

Resolution Agreement
Los Angeles Public Library
OCR Case Number 09-15-4015

The Los Angeles Public Library (Library), without admitting to any violation of law, agrees to implement the following provisions in this Resolution Agreement (agreement) to resolve the issues investigated in the above-referenced complaint by the Office for Civil Rights, U.S. Department of Education (OCR) under Title II of the Americans with Disabilities Act as amended (Title II) and its implementing regulations.

I. Notice of Non-discrimination

- A. The Library will post a notice at the front desk and information desk at all Library branches, which: 1) states that, in accordance with Title II and its regulations, the Library does not discriminate on the basis of disability; 2) that it is the policy of the Library to provide access to its programs and services for persons with disabilities and that service animals as defined by the Americans with Disabilities Act (ADA) are welcome in the Library; and 3) provides the name, title, address, phone number and email address for the Title II coordinator responsible for coordinating compliance, including resolving and investigating complaints and providing information about how to file a complaint for discrimination on the basis of disability.

Reporting Requirements

- B. Within fifteen days of the date on which this agreement is signed, the Library will provide to OCR the draft notice of non-discrimination described in Section I.A. for review and approval. Within ten days of OCR approval, the Library will post the notice at the front desk and information desk of each Library branch location.

II. Discrimination Complaint Form and Grievance Procedure

- A. The Library will submit to OCR as its discrimination complaint form (Complaint Form) and grievance procedures (Grievance Procedures) the City's ADA Title II Grievance Procedure and Complaint Form. Both the Complaint Form and the Grievance Procedures will be available to all Library patrons, as well as Library staff, in hard copy form at all branch locations, as well as on the main Library website. Alternative formats of the Complaint Form and the Grievance Procedures will be available upon request.
- B. The Complaint Form will include, but is not limited to, the following:
- a. A statement of prohibition of discrimination by the Library, the timeline for promptly resolving complaints of discrimination and method by which the complainant will receive written notice of outcome;
 - b. The name of the individual alleged to have been discriminated against or harassed and the option to provide an anonymous complaint;
 - c. A description of the discrimination or harassment, including what happened; where the incident(s) took place, the individual/entity alleged to have

discriminated, and why and on what basis the incident(s) was/were discriminatory;

- d. Any steps that the complainant has taken since the act(s) of discrimination to seek resolution of his/her complaint, either with the Library or with another entity;
- e. The complainant's desired resolution; and
- f. If an appeal is provided, a short description for how to appeal the decision, a space to describe the decision being appealed, the basis for the appeal, and requested action to be taken.

C. The Grievance Procedures will include, but are not limited to, the following:

- a. The name, title, address and telephone number of the individual who will conduct the investigation and whom the complainant may contact if s/he has questions about the grievance procedure or investigation process; if this person is different than the Title II compliance coordinator, that should be specified;
- b. A statement of prohibition of discrimination by the Library;
- c. Definitions of key terminology including, but not limited to, terms such as discrimination and harassment;
- d. The bases for filing a complaint of discrimination;
- e. A statement of non-retaliation;
- f. Notice of the procedure to patrons and members of the public, including where to file complaints;
- g. Application of the procedure to complaints alleging discrimination by patrons and members of the public;
- h. Adequate information about the complaint resolution process, including steps to ensure a reliable, and impartial investigation of complaints, including the opportunity to present other evidence;
- i. Designated and reasonably prompt timeframes for major stages of the complaint process;
- j. Notice to the parties of the outcome of the complaint;
- k. An assurance that steps will be taken to prevent recurrence of any discrimination and to correct its effects; and
- l. If provided for, information about any appeal rights and the process for appealing a decision.

Reporting Requirements

- D. By November 10, 2016, the Library will provide OCR with the City's ADA Title II Grievance Procedures and Complaint Form for review and approval.
- E. Within thirty days of OCR's approval of its policies and procedures, the Library will distribute the approved Complaint Form to all Library branch locations and ensure copies are available at the front desk and information desk, publish the approved Grievance Procedures and Complaint Form on the main Library website, and provide a copy and/or link of the same to OCR.

