MEMORANDUM

TO: Christopher Koch, State Superintendent

FROM: Marica Cullen, Homeless Education Coordinator

SUBJECT: Case of [Redacted] and Crete-Monee High School District 201-U
November 5, 2009 Homeless Dispute Resolution Hearing -
Appeal by Elizabeth Cunningham, Law Project of the Chicago Coalition
for the Homeless on behalf of [Redacted]

In regards to the Homeless Student Dispute Procedures, either party may, within 5 school
days of the Ombudsperson’s decision, send a written request to the State Coordinator
asking the State Coordinator to review such decision for compliance with applicable law.
Such request must include any documentation related to the dispute resolution
proceeding.

Upon receiving a request for review, the State Coordinator may request from either party
any additional information that he or she deems relevant to determining compliance with
applicable law. No later than 10 school days after receiving the request for review, the
State Coordinator shall make a recommendation to the State Superintendent of Education
regarding the Ombudsperson’s decision and the appropriate placement of the student.

On November 30, 2009, the Homeless Education Coordinator received a packet of
information and notice of appeal from Elizabeth Cunningham of the Law Project of the
Chicago Coalition for the Homeless, on behalf of the parent of [Redacted],
requesting the Homeless Education Coordinator review the decision of Shawn
Walsh for compliance with applicable law related to the dispute resolution proceeding on
November 5, 2009. In addition, Ms. Cunningham submitted a second notice of objection
to the “use of transcript/notes created by Nora Allen” during the dispute resolution
hearing.

I have determined that the Ombudsperson’s decision is in compliance with applicable
law.

The applicable law states that parents or guardians shall make a good faith effort to
provide or arrange for transportation to and from the school of origin. See 105 ILCS
45/1-15. If transportation is not provided by the parents or guardians, then the school
district of origin and the school district in which the homeless child is living must share
the responsibility and costs for transportation. (See 105 ILCS 45/1-15(2)). In this case,
the district of origin is providing three alternative methods of transportation.

Counsel for the family contends that the various transportation options offered by
the district are inappropriate and unreasonable. The Ombudsperson, Shawn Walsh,
found that the district offered a “reasonable” plan of transportation for a junior in high school which includes public transportation. In my review I must defer to the factual findings of the Ombudsperson. Therefore, I recommend to the State Superintendent or designee to deny the appeal.

Respond to the following:

Ms. Beth Cunningham  
Chicago Coalition for the Homeless  
1325 S. Wabash, Suite 205  
Chicago, IL

Joel DeTella  
Sraga Hause, LLC  
19730 Governors Hwy, Suite 10  
Flossmoor, IL 60433

Superintendent John Rodgers  
Crete-Monee District 201U  
1500 Sangamon Street  
Crete, IL 60217

Dr. Jennifer L. Bertino-Tarrant  
Regional Superintendent  
Will County Regional Office of Education  
702 West Maple Street  
New Lenox, IL 60451

Shawn Walsh, Ombudsperson  
Will County Regional Office of Education  
702 West Maple Street  
New Lenox, IL 60451

Ron O’Connor, Will County Homeless Liaison  
Will County Regional Office of Education  
702 West Maple Street  
New Lenox, IL 60451