

FACT SHEET

Settlement Agreement between the United States of America and the City of Independence, Kansas

On April 28, 2011, the Department of Justice entered into a settlement agreement with the city of Independence, Kansas, under title II of the Americans with Disabilities Act of 1990 (ADA).

The Department of Justice initiated a compliance review of the city of Independence in July, 2009, as part of Project Civic Access, a Department initiative to ensure greater access for persons with disabilities to state and local government programs, services, activities, and facilities. An on-site survey of the city's buildings, programs, and services was conducted in November, 2009. City staff worked cooperatively with the Department throughout the compliance review process in order to reach an agreement.

Facilities covered by the agreement include: River Beach Family Aquatic Center, Ash Youth Center, Independence Public Library, Independence Memorial & Civic Center, Ralph Mitchell Zoo, Riverside Park, Emmot Field, City Hall, Police Department, and Fire Department.

The Department also reviewed the city's polling places, emergency management procedures, employment policies, sidewalks, and 9-1-1 emergency services.

The text of the settlement agreement specifies the modifications the city of Independence will be making to its programs, services and facilities. Among other things, the city has agreed to:

- Make physical modifications to its facilities so that parking, routes into the buildings, entrances, public telephones, restrooms, service counters and drinking fountains are accessible to people with disabilities. The agreement specifies which modifications will be made at each facility.
- Post, publish and distribute a notice to inform members of the public of the provisions of title II and their applicability to the city's programs, services, and activities.
- Officially recognize Kansas' telephone relay service as a means of communicating with individuals who are deaf, hard of hearing, or have speech impairments, and train staff in using the relay service for telephone communications.
- Develop policies and procedures and perform necessary planning to ensure that individuals with disabilities are afforded equal, integrated access to emergency

management programs, including emergency preparedness, notification, evacuation, sheltering, response, clean up, and recovery.

- Develop a method for providing information for interested persons with disabilities concerning the existence and location of the city's accessible services, activities and programs.
- Install signs at any inaccessible entrance to a facility directing individuals with disabilities to an accessible entrance or to information about accessing programs and services at other accessible facilities.
- Implement a plan to ensure the accessibility of sidewalks and curb ramps throughout the city of Independence, Kansas.

The agreement requires most actions to be completed within three years. For the required accessibility modifications to sidewalks, pedestrian crossings, transportation stops and curb ramps, the city will work with the disability community to prioritize and complete these modifications within five years. The department will actively monitor compliance with the agreement until it has confirmed that all required actions have been completed.

Independence, located on the west bank of the Verdigris River, is the county seat of Montgomery County, Kansas, and is an industrial "hub" for Southeast Kansas. According to census data, the city population is 9,846 and 23 percent of Independence residents have a disability. William Inge, Pulitzer Prize-winning playwright, was born and raised in Independence, and the Independence Community College maintains his archives.