

Resolution Agreement

**Case No. 02-16-4041
Brooklyn Public Library**

In order to resolve Case No. 02-16-4041, the Brooklyn Public Library (BPL) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104; and, Title II of the Americans with Disabilities Act of 1990 (the ADA), 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35.

Action Item:

By April 14, 2017, the BPL will make all necessary structural changes to the designated accessible route to its Brooklyn Heights Interim Library branch's designated accessible entrance, as outlined in the attached Appendix.

Reporting Requirement:

- a) By April 24, 2017, the BPL will provide documentation to OCR (e.g., photographs, measurements, summaries, etc.) demonstrating that structural changes have been made that comply with the applicable accessibility standards, in accordance with the attached Appendix.

The BPL understands that OCR will not close the monitoring of this agreement until OCR determines that BPL has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.21 and 104.23; and the ADA, at 28 C.F.R. §§ 35.149 and 35.151, which were at issue in this case. The BPL also understands that by signing this agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement. Further, the BPL understands that during the monitoring of this agreement, if necessary, OCR may visit the BPL, interview staff, and request such additional reports or data as are necessary for OCR to determine whether the BPL has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.21 and 104.23; and the ADA, at 28 C.F.R. §§ 35.149 and 35.151, which were at issue in this case. The BPL understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including to enforce the specific terms and obligations of this agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings, including to enforce this agreement, OCR shall give the BPL written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Date: _____

Signed: _____/s/_____

Brett D. Robinson
EVP, Finance and Administration
Brooklyn Public Library

Appendix¹

Brooklyn Public Library Brooklyn Heights Interim Library Branch

Building Component	Accessible Route to Entrance ²
Accessibility Issues	<ul style="list-style-type: none"><li data-bbox="537 380 1424 485">▪ Running slope = 5.6% [ADA 2010 Standards, Section 403.3 – The running slope of walking surfaces shall not be steeper than 1:20 (5.0%).]<li data-bbox="537 491 1424 596">▪ Cross slope = 8.1% [ADA 2010 Standards, Section 403.3 – The cross slope of walking surfaces shall not be steeper than 1:48 (2.08%).]

¹ All citations refer to the 2010 ADA Standards for Accessible Design.

² OCR observed compliance issues at the end of the accessible route to the branch's designated accessible entrance, towards the street.