



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

JOHN C. KLUCZYNSKI FEDERAL BUILDING
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September 8, 2022

By email only to: director@grpl.org

John McNaughton
Director
Grand Rapids Public Library
111 Library Street NE
Grand Rapids, MI 49503

Re: OCR Docket No. 15-22-8001
Grand Rapids Public Library, Michigan

Dear Director:

This letter is to advise you of the resolution of the compliance review that the U.S. Department of Education (Department), Office for Civil Rights (OCR) initiated in Grand Rapids Public 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 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. § 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 an assessment of the Library's online programs, services, and activities and noted possible compliance concerns including, but not limited to:

- Users with disabilities who use computer keyboards for navigation due to a disability did not have access to all contents and functions;
- Users with disabilities who use computer keyboards for navigation due to a disability were unable to tell visually where they were on a page, as visual focus indicators were missing; and
- Links were not meaningfully labeled or titled, posing a barrier to people with vision disabilities who use screen readers.

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

On September 8, 2022, the Library signed the enclosed resolution agreement (Agreement) to voluntarily resolve the compliance review pursuant to Section 302 of OCR's *Case Processing Manual*. OCR will monitor the implementation of the Agreement.

This concludes the investigative stage of OCR's compliance review. 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 compliance review. 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 (202) 987-1402 or tamara.perry@ed.gov.

Sincerely,

A handwritten signature in blue ink that reads "Tamara Perry". The signature is written in a cursive, flowing style.

Tamara Perry
Attorney Advisor

Enclosure

cc: Katie Zychowski
Marketing & Communications Manager
kzychowski@grpl.org