has outpaced the current accessibility standards. Early standards like WCAG 2.0 focused on desktop web accessibility, leaving mobile interfaces without sufficient guidelines. (W3C, 2008) Although WCAG 2.1 and 2.2 introduced some criteria for mobile accessibility, such as guidelines for touch targets and screen orientation, many developers still struggle to consistently adopt these standards. (W3C, 2023) Platform disparities in the App review process further complicate compliance. (Google, 2024) (W3C, 2023) Case studies reveal persistent accessibility issues, such as unreadable payment buttons and screen-reader incompatibilities, which exemplify broader patterns of systemic neglect. (Fok, Zhong, Ross, Fogarty, & Wobbrock, 2022) (ArcTouch, 2025)



Apple's App Store has a stringent app review process that strongly emphasizes accessibility. For an app to be approved, it must comply with Apple's comprehensive accessibility guidelines, which include features like compatibility with VoiceOver, Dynamic Type, and support for other assistive technologies. Developers must provide specific information about their app's accessibility features in the app metadata, and any app that does not meet these standards is typically rejected. This proactive approach ensures that accessibility is a fundamental aspect of the app development process.

In contrast, Google Play's app review process is more lenient regarding accessibility. Although Google has recently introduced some accessibility guidelines, its review process does not prioritize accessibility as rigorously as Apple's. Google's approach has historically been less prescriptive, allowing greater flexibility for developers, but this can lead to accessibility issues being overlooked during the approval process. However, Google Play is beginning to integrate more tools into the Play Console, such as accessibility compliance checks, to encourage developers to meet basic standards.

ArcTouch recently completed the *State of Mobile App Accessibility 2025*, an extensive industry-wide analysis of mobile app accessibility. The study evaluated critical user journeys across five major industries—food and delivery, payments, fitness, shopping, and streaming—and assessed support for screen readers, alternative navigation, font scaling, and device orientation.

The results of this study are consistent with WID research and demonstrate that the same accessibility pain points persist over time. The core findings were that 72% of tested mobile apps were rated "Poor" or "Failing" on at least one essential step of the user journey. Shopping apps performed worst overall, frequently lacking essential labels, navigable headings, and descriptive image alt text. Screen reader issues were pervasive, including missing headings, unlabeled buttons, improper grouping of elements, and inaccessible focus order. Font scaling and orientation support were often absent, disproportionately impacting users who need larger text or different device positioning.



This also identified that, among the five industries analyzed in ArcTouch's research, streaming apps emerged as the top performer in accessibility scoring. One likely explanation for this is the regulatory pressure placed on the streaming industry, particularly by the Federal Communications Commission (FCC). The FCC's implementation of the 21st Century Communications and Video Accessibility Act (CVAA) requires that:

- Closed captions are provided for online video content that was previously aired on TV with captions.
- User interfaces for video players (e.g., on-screen menus and program guides) must be accessible to individuals who are blind or visually impaired.

These requirements have incentivized companies in the streaming space to build more accessible platforms, especially around captioning, navigation, and interface compatibility with screen readers. While the CVAA does not explicitly require these streaming platforms to adopt these measures, many have gone above and beyond the legal requirements. As a result, streaming platforms are more likely to include labeled controls, accessible media players, and alternatives for sensory content, directly aligning with WCAG principles.

By contrast, industries without comparable federal mandates, such as shopping or fitness, lag in compliance and user experience, suggesting that legal accountability is pivotal in driving accessibility adoption. This regulatory context illustrates a broader lesson: **where accessibility is required and monitored, industry performance improves.** It also highlights the potential impact of expanding clear accessibility requirements and enforcement mechanisms across all digital sectors, not just those under FCC jurisdiction.



Legal Monitoring and Enforcement

From a legal perspective, non-compliance with accessibility guidelines can have very serious consequences, including lawsuits, monetary fines, and reputational damage. A notable example is the 2006 class action lawsuit National Federation of the Blind v. Target Corp., where the plaintiffs alleged that Target's website was inaccessible to blind users, in violation of the Americans with Disabilities Act (ADA) and California state laws. The court ruled that the ADA's provisions for public accommodations could apply to websites. Target ultimately settled the case by agreeing to pay \$6 million and implement substantial accessibility improvements. (National Federation of the Blind v. Target Corp, 2006)

Furthermore, recent legislation, such as the European Accessibility Act, reflects stricter digital product specifications and increasing global accessibility standard coverage. As accessibility guidelines continue to evolve, businesses are facing more requirements to adhere to standards such as WCAG 2.2 and Section 508 of the Rehabilitation Act to ensure ongoing compliance.

