

## **RESOLUTION AGREEMENT**

### **Perth Amboy Free Public Library Case No. 02-20-4013**

In order to resolve Case No. 02-20-4013, the Perth Amboy Free Public Library (the Library) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the following actions pursuant to 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 – Accessibility**

- By August 31, 2020, the Library will provide a detailed written plan to OCR demonstrating how it will make each service, program and activity conducted within the building that houses both the main and Children’s libraries (the Building), when viewed in its entirety, readily accessible to individuals with disabilities.
- If the Library chooses to make any structural changes/alterations to the Building:
  - By August 31, 2020, the Library will provide a detailed written plan to OCR outlining the structural changes/alterations it will make, with anticipated dates of completion, and how such changes/alterations will make the Building accessible to and usable by individuals with disabilities. Any structural changes/alterations must comply with the 2010 Americans with Disabilities Act Standards for Accessible Design.
  - By September 15, 2020, the Library will provide information to all community members in the City of Perth Amboy, describing how services, programs and activities in the Building may be accessed by individuals with disabilities while the Library is in the process of making structural changes/alterations. The Library may provide this information in the manner it typically provides similar notices about the Building to community members.

#### **Reporting Requirements:**

- a) By August 31, 2020, the Library will provide to OCR a list of each service, program and activity conducted in the Building, and where the service, program or activity is located within the Building; and a detailed written plan demonstrating how it will make each service, program and activity conducted in the Building, when viewed in its entirety, readily accessible to individuals with disabilities.
- b) By August 31, 2020, if the Library chooses to make structural changes/alterations to the Building, the Library will provide the detailed written plan consistent with the Action Item above.
- c) By September 30, 2020, the Library will submit documentation to OCR demonstrating that it has disseminated to community members in the City of Perth Amboy the information outlined in the Action Item above. Proof of the dissemination of the

information may be provided to OCR by providing a link to where the information appears on the Library’s website, if applicable.

- d) By July 30, 2021, the Library will provide documentation to OCR (e.g., copies of paid invoices, photographs, etc.) confirming completion of each structural change/alteration identified in the plan referenced in Reporting Requirement (b), above. OCR will then schedule an on-site visit to inspect the changes/alterations.

The Library understands that by signing this resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the Library understands that during the monitoring of the resolution agreement, if necessary, OCR may visit the Library, interview staff and patrons, and request such additional reports or data as are necessary for OCR to determine whether the Library has fulfilled the terms and obligations of the resolution agreement. Upon the Library’s satisfaction of the commitments made under the resolution agreement, OCR will close this case.

The Library understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the Library written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This resolution agreement will become effective immediately upon the signature of the Library’s representative below.

8/4/20

/s/

\_\_\_\_\_  
Date

\_\_\_\_\_  
Wilda Diaz  
Mayor  
The City of Perth Amboy