



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

July 13, 2026

Sent via email only to: [redacted content]

Re: Sapulpa Public Library  
OCR Complaint No. 07254002

Dear David Widdoes:

This letter is to advise you of the outcome of the complaint that the U.S. Department of Education, Office for Civil Rights (OCR), received against the Sapulpa Public Library (Library). The complaint alleged that the Library is physically inaccessible to the disabled due to torn carpet (Allegation 1) and crumbling parking spaces (Allegation 2). This letter is to acknowledge that the Library voluntarily entered into a Resolution Agreement (Agreement) resolving the complaint. This decision is explained below.

Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35, prohibit discrimination against qualified individuals with disabilities by public entities. OCR has delegated enforcement authority over public libraries under Title II. Because the Library is a public library, it is subject to Title II and to OCR's jurisdiction. Additional information about the laws that OCR enforces is available on OCR's [website](#).

In response to the complaint, OCR investigated whether persons with disabilities are denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because the Library facilities are physically inaccessible, in violation of 28 C.F.R. §§35.149, 35.150, and 35.151.

During the investigation, OCR spoke to city staff regarding the allegations and reviewed documents, photographs, the city's internal audit of Library accessibility, and its proposed improvements. To protect individuals' privacy, the names of employees, witnesses, and other parties are not used in the letter.

### **Legal Standard**

The accessibility requirements of the Title II implementing regulations are located at 28 C.F.R. §§ 35.149-35.151. These regulations, at 28 C.F.R. § 35.149, provide that no qualified individual with a disability be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity because a public entity's facilities are inaccessible to, or unusable by, individuals with disabilities.

The regulation implementing Title II contains two standards for determining whether a public entity's programs, activities, and services are accessible to individuals with disabilities. One standard applies to existing facilities; the other covers new construction and alterations. The applicable standard depends upon the date of construction or alteration of the facility.

For existing facilities, 28 C.F.R. § 35.150 requires a public entity to operate each service, program, or activity so that, when viewed in its entirety, it is readily accessible to, and usable by, individuals with disabilities. This standard does not necessarily require that a public entity make each existing facility or every part of an existing facility accessible if alternative methods are effective in providing overall access to the service, program, or activity. Under Title II regulation, existing facilities are those for which construction began before January 26, 1992.

With respect to newly constructed facilities, the Section 504 regulation, at 34 C.F.R. § 104.23(a), and the Title II regulation, at 28 C.F.R. § 35.151(a), require that the public entity's design and construct the facility, or part of the facility, in such a manner that it is readily accessible to and usable by individuals with disabilities. In addition, for new alterations that affect or could affect facility usability, the Section 504 regulation, at 34 C.F.R. § 104.23(b), and the Title II regulation, at 28 C.F.R. § 35.151(b), require that, to the maximum extent feasible, the public entity alter the facility in such a manner that each altered portion is readily accessible to and usable by individuals with disabilities.

The new construction provisions of the Section 504 and Title II regulations set forth specific architectural accessibility standards for facilities constructed or altered after particular dates. With respect to Section 504 requirements, facilities constructed or altered after June 3, 1977, but prior to January 18, 1991, must comply with the American National Standards Institute (ANSI) Standards (A117.1-1961, re-issued 1971). Facilities constructed or altered after January 17, 1991, must meet the requirements of the Uniform Federal Accessibility Standards (UFAS) although deviations from UFAS are permitted if such deviations provide substantially equivalent or greater access to and usability of the facility. Under the Title II regulation, public entities had a choice of adopting either UFAS or the 1991 Americans with Disabilities Act Accessibility Guidelines (ADAAG) for facilities constructed or altered after January 26, 1992, and prior to September 15, 2010. For facilities where construction or alterations commenced on or after September 15, 2010, and before March 15, 2012, the Title II regulation provides that public entities had a choice of complying with either UFAS, ADAAG, or the 2010 ADA Standards for Accessible Design (2010 Standards). The Title II regulation provides that public entities are required to comply with the 2010 Standards for construction or alterations commencing on or after March 15, 2012. While the Section 504 regulations have not been amended to formally adopt the 2010 Standards, a public entity may use the 2010 Standards as an alternative accessibility standard for new construction and alterations pursuant to Section 504. The 2010 Standards consist of 28 C.F.R. § 35.151 and the 2004 ADAAG, at 36 C.F.R. Part 1191, appendices B and D.

### **Summary of Preliminary Investigation**

Section 108(j) of OCR's [Case Processing Manual](#) states that OCR may dismiss an allegation if OCR obtains credible information indicating that the allegation is currently resolved and is therefore no longer appropriate for investigation.

Regarding Allegation 1, the Library advised OCR that the torn carpet had already been replaced and provided evidence of the new carpet. Therefore, OCR has determined that Allegation 1 is currently resolved and is dismissing this allegation as of the date of this letter.

OCR's investigation of the complaint raised concerns that the Library was not providing accessible parking. Prior to the conclusion of OCR's investigation and pursuant to Section 302 of OCR's Case Processing Manual, the Library expressed an interest in resolving this complaint and OCR determined that a voluntary resolution is appropriate. Subsequent discussions between OCR and the Library resulted in the Library signing the enclosed Agreement which, when fully implemented, will address the remaining allegation raised in the complaint. OCR will monitor the Library's implementation of the Agreement until the Library has fulfilled its terms.

### **Conclusion**

In the Agreement, the Library agreed to replace the pavement of accessible parking spaces, add markings to disabled stalls, replace sidewalks, install signs and curb ramps, move the Library's outfall downspout, and paint a crosswalk to the entrance.

This concludes OCR's investigation of the complaint. 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 case. 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. The complainant may have a right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the Library must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

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 about this letter, please contact Nancy Pryor, Attorney, at [nancy.pryor@ed.gov](mailto:nancy.pryor@ed.gov).

Sincerely,

/s/

Megan Levetzow  
Supervisory Attorney

Enclosure