Although regulations like the 2024 Final Rule issued by the DOJ address mobile accessibility, the broader legal landscape remains unsettled, with no definitive case law establishing a consistent precedent across jurisdictions. Notably, the 9th Circuit Court of Appeals has found that there is a nexus between a physical place of public accommodation and its associated digital and mobile applications. Therefore, the ADA mandates that places of public accommodation provide auxiliary aids and services to make visual materials available to individuals who are blind. See id.§ 36.303. This requirement applies to websites and apps, even though customers predominantly access them away from the physical business: "The statute applies to the services of a place of public accommodation, not services in a place of public accommodation.



Recommendation

It is imperative that current laws are vigorously upheld. Governments and regulatory bodies must take bold and decisive steps to enforce existing digital accessibility laws. However, this enforcement should not hinder innovation. While accessibility requirements must be clear and actionable, they should motivate developers to exceed the minimum standards. At present, these minimum standards are not being met, and despite the abundance of resources available, developers face no consequences for failing to create accessible products. Without adequate monitoring and tangible repercussions for non-compliance, the responsibility continues to fall on individuals with disabilities to fight for their own access. This situation is both unfair and unsustainable.

App stores must take the lead by establishing and enforcing robust accessibility standards. As the primary marketplaces in the digital landscape, namely, Google Play and Apple's App Store, should set firm accessibility requirements for every app they host. This includes making accessibility a non-negotiable aspect of the app review process, providing clear and comprehensive guidelines for developers, and creating visible incentives for those who comply.

However, it is also crucial to avoid perpetuating the "sue-and-settle" problem that has emerged under the Americans with Disabilities Act (ADA), where legal settlements rather than proactive enforcement often drive accessibility improvements. While there has been an increase in lawsuits related to digital accessibility, settling these cases without going to trial means there is little opportunity to establish clear legal precedent or set binding standards that could guide future cases. This leaves the landscape fragmented and prevents the creation of a unified, consistent approach to accessibility across industries.



To address this, enforcement must focus on proactive and constructive approaches that prevent the need for lawsuits while still holding developers accountable. Regulators should employ a balanced approach, combining penalties for non-compliance with incentives for exceeding accessibility standards. These incentives could include certifications, public recognition, and even market advantages for those integrating cutting-edge accessibility features, encouraging developers to push beyond basic legal compliance. This would encourage innovation and help avoid locking in outdated solutions, fostering an environment where accessibility evolves alongside technology rather than being confined to current, static standards.

When incentives and accountability are ingrained in the development ecosystem, accessibility transforms into a prerequisite for platform approval, prompting developers to prioritize it. By establishing clear expectations, ensuring consistent enforcement, and promoting public accountability, we can elevate accessibility from a mere afterthought to an essential component of the software development lifecycle.

Business Benefits

Companies that fail to prioritize accessibility risk excluding a significant portion of the population, leading to lost engagement, financial repercussions, and reputational harm. "Disability is not a minority issue, and businesses can no longer afford to ignore the value of more than one billion people [worldwide]. The [disability] community represents \$8 trillion annually in disposable income...and \$13 trillion when including friends and family. (The Valuable 500, 2022) In turn, it is only logical that accessibility be considered a mainstream priority. Older adults, including those with agerelated disabilities (vision, hearing, dexterity, mobility, cognition, etc.) in the workforce, are a rapidly growing market segment. Notably, this important population group will double by 2040. (United Nations, 2023)

Beyond compliance and ensuring that no one is left behind in the digital age, businesses that prioritize accessibility and integrate it into their app development are able to expand their customer reach, boost customer loyalty and retention, stand out in competitive markets, and foster innovation.



