



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS  
MIDWESTERN DIVISION, CHICAGO OFFICE

SEP 30 2010

Mr. Ron Huberman  
Chief Executive Officer  
Chicago Public Schools, District #299  
125 South Clark Street  
Chicago, Illinois 60603

Re: OCR Docket #05-10-5001

Dear Mr. Huberman:

This is to advise you of the resolution of the above-referenced compliance review that was initiated by the U.S. Department of Education (Department), Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504), and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132 (Title II), and its implementing regulation at 28 C.F.R. Part 35.

The compliance review assessed whether the Chicago Public Schools District #299 (CPS) discriminates against students with disabilities by failing to ensure that adequate transportation services to which they are entitled are provided to and from their educational programs. Specifically, the review addressed whether CPS denied FAPE to students with disabilities by not providing them with transportation services as specified in their Individualized Education Programs or Section 504 Plans.

OCR had authority to initiate this compliance review under Section 504 and its implementing regulation and Title II and its implementing regulation, which prohibit discrimination on the basis of disability by public entities and in educational programs or activities that receive Federal financial assistance. As a recipient of Federal financial assistance and a public entity, CPS is subject to Section 504 and Title II and their respective implementing regulations.

Prior to the completion of the investigation, CPS expressed an interest to resolve the compliance review. Subsequent discussions with CPS resulted in CPS signing the enclosed agreement (Agreement) which, when fully implemented, will resolve the issues raised in this compliance review. In accordance with Section 302 of OCR's *Case Processing Manual*, the provisions of the Agreement are aligned with the issues raised in the compliance review and the information obtained to date in the investigation, and are consistent with applicable regulations.

OCR will monitor CPS's implementation of the Agreement. We look forward to receiving documentation from CPS confirming its implementation of the Agreement.

500 W. MADISON ST., SUITE 1475, CHICAGO, IL 60661  
[www.ed.gov](http://www.ed.gov)

We wish to thank you and your staff for the cooperation extended to OCR during our investigation. In particular, we would like to thank Ms. Kathleen Gibbons, Senior Assistant General Counsel. If you or your staff has any questions about this matter, please do not hesitate to contact Ms. Aleeza M. Strubel, Team Leader/Supervisory Attorney, at (312) 730-1613 or by email at [Aleeza.strubel@ed.gov](mailto:Aleeza.strubel@ed.gov).

Sincerely,

/s/

Debbie Osgood  
Director, Chicago Office

Enclosure

cc: Kathleen Gibbons, Senior Assistant General Counsel  
Patrick J. Rocks, General Counsel