III. Guidance Memorandum

- A. The Library will submit to OCR a draft memorandum that provides guidance (guidance memorandum) regarding the Library's Grievance Procedures and Complaint Form.

Reporting Requirements

- B. By November 10, 2016, the Library will provide a draft of the guidance memorandum to OCR for review and approval.
- C. Within 15 days of OCR's approval, the Library will distribute the guidance memorandum to all Library staff, including Los Angeles Police Department (LAPD) security guards all Library branch locations, and provide OCR with a copy of the final guidance memorandum and distribution list.

IV. Training for Library Staff and LAPD Security Guards

- A. The Library will arrange for all the LAPD security guards stationed at the Central branch location to receive comprehensive annual ADA training provided by the City Department on Disability. The training will include all of the materials that the City Department on Disability uses when providing training to Library staff.
- B. The Library will continue to provide annual ADA training to all Library staff at all locations.

Reporting Requirements

- C. By November 10, 2016, the Library will provide to OCR for review and approval a copy of the training agendas for each training, including the names of the trainer(s) or the City Department conducting the training, a copy of the materials and the proposed dates of completion.
- D. Within 10 days of receiving OCR's approval, the Library will finalize the training agenda.
- E. By June 30, 2017, the Library will provide OCR with documentation that the ADA training has been provided to all staff at all Library branch locations, as well as LAPD security guards stationed at the Central branch location, as described in Section IV.A. and IV.B. This documentation will include (a) the names and titles of the trainer(s), (b) the dates of the trainings, (c) a copy of the final agenda and materials used at each of the trainings, and (d) a list of the participants.

V. Individual Remedies

- A. The Library will provide OCR with a draft of a letter to the complainant. The content of this letter must include, but is not limited to, the following:

- a. A statement affirming the Library’s commitment to providing a non-discriminatory environment for all patrons and members of the public;
 - b. A statement affirming that the complainant is welcome to use the Library, and that service animals, as defined by the ADA, are welcome;
 - c. A statement describing the process for patrons to check out books from the Library or request that the Library procure specific books that may not be in its catalog; as well the contact information for a Library staff person who the complainant or any member of the public may contact for assistance in checking books out or requesting that books be procured;
 - d. A statement offering the complainant the opportunity to receive a full investigation of, and written response to, the October 2014 complaint that he filed with the Library;
 - e. A statement providing the complainant with the contact information for the Library’s Departmental ADA Coordinator, should the complainant have any questions about the letter or the attachments described in Section V.B.; and
 - f. A statement providing the complainant with the contact information for the City’s ADA Compliance Officer housed at the Department on Disability, and inviting the complainant to contact him/her to schedule a meeting or phone call to discuss questions about grievance procedures, reasonable accommodations or service animals.
- B. As attachments to the letter to the complainant in Section V.A, the Library will include the following:
- a. A copy of the City’s Service Animal Policy;
 - b. A copy of the City’s Notice of Nondiscrimination;
 - c. A copy of the Library’s code of conduct, or other document, outlining the Library’s behavioral expectations for all patrons and member of the public who use Library facilities;
 - d. A copy of the City’s ADA Title II Grievance Procedures and Grievance Form; and
 - e. A copy of how to file a claim with the City Clerk’s Office..

Reporting Requirements

- C. Within thirty days of the date of this agreement, the Library will provide to OCR for review and approval a draft of the letter and attachments to the complainant described in Section V.A. and Section V.B.
- D. Within fifteen days of OCR’s approval of the letter and attachments described in Section V.A. and V.B., the Library will send the letter and attachments to the complainant by U.S. mail and email, and provide OCR with written confirmation that it has done so.

VI. Monitoring

The 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 in compliance with Title II

of the Americans with Disabilities Act and its implementing regulation at 28 C.F.R. part 35, which were at issue in this case.

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 patrons, and request such additional reports or data as are necessary for OCR to determine whether the Library has fulfilled the terms of this agreement and is in compliance with Title II of the Americans with Disabilities Act and its implementing regulation at 28 C.F.R. part 35, which were at issue in 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 shall give the Library written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Director or Designee
Los Angeles Public Library

_____10/07/2016_____
Date