



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

61 FORSYTH STREET, SW, SUITE 19T10
ATLANTA, GA 30303-8927

REGION IV
ALABAMA
FLORIDA
GEORGIA
TENNESSEE

May 12, 2023

By email only to: agrubbs@broward.org

Allison Grubbs
Director
Broward County Library
100 S. Andrews Avenue
Fort Lauderdale, FL 33301

Re: OCR Docket No. 04-19-8902
Broward County Library, Florida

Dear Director Grubbs:

This letter is to advise you of the resolution of the directed investigation that the U.S. Department of Education, Office for Civil Rights (OCR) initiated involving the Broward County Library (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 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. § 35.160(a).

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 tests on December 20, 2021, January 18, 2022, March 2, 2022, March 24, 2022, December 9 and 30, 2022, January 23, 2023, and February 13, 2023, of the Library's website and online programs and determined, as of the initial testing date, that there were some barriers to access for people with disabilities in online programs and activities on some pages, while other pages were barrier-free. The pages selected by OCR for testing included approximately 15 pages representative of the Library's overall online programs and activities, focusing on pages of critical importance to students and members of the public. OCR reviewed the Library's homepage; different templates; the most highly-trafficked pages; and other pages of importance, listed below. OCR does not review all of a covered entity's web pages because a website is not static and web pages are always changing. Thus, it is most important for OCR to carefully test

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

www.ed.gov

those pages that are of critical importance to the ability of students or members of the public to access the Library's programs or activities.

Through its testing of representative pages and OCR's communications with the Library, OCR determined as of February 14, 2023, that the Library had remediated all identified barriers on the web pages listed below, if any, which had previously impeded the ability of people with disabilities to access the Library's online programs and activities:

- The Homepage (<https://www.broward.org/Library/Pages/Default.aspx>);
- The Services page (<https://www.broward.org/Library/Services/Pages/default.aspx>);
- The Century Plaza/Leon Slatin Branch page
(<https://www.broward.org/library/Pages/BranchDetails.aspx?branchInfo=7>);
- The Events & Classes page
(<https://www.broward.org/Library/Events/Pages/default.aspx>);
- The eMedia page (<https://www.broward.org/Library/EMedia/Pages/default.aspx>);
- The Youth page (<https://www.broward.org/Library/Pages/Youth.aspx>);
- The Calendar page (<http://broward.libnet.info/events>);
- The Special Collections page
(<https://www.broward.org/Library/Research/SpecialCollections/Pages/default.aspx>);
- The Adult Education and Training page
(<https://www.broward.org/Library/Education/Pages/AdultEducation.aspx>);
- The E-Books, E-Audiobooks, and E-Magazines page
(<https://www.broward.org/Library/Pages/eBooks.aspx>);
- The Apply for a Library Card page
(<https://www.broward.org/Library/Services/Pages/LibraryCard.aspx>);
- The Online Resources page
(<https://www.broward.org/Library/Pages/OnlineResources.aspx>);
- The Jobs and Business Resources page
(<https://www.broward.org/Library/Pages/JobResources.aspx>);
- The New and Popular Titles page
(<https://www.broward.org/Library/Pages/Booklists.aspx>); and

- The Volunteer page (<https://www.broward.org/Library/Pages/Volunteer.aspx>).

To memorialize its commitment to maintain the accessibility of its website and online programs, on May 3, 2023, the Library signed the enclosed Agreement, voluntarily resolving the directed investigation pursuant to Section 302 of OCR's Case Processing Manual. When fully implemented, the Agreement will address the evidence obtained and all of the allegations investigated. OCR will monitor the implementation of the Agreement until the Library is in compliance with the terms of the Agreement and the statute and regulation at issue in the case.

This concludes OCR's directed 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 OCR directed investigation. 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 (404) 974-9396 or Rhonda.Collins@ed.gov.

Sincerely,

/s/ **Rhonda Collins**

Rhonda Collins
Attorney

Enclosure

Courtesy copy by email only to:

XXXXXX XXXXXX
Assistant County Attorney
XXXXXX@broward.org