



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 *No Child Left Behind Act of 2001*. Under the *Boy Scouts of America Equal Access Act*, no public elementary school, public secondary school, or state or local education agency that receives funds made available from the Department of Education and that provides an opportunity for one or more outside youth or community groups to meet on school premises or in school facilities before or after school hours shall deny equal access or a fair opportunity to meet to or discriminate against, any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society.

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.

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 the last act of the institutional grievance process.

How to File an Online 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 Web site:

<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.





Headquarters

400 Maryland Avenue, SW.,
Washington, DC 20202-110
(202) 245-6800;
1-800 421-3481
Facsimile: (202) 245-6840
TDD: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

Where to Write

Enforcement Offices

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

Office for Civil Rights/ Boston
U.S. Department of Education
33 Arch Street, Suite 900
Boston, MA 02110
Tel.: (617) 289-0111
Fax: (617) 289-0150

**New Jersey, New York, Puerto Rico,
Virgin Islands**

Office for Civil Rights/New York
U.S. Department of Education
32 Old Slip
26th Floor
New York, NY 10005
Tel.: (646) 428-3900
Fax: (646) 428-3890

**Delaware, Maryland, Kentucky,
Pennsylvania, West Virginia**

Office for Civil Rights/Philadelphia
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107
Tel.: (215) 656-8541
Fax: (215) 656-8605

Alabama, Florida, Georgia, Tennessee

Office for Civil Rights/Atlanta
U.S. Department of Education
61 Forsyth Street S.W., Suite 19T70
Atlanta, GA 30303
Tel.: (404) 562-6350
Fax: (404) 562-6455

**Arkansas, Louisiana, Mississippi,
Texas**

Office for Civil Rights/Dallas
U.S. Department of Education
1999 Bryan Street, Suite 1620
Dallas, TX 75201
Tel.: (214) 661-9600
Fax: (214) 661-9587

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

Office for Civil Rights/DC
U.S. Department of Education
1100 Pennsylvania Ave., N.W., Rm. 316
P.O. Box 14620
Washington, D.C. 20044
Tel.: (202) 786-0500
Fax: (202) 208-7797

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

Office for Civil Rights/Chicago
U.S. Department of Education
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661
Tel.: (312) 730-1560
Fax: (312) 730-1576
TDD: 312-730-1609; or 1-877-521-2172

Michigan, Ohio

Office for Civil Rights/Cleveland
U.S. Department of Education
600 Superior Avenue East, Suite 750
Cleveland, OH 44114
Tel.: (216) 522-4970
Fax: (216) 522-2573

**Kansas, Missouri, Nebraska,
South Dakota, Oklahoma**

Office for Civil Rights/Kansas City
U.S. Department of Education
8930 Ward Parkway, Suite 2037
Kansas City, MO 64114
Tel.: (816) 268-0550
Fax: (816) 823-1404

**Arizona, Colorado, New Mexico,
Utah, Wyoming**

Office for Civil Rights/Denver
U.S. Department of Education
1244 Speer Boulevard
Cesar E. Chavez Memorial Building,
Suite 310
Denver, CO 80204
Tel.: (303) 844-5695
Fax: (303) 844-4303

California

Office for Civil Rights/San Francisco
U.S. Department of Education
50 Beale Street, Suite 7200
San Francisco, CA 94105
Tel.: (415) 486-5555
Fax: (415) 486-5570

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

Office for Civil Rights/Seattle
U.S. Department of Education
915 Second Avenue, Room 3310
Seattle, WA 98174
Tel.: (206) 220-7900
Fax: (206) 220-7887