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DISCUSSION OF CIVIL RIGHTS ENFORCEMENT ACTIONS TO DISMANTLE THE SCHOOL-TO- PRISON PIPELINE

Webinar Hosted by the National Legal Aid and Defender Association

March 23, 2016, 2:00-4:00 p.m. EDT

Discussion : Agenda

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Welcoming Remarks

- Robin Murphy, *Chief Counsel*, Civil Programs, National Legal Aid & Defender Association
- Christine Stoneman, *Acting Chief*, Federal Coordination and Compliance Section, Civil Rights Division, U.S. Department of Justice

Presentations

- *Title VI as a tool to address discrimination in the School to Prison Pipeline.*
 - Iris Goldschmidt, *Attorney*, Federal Coordination and Compliance Section, Civil Rights Division, U.S. Department of Justice.
- *Educational Opportunities Section's Work to Remedy School Discipline Discrimination.*
 - Shaheena Simons, *Acting Chief*, Educational Opportunities Section, Civil Rights Division, U.S. Department of Justice.
- *U.S. Department of Education, Office for Civil Right's Discipline Data and Enforcement Efforts.*
 - Jessie Brown, *Senior Counsel*, Office for Civil Rights, U.S. Department of Education.
- *Keeping Kids in the Classroom and Out of the Courtroom: The Special Litigation Section's Work in Addressing the School-to-Prison Pipeline.*
 - Marina Mazor, *Senior Trial Attorney*, Special Litigation Section, Civil Rights Division, U.S. Department of Justice.
- *Office of Justice Programs, Office for Civil Right's Work relating to the School to Prison Pipeline.*
 - Rachel Glickman, *Attorney*, Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

Closing Remarks

- Robin Murphy, *Chief Counsel*, Civil Programs, National Legal Aid & Defender Association.

Christine Stoneman is the Acting Chief of the Federal Coordination and Compliance Section in the Civil Rights Division of the United States Department of Justice. In this role, she has responsibility for planning and directing a nationwide program to coordinate enforcement of federal civil rights laws prohibiting discrimination in federally funded programs and activities, with a particular emphasis on Title VI of the Civil Rights Act of 1964. Early in her career, Christine was a staff attorney at Legal Action of Wisconsin.

Iris Goldschmidt is an Attorney Advisor with the Federal Coordination and Compliance Section of the U.S. Department of Justice, Civil Rights Division. Prior to joining FCS, Ms. Goldschmidt worked as Senior Trial Attorney in the U.S. Department of Justice, Civil Rights Division's Educational Opportunities Section and as Trial Attorney in the Division's Special Litigation Section. She also served as an Attorney Advisor on a detail to the Civil Rights Division's Complaint Adjudication Office. Prior to her government service, Ms. Goldschmidt worked as a litigator in private law firms in Washington, DC and Cherry Hill, New Jersey.

Legal Obligations

Title VI

“No person in the United States shall, on the ground of race, color, or national origin, be...subjected to discrimination under any program or activity receiving Federal financial assistance.”



Federal Coordination and Compliance Section (FCS)

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- FCS is responsible for ensuring that all federal agencies consistently and effectively enforce Title VI of the Civil Rights Act of 1964 and several Executive Orders that prohibit discrimination in federally conducted and assisted programs and activities.
- FCS also conducts administrative investigations of allegations of violation of these laws by recipients of federal financial assistance.

FCS | 1.888.848.5306

www.justice.gov/crt/about/cor



ENFORCEMENT TOOLS

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Training and
Technical Assistance

Regulation and
Policy Development

Administrative
Investigations

Joint Investigations

Statements of
Interests



SHAHEENA AHMAD SIMONS is Acting Chief of the Educational Opportunities Section of the U.S. Department of Justice's Civil Rights Division. Ms. Simons was previously a Senior Trial Attorney in the Civil Rights Division's Special Litigation section, where she focused on cases involving police misconduct and conditions of confinement in state and local juvenile facilities. Before joining the Civil Rights Division, she spent five years at the Mexican American Legal Defense and Educational Fund (MALDEF), first litigating immigrants' rights and employment discrimination cases in the Los Angeles office, and then working on policy issues in MALDEF's Washington office. She began her legal career at the law firm of Fried Frank Harris Shriver and Jacobson, as a Fried Frank/MALDEF fellow. She is a graduate of Yale College and Yale Law School.

