

RESOLUTION AGREEMENT

Jersey City Main Library OCR Case No. 02-18-4030

In order to resolve Case No. 02-18-4030, the Jersey City Main Library (the Library) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the following actions pursuant to the requirements of 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 I: Accessible Entrance

By November 15, 2018, the Library will add signage to the exterior door at the designated accessible entrance (door 1), as set forth in Appendix A.

The Library has advised OCR that it chooses to make structural changes in order to ensure that individuals with disabilities can independently open door 1 without requesting assistance, the same as non-disabled individuals. By February 15, 2019, as set forth in Appendix B, the Library will make door 1 accessible to the disabled, without assistance from security, similar to how those without disabilities gain access to the Library through the main entrance. The Library's alternate plan in the interim is for individuals to alert security, via an intercom, that they require access through door 1; and, Library staff will then manually open door 1 for individuals with disabilities to gain access to the Library until these structural changes are completed. As part of this plan, the Library will install signage at the accessible entrance notifying individuals how to gain access.

Reporting Requirements:

- (a) By November 30, 2018, the Library will provide documentation to OCR (e.g., photographs and any other notice provided to the public regarding the opening of its designated accessible entrance) confirming the addition of signage and implementation of its alternate plan.
- (b) By November 30, 2018, the Library will provide documentation to OCR (e.g., blueprints and/or engineering proposals and a signed contract) indicating that it has secured a contract to complete the structural renovations to door 1 necessary to ensure that individuals with disabilities can independently open door 1 without requesting assistance, the same as non-disabled individuals.
- (c) By February 15, 2019, the Library will provide documentation to OCR (e.g., copies of invoices/receipts and photographs) confirming completion of the structural renovations to door 1.

Action Item II: Interior Door at Accessible Entrance

By November 15, 2018, the Library will adjust the door opening force for the interior door along the designated accessible route from the accessible exterior entrance to the lobby (door 2), as set forth in Appendix C.

Reporting Requirement: By November 30, 2018, the Library will provide documentation to OCR (e.g., copies of invoices/receipts and photographs) confirming that it adjusted the door opening force for door 2.

The Library 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 Library understands that during the monitoring of this Agreement, if necessary, OCR may visit the Library, interview staff, and request such additional reports or data as are necessary for OCR to determine whether the Library has fulfilled the terms of this Agreement. Upon the Library's satisfaction of the commitments made under this Agreement, OCR will close this case.

The Library understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings 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 to enforce this Agreement, OCR will give the Library written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the Library's representative below.

9/12/2018
Date

/s/
Library Director
Jersey City Main Library

Appendix A¹
Signage at Accessible Entrance and Inaccessible Entrance

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|------------------------------|---|
| Accessibility Issues: | <ul style="list-style-type: none">• Accessible entrance lacks sign depicting the International Symbol of Accessibility [2010 ADA Standards Section 216.6 – Where not all entrances comply with Section 404 (Doors, Doorways, and Gates), entrances complying with Section 404 shall be identified by the International Symbol of Accessibility complying with Section 703.7.2.1.]• No directional signage indicating location of nearest accessible entrance from inaccessible main entrance [2010 ADA Standards Section 216.6 – Directional signs complying with Section 703.5 that indicate the location of the nearest entrance complying with Section 404 shall be provided at entrances that do not comply with 404.] |
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¹ All changes/alterations must conform to the 2010 Americans with Disabilities Act Standards for Accessible Design and are referenced herein.

Appendix B
Exterior Door at the Accessible Entrance

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| Building/Facility | The exterior door at the accessible entrance (door 1). |
| Date of Construction | 1899 |
| Alteration | 2013 |
| Accessibility Issues: | <ul style="list-style-type: none">• Individuals with disabilities cannot independently gain access to the Library via door 1 because the automatic door opener is inoperable and otherwise requires a release from security operated remotely and someone inside to dislodge door 1 from its frame; such that the individual would need to alert security of their presence via an intercom, while individuals without disabilities could manually and independently access the Library through the main entrance without interaction with security. [2010 ADA Standards Section 404, Advisory 404.1, General Exception – It would not be acceptable for security personnel to operate the doors for people with disabilities while allowing others to have independent access.] |

Appendix C
Interior Door at Designated Accessible Entrance

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|------------------------------|---|
| Building/Facility | The interior door leading from the lift at the accessible entrance to the lobby level on the accessible route (door 2). |
| Date of Construction | 1899 |
| Alteration | 2013 |
| Accessibility Issues: | <ul style="list-style-type: none">• Door opening force of door 2 is greater than 5 lbs. (10 lbs.). [2010 ADA Standards Section 404.2.9 – The force for pushing or pulling interior hinged doors shall be 5 lbs. maximum.] |