

Resolution Agreement #05-16-1228
Waukegan Unit Community School District No. 60

Waukegan Unit Community School District No. 60 (District) submits the following Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR complaint # 05-16-1228. The District submits this Agreement to ensure its compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131-12134, and its implementing regulation at 28 C.F.R. Part 35, with respect to the allegation of inaccessible fountains raised in this complaint.

The District agrees that by January 20, 2017, it will ensure that one of the water fountains in the 1991 gymnasium addition to Robert Abbott Middle School, complies with the 2010 ADA Standards for Accessible Design (2010 ADA Standards), with respect to accessible water fountains.

REPORTING REQUIREMENT: By January 20, 2017, the District will provide documentation to OCR that it has implemented the term of this Agreement. This documentation will include photographic evidence of the accessible water fountain.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.22, 104.23, and Title II, at 28 C.F.R. §§ 35.150, 35.151, which were at issue in this case.

The District also understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the Center, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.22, 104.23, and Title II, at 28 C.F.R. §§ 35.150, 35.151, which were at issue in this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Approved and agreed to on behalf of Waukegan Unit Community School District No. 60:

Superintendent or designee

Date