School Discipline

DOJ Jurisdiction, Complaint Process, and Case Examples

March 2016



Jurisdiction

School Discipline Under Federal Law



Introduction: DOJ Enforcement

- ✓ DOJ, through the Civil Rights Division's Educational Opportunities Section (EOS), works to fight discrimination in school discipline practices, the first step to cutting off the flow of children into the school-to-prison pipeline.
- ✓ EOS enforces federal civil rights laws that prohibit discrimination in schools and ensure that all students have equal educational opportunities no matter their race, color, national origin, sex, religion, or disability.
- ✓ EOS works closely with the Civil Rights Division's Special Litigation Section and Disability Rights Section, as well as the U.S. Department of Education's Office for Civil Rights and U.S. Attorney's Offices throughout the country.

Jurisdiction: DOJ Authority

What

Federal law prohibits schools from discriminating on the basis of race, national origin, sex, religion, and disability in their responses to student misconduct

Where

Students are protected from discrimination in all academic, educational, extracurricular, athletic and other school activities and programs

Who

Federal law prohibits discriminatory discipline by school officials *and* everyone school officials exercise some control over, such as school resource officers, school district police officers and security guards

Jurisdiction: DOJ Authority

- ✓ EOS enforces Title IV of the Civil Rights Act of 1964, which **prohibits discrimination on the basis of race, color, national origin, sex, and religion** in public schools. The Division addresses discriminatory discipline, including discriminatory referrals to law enforcement agencies, through new investigations under Title IV, as well as enforcement of existing school desegregation orders.
- ✓ With respect to schools that receive financial assistance from the Department of Justice, EOS also enforces Title VI of the Civil Rights Act of 1964 and its implementing regulations, which **prohibit discrimination based on race, color, and national origin**.
- ✓ EOS addresses discriminatory discipline of **students with disabilities** under Title II of the Americans with Disabilities Act of 1990, which, among other things, requires public entities like school districts to provide services in the most integrated setting appropriate to the needs of students with disabilities.
- ✓ EOS also enforces the Equal Educational Opportunities Act of 1974 (EEOA) to ensure that school districts meet their obligations to **English Learner (EL) students** when administering school discipline.

Enforcement

DOJ Investigation and Analysis



Enforcement: DOJ Investigations

When investigating allegations of disparate discipline in schools, DOJ may consider:

- ✓ Written and unwritten disciplinary policies
- ✓ Discipline incident reports
- ✓ Student discipline records
- ✓ School discipline data
- ✓ Interviews with students, parents, advocates, community members, and school personnel

DOJ will also carefully examine:

- ✓ A school's definitions of misconduct, to ensure they are clear and nondiscriminatory
- ✓ Whether a school has safeguards to ensure that disciplinary discretion is exercised in a nondiscriminatory manner

Enforcement: Potential Remedies



- Revising discipline policies to provide clear definitions of infractions to ensure consequences are fair and consistent
- Developing teaching strategies that reinforce positive student behavior and use exclusionary discipline as a last resort
- Providing training for school personnel on revised discipline policies and classroom management techniques
- Conducting and/or reviewing school climate surveys

Case Examples

DOJ Enforcement to Address Discriminatory Discipline



DOJ Cases: Huntsville City Schools

In April 2015, a federal court approved a new consent decree in *Hereford v. Huntsville Board of Education*, EOS's longstanding desegregation case. The consent decree addresses discrimination in student discipline, in addition to reconfiguring attendance zones and improving access to quality courses. The school district will:

