

VOLUNTARY RESOLUTION AGREEMENT

I. INTRODUCTION

The City of Newport (City) enters into this agreement to resolve the allegations in a complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR) against the Newport Public Library (library). This complaint, OCR Reference No. 10184028, was filed under Title II of the Americans with Disabilities Act of 1990 (Title II).

II. RESOLUTION PROVISIONS

A. Parking Spaces

1. By December 31, 2018 the library will ensure that the accessible parking spaces are located on the shortest accessible route to the accessible entrances, specifically to include ensuring that the lower lot's accessible parking space is van accessible.
2. Reporting Requirement: Within 30 days of completing changes necessary to ensure that the accessible parking spaces meet the requirements of Section II.A.1 above, the library will submit a report to OCR documenting these changes. This report will contain, at a minimum, information regarding any changes that the library made to the accessible parking spaces, including but not limited to the dates of such changes, details about the changes undertaken, and photographs documenting that, after the changes took place, the accessible parking spaces meet the requirements of Section II.A.1.
3. By June 15, 2019, the library will ensure that there is an access aisle connecting all accessible parking spaces to the accessible route leading to the accessible entrances, specifically to include ensuring that each accessible parking space is located on an access aisle.
4. Reporting Requirement: Within 30 days of completing changes necessary to ensure that the accessible aisle in the parking lot meets the requirements of Section II.A.3 above, the library will submit a report to OCR documenting these changes. This report will contain, at a minimum, information regarding any changes that the library made to the accessible aisle in the parking lot, including but not limited to the dates of such changes, details about the changes undertaken, and photographs documenting that, after the changes took place, the accessible aisle in the parking lot meets the requirements of Section II.A.3.

B. Accessible Route

1. By December 31, 2018, the library will ensure that the route from the accessible parking spots to the accessible entrances is firm, slip-resistant and stable, and will take steps, at a minimum, to ensure that the route from the accessible parking spots to the accessible entrances is unobstructed and free of vegetation and debris, specifically to include the break in the asphalt in the access aisle and remove weeds and other vegetation from the pavers leading to both accessible entrances.
2. Reporting Requirement: Within 30 days of completing changes necessary to ensure that the accessible route meets the requirements of Section II.B.1, the library will submit a report to OCR documenting these changes. This report will contain, at a minimum, information regarding any maintenance or repair efforts, including but not limited to the dates the repair took place, details regarding the repair, and photographs documenting that, after the repair, the accessible route meets the requirements of Section II.B.1.

C. Magazine Racks

1. By December 31, 2018, the library will ensure that the force required to lift the racks that provide storage for the library's newspapers and magazines (magazine racks) is less than five pounds.
2. Reporting Requirement: Within 30 days of completing changes necessary to ensure that the magazine racks meet the requirements of Section II.C.1, the library will submit a report to OCR documenting these changes. This report will include, at a minimum, a description of any modifications made to the magazine racks, dates that any modifications were made, measurements of the force required to lift the magazine racks.

III. GENERAL PROVISIONS

- A. This agreement resolves the allegations in OCR Reference No. 10184028.
- B. OCR agrees to discontinue its investigation of OCR Reference No. 10184028 based upon the library commitment to take the actions specified in this agreement which, when fully implemented, will resolve the allegation in this case.
- C. The library understands and acknowledges that, if it does not fully implement this agreement, OCR will take appropriate measures within its authority to effect compliance and 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.

- D. The library understands that by signing this agreement, it agrees to provide OCR data and other information in a timely manner. Further, the library understands that during the monitoring of this agreement, OCR may visit the library to 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.
- E. The library understands that OCR will not close the monitoring of this agreement until OCR determines that the district has fulfilled the terms of this agreement.

Signed:

/s/

Ted Smith
Director
Newport Public Library

Date