Broadening Reach and Retaining Customers

As individuals with disabilities make up such a large segment of the global market, a mobile app that isn't compatible with assistive technology effectively shuts out all users who rely on this technology, preventing them from ever becoming paying customers. On the other hand, when a company embeds mobile app accessibility from the outset, they eliminate the barriers preventing millions of potential customers from using their service or product and improve overall usability due to the 'curb-cut effect.' This term comes from curb cuts—sidewalk ramps made initially for wheelchair users that also benefit cyclists, parents with strollers, delivery workers, travelers with luggage, and others. In the context of digital accessibility, the curb-cut effect applies when features that were specifically created for people with disabilities end up benefiting a much wider range of users. For example:

- Voice search: Originally designed to assist people who are blind or have low vision, it is now used by many people for hands-free convenience, such as when driving or multitasking.
- Closed captions: Initially intended for d/Deaf or hard-of-hearing individuals, closed captions are now widely used by people in noisy environments (e.g., gyms or public spaces) or by those who prefer to read content while watching videos. Captioning has become so popular that 'open" captions (not requiring an additional step to turn on) are frequently included across all types of content.

The curb-cut effect shows how inclusive design can have positive, often unexpected, outcomes for everyone, not just the target audience. It can make a business's products and services more useful, efficient, and accessible to a broader group.

As noted earlier in this paper, WID recently surveyed 28 individuals with various disabilities regarding their experiences with mobile app accessibility. In the survey, participants were asked to select statements that describe how mobile app accessibility positively impacts their lives. The majority of respondents (60.7%) selected "**Mobile app accessibility gives me independence in daily living.**" The second most common statement (42.9%) was "**Mobile app accessibility solves for my essential needs.**" This tells us that app accessibility is not just an added benefit or bonus for users with disabilities, but a crucial design consideration for companies aiming to reach and retain disabled customers of all ages.



Standing Out from the Competition

WebAIM has been conducting annual accessibility evaluations for the top 1 million websites since 2018, and has consistently found that the vast majority of websites (>94%) are inaccessible. (WebAIM, 2025) In other words, less than 6% of websites are fully accessible to people with disabilities. Much like website inaccessibility, research has shown that mobile app inaccessibility is also a significant issue. The University of Washington's Center for Research and Education on Accessible Technology and Experiences (CREATE) "examined data from approximately 10,000 apps to identify seven common types of accessibility failures. Unfortunately, this analysis found that many apps are highly inaccessible." (UW CREATE, 2022)

In a recent survey, WID learned that most users experience mobile app accessibility barriers between 20 and 59% of the time. This data presents an opportunity for businesses to differentiate themselves from their competitors by prioritizing and ensuring app accessibility. Given the current landscape, if a business's digital products and services are made fully accessible to people with disabilities, they can expect to rise through the ranks by gaining a competitive edge in the market.

Recommendation

Businesses must understand that accessibility is not an optional enhancement; it is an essential pillar of quality, usability, and legal compliance. From the very inception of product development, accessibility should be embraced as a collective responsibility, uniting design, engineering, QA, and leadership teams. By integrating accessibility into the development process, organizations can sidestep costly retrofits, mitigate legal risks, and create a user experience that caters to everyone.

Adopting inclusive design principles enriches the experience for all users. When businesses prioritize accessibility, they craft applications that are more flexible and adaptable, and inviting to a diverse audience.



Moreover, as businesses often rely on third-party tools and services, it's crucial to remember that accessibility extends beyond in-house solutions. Procurement policies must incorporate clear accessibility standards and evaluation processes to guarantee that external vendors, platforms, and plug-ins uphold the same high benchmarks. This fosters a more inclusive user experience and encourages suppliers to champion accessibility. In doing so, companies can create a powerful ripple effect that resonates throughout their entire ecosystem.

Because so few mobile apps are fully accessible to people with disabilities, any business prioritizing app accessibility will automatically position itself as an industry leader.

Conclusion

Mobile app accessibility is a matter of civil and human rights. As mobile apps have become the default interface for everything from healthcare, emergency notification, and transportation to commerce and education, their inaccessibility actively excludes millions of disabled users from full participation in community life, often impacting their health, safety, and independence.

We must move beyond voluntary guidelines and poorly enforced laws and invest in systemic solutions to address this growing disparity. Meaningful progress in mobile accessibility demands coordinated regulatory action. By holding app stores accountable and enforcing existing laws, policymakers can create an infrastructure that promotes accountability and implements consequences to ensure that digital spaces are equitable, inclusive, and accessible.