- ✓ Revise its code of conduct to reduce the use of exclusionary discipline, incorporate tiered intervention and prevention strategies and discipline alternatives, and better communicate expectations for students and staff;
- ✓ Provide robust training for staff, education for students, and communication with families;
- ✓ Implement a positive school climate program using evidence-based practices at each school, with central oversight, teacher leaders, and accountability measures;
- ✓ Ensure that School Resource Officers (SROs) and school security are focused on maintaining the safety of the District's students and personnel and that SRO involvement is not requested in response to any situation that can be safely and appropriately handled by the District through its internal disciplinary procedures; and
- ✓ Collect and review discipline data routinely throughout the school year, and develop plans for improvement as needed.

DOJ Cases: Meridian City Schools

In May 2013, a United States District Court Judge approved a school discipline consent decree that requires the Meridian, Miss. School district to:

- ✓ Revise its code of conduct to provide students with supports and interventions before excluding them from school;
- ✓ Permit the use of exclusionary discipline such as suspensions only in limited circumstances and for the most serious infractions;
- ✓ Expand its use of positive behavioral interventions and supports (PBIS), a proactive, school-wide approach to classroom management and student behavior;
- ✓ Include measures to engage families and communities; and
- ✓ Develop policies to prevent SROs from managing behavior that can be safely and appropriately handled by internal disciplinary procedures.

Meridian is an example of Civil Rights Division coordination to address the school to prison pipeline. The Special Litigation Section's related case covers the Meridian Police Department and the Lauderdale County Youth Court.

DOJ Cases: School District of Palm Beach County

After receiving a complaint from Legal Aid, EOS investigated the District under Title IV and the EEOA. The investigation found racial disparities in discipline and that many aspects of the District's system of discipline were not accessible to EL students.

A February 2013 settlement agree requires the District to:

- ✓ Translate and/or interpret its code of conduct, all school-level behavior and discipline policies, and all discipline-related documents given to students/parents;
- ✓ Communicate with parents about their student's behavior or discipline issues in a language that the parent understands;
- ✓ Expand use of PBIS and ensure that its use is language-accessible;
- ✓ Prevent SROs from managing student behavior that can be safely and appropriately handled by internal disciplinary procedures;
- ✓ Prevent school personnel from requesting law enforcement involvement for student conduct unless required by state law, or necessary to protect safety;
- ✓ Ensure that SROs interacting with students do so in a language-accessible manner.

DOJ Process

Complaints, Investigations, Resolutions



DOJ Process: Scope of DOJ Activities

- Enforce existing court orders
- Respond to complaints (opening new inquiries, making referrals, clarifying our jurisdiction)
- Investigate allegations of discrimination and file complaints in federal court
- Negotiate new consent decrees and settlement agreements
- Review draft legislation
- Draft and issue guidance
- Work collaboratively with the U.S. Department of Education's Office for Civil Rights (OCR) and other federal and state agencies
- Conduct outreach to advocacy organizations, community groups, families, and others

DOJ Process: How Cases Come to Us

- Complaints
- Private lawsuits filed
- News articles
- Outreach to local and national organizations
- Referrals from other DOJ Divisions and other government agencies



JESSIE BROWN



Senior Counsel in the Office for Civil Rights. In this capacity, she contributes to the work of the White House Task Force to Protect Students from Sexual Assault, in addition to other intra- and inter-agency efforts to advance the Department's mission to provide equitable educational opportunity for all students. Prior to joining the Department, Jessie served as Associate General Counsel for the American Council on Education, a higher education association representing the presidents of all types of U.S. accredited, degree-granting institutions. Prior to joining ACE, she worked as a litigation associate at the law firm Ropes & Gray. She also served as the 2006-07 National Center for Philanthropy and Law fellow at New York University. Jessie graduated from Harvard Law School and earned her bachelor's degree from Brown University.





