



How to File a Discrimination Complaint With the Office for Civil Rights

Introduction

The Office for Civil Rights (OCR) enforces five federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability and age in programs or activities that receive federal financial assistance from the Department of Education (ED). Discrimination on the bases of race, color and national origin is prohibited by Title VI of the *Civil Rights Act of 1964*; sex discrimination is prohibited by Title IX of the Education Amendments of 1972; discrimination on the basis of disability is prohibited by Section 504 of the *Rehabilitation Act of 1973* and Title II of the *Americans with Disabilities Act of 1990* (Title II prohibits discrimination on the basis of disability by public entities, whether or not they receive federal financial assistance); and age discrimination is prohibited by the *Age Discrimination Act of 1975*.

These civil rights laws extend to all state education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state vocational rehabilitation agencies, libraries and museums that receive federal financial assistance from ED. Programs or activities that receive ED funds must provide aids, benefits or services in a nondiscriminatory manner. Such aids, benefits or services may include, but are not limited to, admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing and employment.

OCR also enforces the *Boy Scouts of America Equal Access Act*, part of the *Elementary and Secondary Education Act*. Under this act, OCR can investigate complaints involving the denial of equal access or a fair opportunity to meet to, or discrimination against, any group officially affiliated with the Boy Scouts or affiliated with any other youth group listed in Title 36 of the United States Code, by a public elementary school, a public secondary school, or a state or local education agency that receives funds from ED.

Who Can File a Discrimination Complaint

Anyone who believes that an education institution that receives federal financial assistance has discriminated against someone on the basis of race, color, national origin, sex, disability or age, or who believes that a public elementary or secondary school, or state or local education agency has violated the *Boy Scouts of America Equal Access Act*, may file a complaint. The person or organization filing the complaint need not be a victim of the alleged discrimination but may complain on behalf of another person or group.

Timeliness

A complaint must be filed within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by OCR for good cause shown under certain circumstances.

Institutional Grievance Procedures

Prior to filing a complaint with OCR against an institution, a potential complainant may want to find out about the institution's grievance process and use that process to have the complaint resolved. However, a complainant is not required by law to use the institutional grievance process before filing a complaint with OCR. If a complainant uses an institutional grievance process and also chooses to file the complaint with OCR, the complaint must be filed with OCR within 60 days after completion of the institutional grievance process.

How to File a Complaint

Complainants wishing to file a complaint may do so by:

Mail or Facsimile: Complainants may mail or send by facsimile a letter or use the OCR's Discrimination Complaint Form available from one of OCR's enforcement offices (see the list of OCR's offices in this brochure). In your correspondence, please include:

- The complainant's name, address and, if possible (although not required), a telephone number where the complainant may be reached during business hours;
- Information about the person(s) or class of persons injured by the alleged discriminatory act(s) (names of the injured person(s) are not required);
- The name and location of the institution that committed the alleged discriminatory act(s); and
- A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis for the alleged discrimination (race, color, national origin, sex, disability, age or the *Boy Scouts of America Equal Access Act*).

E-mail: Complainants may file a complaint using the following e-mail address: ocr@ed.gov. Use the same procedures as above.

Online: Complainants may file a complaint with OCR using OCR's electronic complaint form at the following website: <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

For those without current e-mail accounts, Internet access may be freely available from your local public library, and free e-mail accounts are available from several large providers.

Note: A recipient of federal financial assistance may not retaliate against any person who has made a complaint, testified, assisted or participated in any manner in an investigation or proceeding under the laws listed on the first page of this brochure. If you believe that you have been retaliated against for any of these reasons, you may file a complaint with OCR.

U.S. Department of Education

Arne Duncan

Secretary

September 2010

Offices and Addresses

Headquarters

U.S. Department of Education
Office for Civil Rights
400 Maryland Ave. SW
Washington, DC 20202-1100
Customer Service: 800-421-3481
Fax: 202-453-6012
TDD: 877-521-2172*
E-mail: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Office for Civil Rights, *Boston Office*
U.S. Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111*
Fax: 617-289-0150
E-mail: OCR.Boston@ed.gov

New Jersey, New York, Puerto Rico, Virgin Islands

Office for Civil Rights, *New York Office*
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3800*
Fax: 646-428-3843
E-mail: OCR.NewYork@ed.gov

Delaware, Maryland, Kentucky, Pennsylvania, West Virginia

Office for Civil Rights, *Philadelphia Office*
U.S. Department of Education
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Telephone: 215-656-8541*
Fax: 215-656-8605
E-mail: OCR.Philadelphia@ed.gov

Alabama, Florida, Georgia, Tennessee

Office for Civil Rights, *Atlanta Office*
U.S. Department of Education
61 Forsyth St. SW, Suite 19T70
Atlanta, GA 30303-8927
Telephone: 404-974-9406*
Fax: 404-974-9471
E-mail: OCR.Atlanta@ed.gov

Arkansas, Louisiana, Mississippi, Texas

Office for Civil Rights, *Dallas Office*
U.S. Department of Education
1999 Bryan St., Suite 1620
Dallas, Texas 75201-6810
Telephone: 214-661-9600*
Fax: 214-661-9587
E-mail: OCR.Dallas@ed.gov

North Carolina, South Carolina, Virginia, Washington, D.C.

Office for Civil Rights, *District of
Columbia Office*
U.S. Department of Education
400 Maryland Ave. SW
Washington, DC 20202-1475
Telephone: 202-453-6020*
Fax: 202-453-6021
E-mail: OCR.DC@ed.gov

Illinois, Indiana, Minnesota, Wisconsin, Iowa, North Dakota

Office for Civil Rights, *Chicago Office*
U.S. Department of Education
Citigroup Center
500 W. Madison St., Suite 1475
Chicago, IL 60661-7204
Telephone: 312-730-1560*
Fax: 312-730-1576
E-mail: OCR.Chicago@ed.gov

Michigan, Ohio

Office for Civil Rights, *Cleveland Office*
U.S. Department of Education
600 Superior Ave. East, Suite 750
Cleveland, OH 44114-2611
Telephone: 216-522-4970*
Fax: 216-522-2573
E-mail: OCR.Cleveland@ed.gov

Kansas, Missouri, Nebraska, South Dakota, Oklahoma

Office for Civil Rights, *Kansas City Office*
U.S. Department of Education
8930 Ward Parkway, Suite 2037
Kansas City, MO 64114-3302
Telephone: 816-268-0550*
Fax: 816-823-1404
E-mail: OCR.KansasCity@ed.gov

Arizona, Colorado, New Mexico, Utah, Wyoming

Office for Civil Rights, *Denver Office*
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Blvd., Suite 310
Denver, CO 80204-3582
Telephone: 303-844-5695*
Fax: 303-844-4303
E-mail: OCR.Denver@ed.gov

California

Office for Civil Rights, *San Francisco Office*
U.S. Department of Education
50 Beale St., Suite 7200
San Francisco, CA 94105-1813
Telephone: 415-486-5555*
Fax: 415-486-5570
E-mail: OCR.SanFrancisco@ed.gov

Alaska, Hawaii, Idaho, Nevada, Oregon, Washington, American Samoa, Guam, Northern Mariana Islands, Montana

Office for Civil Rights, *Seattle Office*
U.S. Department of Education
915 Second Ave., Room 3310
Seattle, WA 98174-1099
Telephone: 206-607-1600
TDD: 206-607-1647
Fax: 206-607-1601
E-mail: OCR.Seattle@ed.gov