



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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

REGION V  
ILLINOIS  
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MINNESOTA  
NORTH DAKOTA  
WISCONSIN

June 1, 2018

Mr. Jesse J. Rodríguez  
Superintendent  
Proviso Township High School District #209  
8601 Roosevelt Road  
Forest Park, Illinois 60130

Via electronic mail only [jrodriguez@pths209.org](mailto:jrodriguez@pths209.org)

Re: OCR Docket #05-18-1238

Dear Superintendent Rodríguez:

The U.S. Department of Education (Department), Office for Civil Rights (OCR) has resolved the above-referenced complaint filed against the Proviso Township High School District (District) on March 7, 2018, alleging discrimination on the basis of disability. Specifically, the complaint alleged that students at Proviso West High School harassed Student A based on disability from XXXXXX and the District, which was aware of the harassment, failed to respond appropriately.

OCR is responsible for enforcing 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, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance from the Department and public entities, respectively. As a recipient of Federal financial assistance from the Department and a public entity, the District is subject to these laws.

The District indicated that it was willing to take action to resolve the complaint allegation pursuant to Section 109 of OCR's *Case Processing Manual*,<sup>1</sup> and OCR determined that a voluntary resolution agreement was appropriate. On June 1, 2018, the District signed the enclosed Resolution Agreement (Agreement) to resolve the complaint allegation. OCR will monitor the implementation of the Agreement until the District has fulfilled the terms of the Agreement. When fully implemented, the Agreement will address the complaint allegation. Upon completion of the obligations under the agreement, OCR will close the case.

The 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.

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<sup>1</sup> <https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>

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 privacy. The 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 you and your staff, especially Ms. Courtney Stillman, Counsel, for the courtesy and cooperation extended to OCR during the processing of this case. If you have any questions regarding this letter, please contact Mark Erickson at 312-730-1574 or via email at [mark.erickson@ed.gov](mailto:mark.erickson@ed.gov).

Sincerely,

Aleeza Strubel  
Supervisory Attorney

Enclosure

cc: Courtney Stillman, Counsel for the District,  
*via* electronic mail only ([cstillman@hauserizzo.com](mailto:cstillman@hauserizzo.com))