**OCR SCHOOL DISCIPLINE PRESENTATION:
SCHOOL DISCIPLINE ENFORCEMENT AND CRDC DATA
OVERVIEW**

MARCH 23, 2016

BY JESSIE BROWN

CIVIL RIGHTS DATA COLLECTION



WHAT IS THE CRDC?

- A SURVEY COLLECTED BY OCR EVERY 2 YEARS
- A LONGSTANDING ASPECT OF THE OVERALL ENFORCEMENT AND MONITORING STRATEGY OCR USES
- INFORMATION COLLECTED BY THE CRDC IS ALSO USED BY OTHER ED OFFICES AS WELL AS POLICYMAKERS AND RESEARCHERS OUTSIDE OF ED
- CRDC SHINES LIGHT ON SCHOOL DISCIPLINE & HELPS US DO OUR WORK

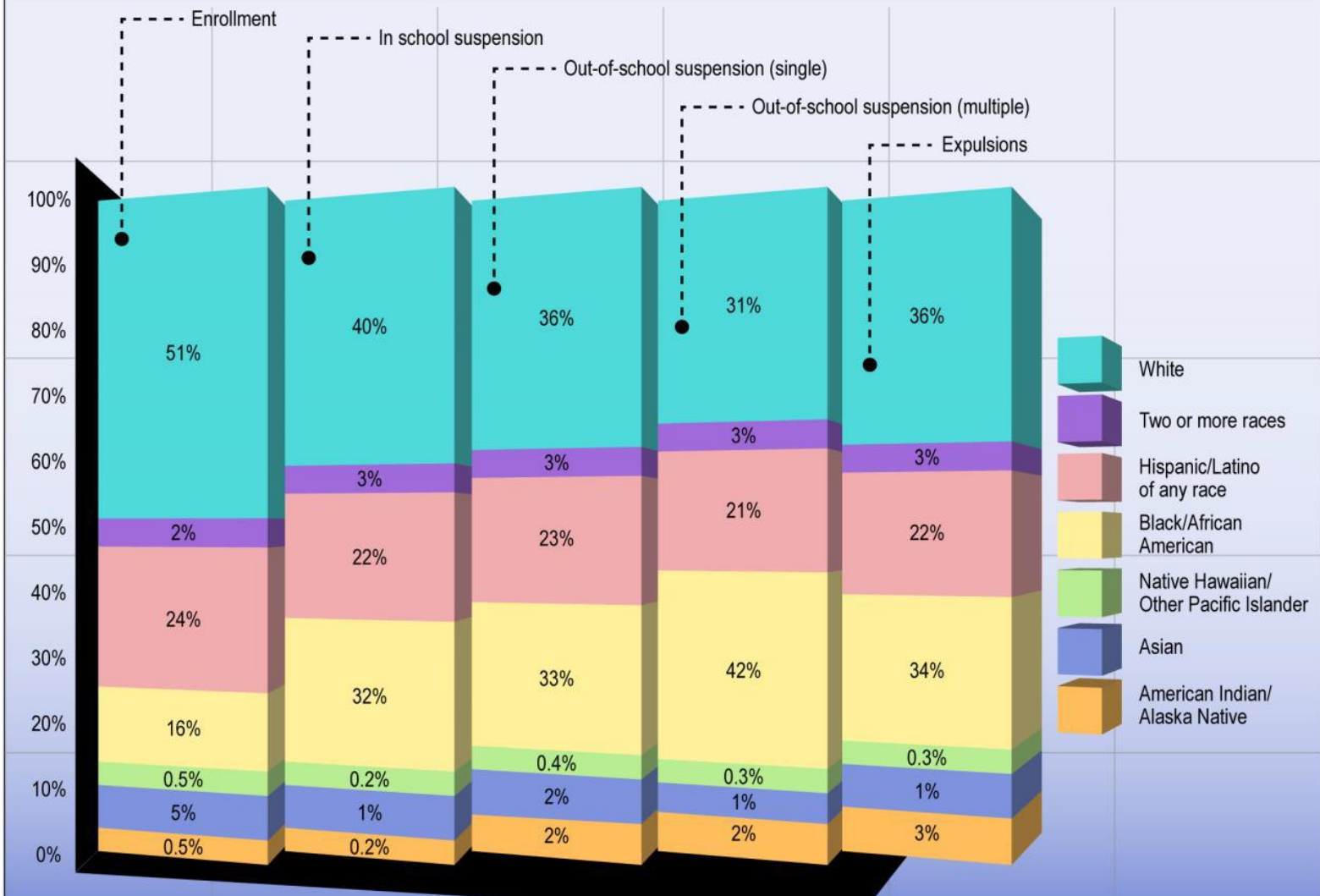
CRDC

- Data Presented is from 2011-2012 CRDC/ 2013-14 data to be released this spring
- How will the 2013-14 and 2015-16 Collection differ from 2011-12 collection?
 - a. Number of incidents of certain violent and serious crimes
 - b. Number of school days missed by students who received out-of-school suspensions
 - c. Number of students transferred for disciplinary reasons to alternative or regular schools
 - d. Number of instances of corporal punishment for students preschool through grade 12
 - e. Number of preschool students who received corporal punishment



DISCIPLINE BY RACE

Students receiving suspensions and expulsions, by race and ethnicity



ARRESTS AND REFERRALS TO LAW ENFORCEMENT

RACE:

1. Black students represent 16% of student enrollment, 27% of students referred to law enforcement, and 31% of students subjected to a school-related arrest.
2. In comparison, white students represent 51% of students enrolled, 41% of referrals to law enforcement, and 39% of those subjected to school-related arrests

DISABILITY:

1. Students with disabilities represent 1/4th of the students who are referred to law enforcement or subjected to school related arrests, while representing just 12% of the student population





ENFORCEMENT EXAMPLES

OAKLAND UNIFIED SCHOOL DISTRICT

Resolved August 2012

- OCR resolved a compliance review of the District under Title VI
- OCR reached an agreement in this district to focus on students transitioning in from the juvenile justice system
- District assigned 350 students case managers
