



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

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CHICAGO, IL 60661-4544

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April 13, 2018

Dr. Karen Sullivan
Superintendent
Indian Prairie School District #204
Crouse Education Center
780 Shoreline Drive
Aurora, Illinois 60504

OCR Case No. 05-18-1054

Dear Dr. Sullivan:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has completed its complaint resolution efforts with regard to the above-referenced complaint filed against the Indian Prairie School District #204 (District).

Specifically, OCR investigated whether the District discriminated against Student A based on disability (XXXXXX) in August 2017 when the District treated Student A differently than similarly situated students without disabilities by not allowing him to participate to the same extent in the XXXXX at the Neuqua Valley High School (School).

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, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131-12134 and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance from the Department and public entities, respectively. These laws also prohibit retaliation. As a recipient of Federal financial assistance from the Department and a public entity, the District is subject to Section 504 and Title II.

During its investigation, OCR reviewed information provided by the Complainants and the District and interviewed the Complainants and District staff, including XXXX staff. Prior to OCR making a final determination, the District expressed an interest in resolving the allegation. On April 13, 2018, the District signed the enclosed Resolution Agreement, which, when fully implemented, will address the allegation in the complaint. OCR will monitor the implementation of the Resolution Agreement.

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 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.

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 individual 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.

A complainant may have a right to file a private suit in federal court whether or not OCR finds a violation.

OCR would like to thank the District for the courtesy and cooperation extended to OCR during its investigation, especially Ms. Dawn Hinkle, attorney for the District. If you have any questions, please contact Catherine Martin, Senior Equal Opportunity Specialist, at (312) 730-1592 or Catherine.Martin@ed.gov.

Sincerely,

Dawn R. Matthias
Team Leader

Enclosure

cc: Dawn Hinkle, Esq.