



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

JOHN C. KLUCZYNSKI FEDERAL BUILDING  
230 S. DEARBORN STREET, 37TH FLOOR  
CHICAGO, IL 60604

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November 27, 2023

*By email only to: [garm@albright.org](mailto:garm@albright.org)*

Mary Garm  
Library System Administrator  
Lackawanna County Library System  
520 Vine Street  
Scranton, PA 18509

Re: OCR Docket No. 03-23-4048  
Lackawanna County Library System, Pennsylvania

Dear System Administrator Garm:

This letter is to advise you of the resolution of the investigation that the U.S. Department of Education (Department), Office for Civil Rights (OCR) initiated in Lackawanna County Library System (Library). OCR investigated whether the Library's online programs, services, and activities exclude qualified persons with disabilities from participation in, deny them the benefits of, or otherwise subject them to discrimination under any program or activity, in violation of Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35. In addition, OCR investigated whether the Library fails to take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as its communication with others, in violation of 28 C.F.R. Part 35.

OCR enforces Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination against qualified individuals with disabilities by public entities, including public education systems and institutions, regardless of whether they receive Federal financial assistance from the Department.

OCR conducted an assessment of the Library's online programs, services, and activities and noted possible compliance concerns including, but not limited to:

- Although there was an extensive navigation menu, the skip navigation link did not function properly, posing a barrier to those who use computer keyboards for navigation due to a disability;
- Users with disabilities who use computer keyboards for navigation due to a disability did not have access to all contents and functions; and

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[www.ed.gov](http://www.ed.gov)

- Form fields were missing programmatic labels or titles, posing a barrier to people with vision disabilities who use screen readers.

On November 17, 2023, the Library signed the enclosed resolution agreement (Agreement) to voluntarily resolve the investigation pursuant to Section 302 of OCR's *Case Processing Manual*. OCR will monitor the implementation of the Agreement.

This concludes OCR's investigation. This letter should not be interpreted to address the Library's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This letter sets forth OCR's determination in an individual matter. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. An individual may have the right to file a private suit in federal court whether or not OCR finds a violation.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

If you have any questions, please contact me at [redacted content].

Sincerely,

/s/

Tamara Perry  
Attorney Advisor

Enclosure