- From 2012-13 data: 76% did not recidivate
- Overall suspensions in the district dropped by 1/3rd after OCR resolution agreement



ROCHESTER PUBLIC SCHOOLS, MN

Resolved August 2015

- OCR investigated whether the District discriminated against black students more frequently & harshly than their white peers
- District expressed interest in resolving before the conclusion of the investigation and was able to come to an early resolution agreement with OCR

Resolution included:

- Agreement to prohibit police involvement in student discipline that doesn't involve criminal activity
- Designate District Discipline Supervisor to review data and records
- Changes to Police Liaison Officer role and explained in Student Behavior Handbook



MINNEAPOLIS PUBLIC SCHOOL DISTRICT

Resolved August 2014

- OCR's investigation found many instances of race-based differences in discipline in this district:
 - Suspending a black 2nd grade student for one day for poking another student with a pencil but not suspending a white 2nd grade student who threw a rock and broke a teacher's sunglasses and also hit another student in the head (this student was allowed to work off the cost of the sunglasses by helping the teacher after lunch)
 - District entered into a early resolution agreement with OCR



CHARTER SCHOOL IN NORTH CAROLINA

Resolved January 2014

- An elementary school used manual restraints more than 37 times in one school year on a male student with disabilities. This use of restraints was never discussed in the student's behavior intervention plan.
- OCR's investigation found:
 - School administrators called the police to respond to the Student's behavior several times
 - School threatened student's parents if they did not pick up the student within 45min of a call from them they would call social services or the police.
 - The school did not have the IEP team/staff that were familiar with this student's behavioral disability
- School entered into a Resolution Agreement with OCR after the completion of the investigation



