

RESOLUTION AGREEMENT
Pine Bluff Main Library
OCR Case Number 07234007

The Pine Bluff Main Library, Pine Bluff, Arkansas, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR Case No. 07234007 and ensure compliance with Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulation at 28 C.F.R. Part 35. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Pine Bluff Main Library.

The Library agrees to take the following actions:

1. By _____, the Pine Bluff Main Library will repair or replace the library's existing elevator as necessary to make the elevator functional again.

Reporting Requirement: Within 10 calendar days of the completion of such repairs or replacement, the Pine Bluff Main Library will notify OCR and provide documentation showing that the elevator is fully operational.

2. By _____, the Pine Bluff Main Library will develop and implement a written process to provide access to all materials located on the second and third floors of the library until the elevator is fully operational. The process will include the following:
 - a. instructions for requesting access to materials;
 - b. how the materials will be provided;
 - c. who is responsible for providing access to the materials; and

The Pine Bluff Main Library will post this information in prominent places in the Pine Bluff Main Library and on the Library's website informing the public on how to access information on second and third floors.

Reporting Requirement: By _____, the Pine Bluff Main Library will provide OCR a copy of the written process for providing access to all materials on the second and third floors of the Pine Bluff Main Library and provide a copy of the notice posted in the Pine Bluff Main Library and on the Library's website.

The Pine Bluff Main 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 set forth in this Resolution Agreement. Further, the Pine Bluff Main Library understands that during the monitoring of this Resolution Agreement, if necessary, OCR may visit the Library, interview employees, and request such additional reports or data as are necessary for OCR to determine whether the Library has fulfilled the terms and obligations of this Resolution Agreement.

The Pine Bluff Main Library understands that OCR will not close the monitoring of this Agreement until OCR determines that the Library has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title II at 28 C.F.R. § 35.150-151, which was at issue in this case.

The Pine Bluff Main 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 or judicial proceedings to enforce the specific terms and obligations of this Agreement, OCR shall give the Pine Bluff Main Library written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Director

Date