



**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS**

500 WEST MADISON ST., SUITE 1475
CHICAGO, IL 60661-4544

REGION V
ILLINOIS
INDIANA
IOWA
MINNESOTA
NORTH DAKOTA
WISCONSIN

February 4, 2015

Mr. Jennifer Soule
Attorney
Soule, Bradtke & Lambert
533 S. Division Street, Suite B
Elmhurst, Illinois 60126

Re: OCR# 05-14-1200

Dear Ms. Soule:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has received and evaluated the above-referenced complaint you filed with OCR on April 16, 2014 against the Hononegah Community High School District (District), alleging discrimination on the bases of disability on behalf of Student A. Specifically, the complaint alleges that, during the 2013-2014 school year, the District discriminated against Student A on the basis of disability when the dance coach subjected Student A to a hostile environment based on disability, and the District failed to take a prompt and effective response to address it.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, as well as Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulation, 28 C.F.R. Part 35. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance from the Department, and Title II prohibits discrimination on the basis of disability by public entities. As a recipient of funding from the Department of Education and a public entity, the District is subject to these laws.

The District requested to resolve the complaint allegation prior to the conclusion of OCR's investigation. In accordance with Section 302 of OCR's *Complaint Processing Manual*, subsequent discussions with the District resulted in the District signing the enclosed Resolution Agreement which, when fully implemented, will resolve the allegation raised in the above-referenced complaint.

This concludes OCR's investigation of the complaint and should not be interpreted to address the District's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This letter sets forth OCR's determination in an individual

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OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. The complainant may file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions or concerns about OCR's determination, you may contact Sandra L. Garcia, Senior Equal Opportunity Specialist at 312-730-1580 or Sandra.L.Garcia@ed.gov.

Sincerely,

Karen E. Tamburro
Supervisory Attorney

Enclosure