HOW TO FILE A COMPLAINT WITH OCR

- Who can File a Discrimination Complaint:
 - Anyone who believes an education institution that receives federal assistance has discriminated against a person/group.
 - A person or an organization can file on behalf of themselves or another person/group
 - Directions for filing a complaint can be found here:
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>



HOW TO FILE A COMPLAINT WITH OCR

- When can a complaint be filed:
 - 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

- How to send in the complaint:
 - By mail, E-mail, or Online
 - You can find OCR's complaint form online
 - Find OCR's Online Complaint form here:
<http://www2.ed.gov/about/offices/list/ocr/complaintform.pdf>
 - You may also call your regional office or Headquarters



Marina Mazor has served as a Senior Trial Attorney in the Special Litigation Section for nearly nine years. Her work focuses on juvenile justice, including the role of law enforcement officers in schools. Prior to joining the Special Litigation Section, Marina was an associate at WilmerHale for four and a half years. Before that, she completed a one-year clerkship for the Honorable Hugh H. Bownes on the United States Court of Appeals for the First Circuit. Marina is a graduate of Duke University School of Law and Brandeis University.

Keeping Kids in the Classroom and Out of the Courtroom: The Special Litigation Section's Work in Addressing the School-to-Prison Pipeline

March 23, 2016

Presented by:
Marina Mazor
Senior Trial Attorney
Special Litigation Section



Introduction: SPL Enforcement

“[O]ur civil rights division is working aggressively to address disparities in the administration of school discipline; to ensure that school discipline does not result in unnecessary segregation or exclusion; and to curtail our overreliance on juvenile justice and incarceration.” Attorney General Loretta E. Lynch

- ✓ The Civil Rights Division’s Special Litigation Section enforces the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. §14141. This federal civil rights law gives the United States the authority to enforce:
 - ✓ The rights of individuals to be free from police practices that violate the Constitution or other federal laws, and
 - ✓ The rights of juveniles involved in the juvenile justice system.
- ✓ The Special Litigation Section, along with other sections, including the Educational Opportunities Section and Disability Rights Section, enforces the Americans with Disabilities Act (“ADA”). Under the ADA, the Special Litigation Section enforces the rights of individuals to be free from discrimination on the basis of their disabilities.

Meridian, Mississippi

Investigation and Allegations in Lawsuit: City of Meridian, Lauderdale County, Youth Court Judges, and State of Mississippi Division of Youth Services

- ✓ Police automatically arrested youth for minor school-based offenses; served as a “taxi service” to the juvenile facility
- ✓ Youth were unlawfully incarcerated for school suspensions and expulsion, in violation of due process rights
- ✓ Juvenile Court judges denied youth due process, *e.g.*, timely probable cause hearings, meaningful representation by counsel

Settlement Agreements with the City of Meridian and the State of Mississippi Division of Youth Services

- ✓ Limit circumstances for which police can conduct school-based arrests
- ✓ Require due process protections for youth in police interactions
- ✓ Require officer training on interacting with youth in schools
- ✓ Require MOU to delineate authority and procedures for school-based arrests
- ✓ Require tracking of complaints and demographic data
- ✓ Probation process must include notice of rights and process; graduated response to probation violations; clear, easy-to-understand probation contracts; staff training

Claims against the County and Youth Court Judges remain in litigation

S.R. & L.G. v. Kenton County et al.

