

Resolution Agreement
OCR Case No. 05-19-1179
Chicago Public Schools District #299/ XXXXXXXXXXXXXXXXXXXX and
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

The U.S. Department of Education, Office for Civil Rights (OCR) and the Chicago Public Schools District #299 (District) enter into this Resolution Agreement (Agreement) to resolve the allegation of the above-referenced complaint. The Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures OCR that it will take the following actions to comply with the requirements of 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, both of which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities.

Action Items

- I. By September 15, 2019, the District will consider the Complainant's request to modify the minimum required MAP test scores for Student A to apply to XXXXXXXX.
- II. In the event the District makes an individualized determination to deny the Complainant's request because the District determines that either (a) the modification requested by the Complainant is not necessary, or (b) the modification would fundamentally alter the nature of the District's GoCPS admissions program, the District must provide data supporting its determination.
- III. Provide written notification to the Complainant of its determination within two weeks of reaching that determination.

REPORTING REQUIREMENT: By October 15, 2019, the District will provide to OCR documentation showing the following:

- 1) The District has considered the Complainant's request in accordance with Item I.
- 2) The basis for the District's determination to grant or deny the Complainant's request to modify the minimum required MAP test scores for Student A, including, if applicable, documentation supporting the District's determination that the modification requested is either not necessary, or that the modification would fundamentally alter the nature of the District's GoCPS admissions program.
- 3) The written notification of its determination that the District sent to the Complainant in accordance with Item III.

The District 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 District, 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. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the 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 (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

For the District

Date