Enforce Existing Accessibility Laws for Mobile Platforms

Accessibility requirements under the Americans with Disabilities Act (ADA) and Section 508 of the Rehabilitation Act must be more robustly enforced within the mobile space. The U.S. Department of Justice's 2024 Final Rule is a significant step forward by formally adopting the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA as the enforceable standard for state and local government digital services under Title II of the ADA. However, this progress must be matched by stronger oversight and expanded application across the private sector, particularly for commercial mobile apps that serve as functional equivalents to physical places of public accommodation, such as banking apps, telehealth platforms, rideshare services, emergency notifications, and e-commerce tools. Ultimately, meaningful accessibility in the mobile space requires that existing laws be interpreted and enforced to reflect modern digital realities.

App Stores Must Enforce Accessibility Standards

The most immediate and impactful step toward closing the mobile accessibility gap is mandating that digital marketplaces, specifically Apple's App Store and Google Play, enforce accessibility as a baseline requirement for apps. These app stores are the digital infrastructure through which all mobile apps pass. Yet, currently, they have no legal obligation to enforce compliance with accessibility standards such as WCAG 2.2. As a result, inaccessible apps continue to proliferate—unchecked, unregulated, and out of reach for millions.

We recommend that federal and state agencies establish policy and legislative mechanisms to require app stores to:

- Implement enforceable accessibility standards in their app review process.
- Reject or remove apps that do not meet minimum accessibility requirements.
- Require developer documentation on accessibility compliance.
- Provide a transparent public reporting system for accessibility violations.
- Incorporate user feedback from disabled consumers directly into platform accountability processes.



Additionally, we recommend that new regulations for platform accessibility include compliance safe harbors for platforms and developers that adhere to recognized leading standards. By offering these safe harbors, platforms are incentivized to meet and exceed accessibility requirements without fear of penalties, fostering innovation while ensuring that accessibility remains a priority.

By requiring the platforms to monitor and enforce accessibility, the government can dramatically scale oversight and enforcement without further burdening individual users with the onus of pursuing inaccessible services through litigation or complaints.

Accessibility is a Business Responsibility

Additionally, while public policy sets the floor, businesses themselves must lead in building an accessible digital future. Legal compliance alone is not enough to close the accessibility gap; companies must take proactive steps to ensure their mobile products are continually inclusive, usable, and market-viable. Importantly, our research demonstrated clear benefits to a business's bottom line when it prioritizes accessibility.

We recommend that businesses invest in accessibility education, research, and workforce development. Companies must close the internal accessibility knowledge gap by investing in their people. Accessibility expertise must be developed across product, design, engineering, and QA teams, not siloed or outsourced. This means:

- Funding continuing education and certifications in accessibility best practices.
- Partnering with disability-led organizations and experts to provide training and consultation.
- Supporting internal and external accessibility research, including usability studies with a diverse range of disabled users.
- Building accessibility competencies into job descriptions, onboarding, and promotion pathways.



A business that prioritizes accessibility education creates more inclusive products and a more inclusive workforce, future-proofing itself against regulatory, reputational, and market risks.

The investments in regulatory monitoring and enforcement, creating accessible apps, and educating business sectors are nominal. Yet, these investments yield significant returns by meeting the needs of people who need accessibility features, ensuring ease of use by all community demographics, and engaging the additional 30% of the market potential for the economy at large.



About the Authors

This paper was written in collaboration with the World Institute on Disability (WID) staff and a WID Capstone Fellow. WID is a non-profit 501c3 organization whose mission is to continually advance the rights and opportunities of more than one billion people with disabilities globally.

WID staff are subject matter experts in various facets of accessibility research and policy, emphasizing both theoretical frameworks and practical applications. Their expertise extends to digital accessibility practices, where they analyze and promote effective strategies to ensure that digital content is usable by individuals with disabilities. This includes understanding and interpreting guidelines such as the Web Content Accessibility Guidelines (WCAG), the Rehabilitation Act, and the Americans with Disabilities Act (ADA), which are essential for creating accessible and inclusive environments.

In addition to these guidelines and laws, WID staff actively engage in research initiatives that explore the barriers faced by people with disabilities in accessing information and services. They conduct studies that assess the effectiveness of current accessibility measures and advocate for promising and best practices that can be adopted across different sectors. This comprehensive knowledge allows WID to provide valuable resources, training, and consultation to organizations looking to improve their accessibility efforts.

For more information about WID, please visit <u>www.wid.org</u> or email <u>info@wid.org</u>



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