Background

- ✓ Private, ongoing litigation in Kenton County, Kentucky
- ✓ Two elementary school students allege that they were handcuffed in school by school resource officer for conduct arising out of their disabilities
- ✓ Children allege violations of rights under the Constitution and ADA

Statement of Interest

- ✓ United States filed Statement of Interest to aid the court in addressing the children's Fourth Amendment and ADA claims
- ✓ Statement of Interest takes no position on the merits of the case
- ✓ School resource officers should not handle routine discipline that school officials can properly address
- ✓ Fourth Amendment: Court should consider the objective reasonableness of the school resource officer's actions
- ✓ ADA: ADA applies to school resource officers' interactions with children with disabilities; ADA requires reasonable modifications to avoid discrimination; ADA prohibits facially neutral policies that discriminate against individuals with disabilities

Dallas, Texas

“This investigation continues the Justice Department’s focus on identifying and eliminating entryways into the school-to-prison pipeline, and illustrates the potential of federal civil rights law to protect the rights of vulnerable children facing life-altering circumstances.” Former Attorney General, Eric Holder

- ✓ In March 2015, the Special Litigation Section opened an investigation of Dallas County, Texas’s Truancy Court and Juvenile District Courts under its enforcement authority under Section 14141 and the ADA.
- ✓ The investigation focuses on:
 - ✓ Due process rights of children who are involved in the courts because they are truant from school
 - ✓ Access to the judicial process for children with disabilities.
- ✓ Dallas County prosecuted approximately 20,000 failure to attend school cases in 2014.
- ✓ The Special Litigation Section’s investigation is ongoing, including examining impact on youths’ rights of changes to Texas truancy law that took effect in September 2015.

Contact

Special Litigation Section

(202) 514-2000

toll-free at (877) 218-5228

FAX - (202) 514-0212

Alt. FAX - (202) 514-6273

Email - Special.Litigation@usdoj.gov

To provide information about Dallas, please contact us at:
community.dallascounty@usdoj.gov or toll-free at 1-855-258-1433.

To provide information about Meridian, please contact us at:
Community.Meridian@usdoj.gov or toll-free at 1-855-544-5131.

Resources

- Special Litigation Section Website: <http://www.justice.gov/crt/about/spl/>
- Special Litigation Section juvenile justice cases: <https://www.justice.gov/crt/special-litigation-section-cases-and-matters0#juv.>
This includes Meridian and *S.R. & L.G. v. Kenton County et al.* materials.
- Press release announcing the Dallas, Texas investigation: <https://www.justice.gov/opa/pr/department-justice-announces-investigation-dallas-county-truancy-court-and-juvenile-district>
- Contact: marina.mazor@usdoj.gov, (202) 305-3347

Rachel Glickman is an Attorney Advisor in the Office for Civil Rights, within the U.S. Department of Justice's Office of Justice Programs. Her work ensures that recipients of financial assistance from the DOJ comply with federal civil rights laws prohibiting discrimination based on race, color, national origin, sex, age, religion, and disability. Prior to joining the DOJ, Rachel was a Supervising Attorney at the U.S. Department of Education's Office for Civil Rights, where she led a compliance team that investigated discrimination complaints against education institutions. Rachel began her career as a litigation associate at the law firm of Proskauer Rose LLP. She earned her law degree from the Georgetown University Law Center and her undergraduate degree from the University of Florida.

Office of Justice Programs:

Confronting the Complete School-to-Prison Pipeline



Office of Justice Programs

Overview and Relevant Programming





OJP: Projects Related to the School-to-Prison Pipeline



National Training and Technical Assistance Center

<https://www.bjatrainng.org/>

Safeguarding the Children of Arrested Parents Project

https://www.bja.gov/ProgramDetails.aspx?Program_ID=119



Indicators of School Crime and Safety: 2014

<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=5322>



Comprehensive School Safety Initiative

<http://nij.gov/topics/crime/school-crime/Pages/school-safety-initiative.aspx>

NIJ: School Crime and Safety

<http://nij.gov/topics/crime/school-crime/Pages/welcome.aspx>



Child and Youth Victims of Crime

<http://ovc.ncjrs.gov/topic.aspx?topicid=12>



COPS Office: Supporting Safe Schools

<http://www.cops.usdoj.gov/default.asp?Item=2687>

OJP: Projects Related to the School-to-Prison Pipeline



Monitoring the Juvenile Justice and Delinquency Prevention Act

<http://www.ojjdp.gov/compliance/index.html>

Correctional Education Guidance Package

<http://www.ojjdp.gov/enews/14juvjust/141208.html>

Model Programs Guide

<http://www.ojjdp.gov/mpg>



Statistical Briefing Book

<http://www.ojjdp.gov/ojstatbb/>

U.S. Department of Justice
Office of Justice Programs
Innovation * Partnerships * Safer Neighborhood

