

RESOLUTION AGREEMENT
OCR Complaint # 03151240
Lincoln Park Performing Arts Charter School (the School)

The School submits this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and ensure compliance with Section 504 of the Rehabilitation Act of 1973, 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, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. In furtherance of this obligation, and while expressly denying any and all liability with respect to the allegations in the complaint, the District agrees to take the following actions:

Action Items

1. By November 30, 2015, the School will submit for OCR's review and approval its Section 504 Grievance Procedure (Grievance Procedure). The Grievance Procedure will incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 or Title II. At a minimum, the School's 504 Grievance Procedure will contain the following:
 - a. notice to students and employees of the procedure, including how and where to file a complaint;
 - b. application of the procedure to complaints alleging disability discrimination carried out by students, employees, or third parties;
 - c. adequate, reliable, and impartial investigation, including the opportunity to present witnesses and other evidence;
 - d. designated and reasonably prompt timeframes for the major stages of the complaint process;
 - e. notice to the parties of the outcome of the complaint, and the basis for the decision; and
 - f. an assurance that the School will take steps to prevent the recurrence of any prohibited actions and to correct its discriminatory effects on the complainant and others, if appropriate.
 - g. definitions and examples of what types of actions may constitute disability discrimination and/or harassment
2. Within 60 days of the School's receipt of the OCR-approved Grievance Procedure, the School will take the necessary steps to adopt the Grievance Procedure. The

School will also notify all students and employees of the newly revised Grievance Procedures and will post them on its website (in a manner that is searchable by the site's search engine) and publish them in the Student Handbook. The notification shall occur by written correspondence, email, or both and shall further provide information of where the Grievance Procedure is located on its website and, alternatively, where they may request or obtain a written copy of the procedure.

3. By November 30, 2015, the School will draft and submit for OCR's review and approval, an appropriate notice of nondiscrimination as required by the Section 504 regulation at 34 C.F.R. Section 104.7(a) and the ADA regulation at 28 C.F.R. Section 35.107(a). This notice of nondiscrimination will state that the School does not discriminate on the basis of disability in its education programs or activities. This notice will also state that inquiries concerning the School's compliance with Section 504 may be referred to the School's Section 504 coordinator and include the name or title, office address and telephone number of the Section 504 coordinator. This notice may also include other bases (race, color, national origin, and age) and provide the name or title, office address and telephone number of the individuals who coordinate compliance with these jurisdictions, if different from the person(s) designated to handle inquiries regarding the School's disability discrimination policies.
4. Within 60 days of OCR's approval of the notice of nondiscrimination, the School will prominently include this notice of nondiscrimination in current student/parent and employee handbooks, brochures, application forms, websites and other publications that provide general information about student services and School policies, as required by the Section 504 regulation at 34 C.F.R. Section 104.8.

Reporting Requirements

1. By November 30, 2015, the School will provide OCR with the a copy of the draft Section 504 Grievance Procedure in accordance with Action Step 1 of the Agreement.
2. Within 60 days of OCR's approval of the written Grievance Procedure drafted pursuant to Action Step 3, the School shall provide OCR with proof of notice and distribution of the plan, including copies of the written notices issued to employees regarding the new Section 504 Grievance Procedure and a description of how the notices were distributed; copies of its revised employee handbook; and a link to its webpage where the policy is located.
3. By November 30, 2015, the School will provide OCR with a copy of the revised notice of nondiscrimination and copies of the following publications revised to include the notice of nondiscrimination: the Student Handbook, the Faculty Handbook, the School brochure and application, the School website, and any other publications selected by the School.

The School understands that OCR will not close the monitoring of this Agreement until OCR determines that the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.7 and 104.8, and the regulations implementing Title II of the ADA, at 28 C.F.R. §§ 35.106 and 35.107, which were at issue in this complaint.

The School understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the School understands that during the monitoring of this Agreement, OCR may visit the School, interview staff and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.7 and 104.8, and the regulations implementing Title II of the ADA, at 28 C.F.R. §§ 35.106 and 35.107, which were at issue in this complaint.

The School 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 School written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

11/18/15

President and/or Designee

Date