

FACT SHEET

Settlement Agreement between the United States of America and Fairfax County, Virginia

On January 28, 2011, the Department of Justice entered into a settlement agreement with Fairfax County, Va., under title II of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §§ 12131-12134, and the department's implementing regulation, 28 C.F.R. Part 35, as well as section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and the Department's implementing regulation, 28 C.F.R. Part 42, Subpart G.

The Department of Justice initiated a compliance review of Fairfax County as a part of Project Civic Access, a departmental initiative to ensure greater access for persons with disabilities to local government programs, services, activities, and facilities. This review included an on-site survey of the county's buildings, programs and services. County staff worked cooperatively with the department throughout the compliance review process in order to reach an agreement.

Facilities surveyed by the department and covered by the agreement include: Kingstowne Library, Braddock District Government Center, Government Center Sully District Police, Cub Run Recreation Center, Chantilly Regional Library, Jennings Judicial Center Public Parking Garage B, Mott Community Center, Boys Probation House, Great Falls Library, Herndon Fortnightly Library, Herndon Senior Center, Clemyjontri Park, Reston Community Center-Hunter Woods, Mondloch House 1 (#2047), Mount Vernon Governmental Center, Gum Springs Community Center, George Mason Regional Library, George Mason Governmental Center, Kings Park Regional Library, Adult Detention Center, Juvenile Detention Center, James Lee Community Center, Pimmit Hills Senior Center, Bailey's Community Center, Reston Community Center - Lake Anne, and Patrick Henry Library.

In addition, the department reviewed access for persons with disabilities to Fairfax County's programs, services, and activities operating in the following facilities: Sherwood Regional Library, Lincolnia Senior Center, Martha Washington Library, Mount Vernon Recreation Center, Gum Springs Glen Child Care, Mount Vernon Center for Community Mental Health, Franconia Governmental Center, Franconia Governmental Center (Police Department), Hollin Hall Center, Pinecrest Golf Course, Fred Packer Center, Audrey Moore Recreation Center, Wakefield Park, Chapel Government Center, Woodburn Mental Health Center, Pohick Regional Library, Centreville Library, Joseph Willard Health Center, Little River Glen Senior Center, Jennings Judicial Center (Fairfax County Courthouse), Government Center Herrity Building, Government Center Pennino Building, Courthouse (JDR Courts), Fairfax Government Center, Burke Lake Park, Providence Recreation Center, Willston Instructional Facility, Tysons-Pimmit Regional Library, Lee District Recreation Center, Frying Pan Farm, Lorton Library, Spring Hill Recreation Center, Dolly Madison Library, McLean Government Center, Oak Marr

Recreation Center, Lake Fairfax Park, North County Government Center, Reston Regional Library, Lake Accotink Park, South Run Recreation Center, Nottoway Park, Annandale Terrace Elementary School, Colin Powell Elementary School, London Towne Elementary School, Olde Creek Elementary School, Fairview Elementary School, Haycock Elementary School, Lorton Senior Center, Lorton Station Elementary School, and Kings Park Elementary School.

The department reviewed the county's polling places operating in the following facilities: Annandale Fire Station Company #8, Lake Braddock Secondary School, Commons Community Center, Clifton Town Meeting Hall, Centreville High School, Lee's Corner Elementary School, Great Falls Elementary School, Herndon Community Center, South County Secondary School, Langley High School, Lewinsville Center, Waples Mill Elementary School, Buzz Aldrin Elementary School, Lake Anne Elementary School, Lee High School, Hunter House at Nottoway Park, Vienna Community Center, and Colvin Run Elementary School. This review was limited to the areas of the facilities used by the voting public: parking, the route from the parking area to the area used for voting, and the area used for voting.

The department also reviewed the county's law enforcement, employment, emergency management, sidewalks, and 9-1-1 emergency services programs, as well as their website and web-based services.

Other county facilities are covered by the settlement agreement and will be surveyed and modified for compliance with ADA requirements by the county.

The text of the settlement agreement specifies the modifications Fairfax County will be making to its programs, services, and facilities, and the timeframes for making them. Among other things, the county has agreed to:

- Make physical modifications to facilities surveyed by the department so that parking, routes into the buildings, entrances, service areas and counters, restrooms, public telephones, and drinking fountains are accessible to people with disabilities;
- Provide access to county programs;
- Survey other facilities and programs and making modifications wherever necessary to achieve full compliance with ADA requirements;
- Administer a grievance procedure for resolving complaints of violations of title II;
- Ensure that buildings and outdoor facilities that will be built or altered by or on behalf of the county comply with the ADA's architectural requirements;
- Ensure that any county programs for victims of domestic violence and abuse are accessible to people with disabilities;
- Provide accessible polling places;
- Provide effective communication;
- Post, publish and distribute a notice to inform members of the public of the provisions of title II and their applicability to the county's programs, services and activities;

- Undertake the required planning and modifications to ensure equal, integrated access to emergency management for individuals with disabilities, including emergency preparedness, notification, evacuation, sheltering, response, clean up, and recovery;
- Ensure that 9-1-1 emergency service calls placed by persons with disabilities who use text telephones (TTYs) are answered as quickly as other calls, that such calls are monitored for timing and accuracy, and that employees are trained and practiced in using a TTY to make and receive calls;
- Ensure the county's employment policies comply with the regulations of the U.S. Employment Opportunity Commission implementing title I of the ADA;
- Ensure that the county's official website and other web-based services are accessible to people with disabilities;
- 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; and
- Implement a comprehensive plan to improve the accessibility of its sidewalks and pedestrian crossings by installing accessible curb ramps throughout Fairfax County.

The department will actively monitor compliance with the agreement, which will remain in effect for 7½ years from January 28, 2011.

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