OJJDP Office of Juvenile Justice and Delinquency Prevention
Working for Youth Justice and Safety

Statistical Briefing Book

Navigation: About SBB, FAQs, Publications, **Data Analysis Tools**, National Data Sets, Other Resources, Ask a Question

What's New

New resources have been added to the SBB:

- New FAQs describing treatment services were added to the [facility characteristics](#) section.
- New FAQs about [juveniles in adult prisons and jails](#) were added to the Juveniles in Corrections section.

The following SBB resources have recently been **updated**:

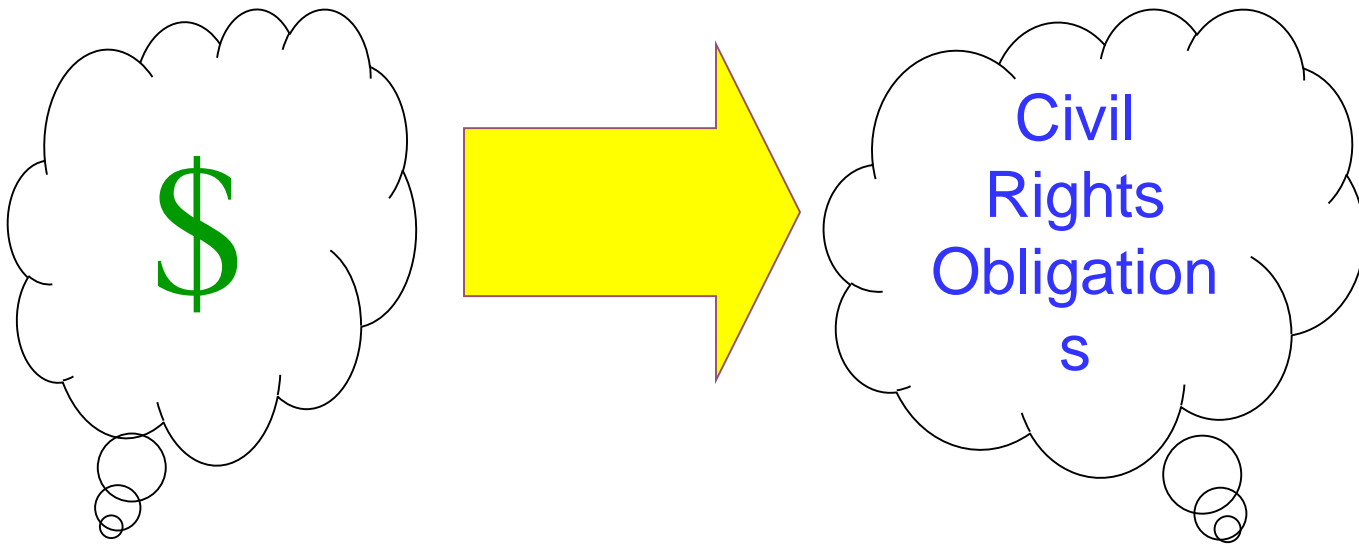
- FAQs describing juvenile victims of [suicide](#) (2014) were updated.
- [Easy Access to NIBRS Victims](#): formerly "Easy Access to NIBRS: Victims of Domestic Violence," this resource allows users to analyze state-level data on victims of domestic violence as well as victims of all types of violence based on information collected by the FBI's National Incident-Based Reporting System (NIBRS). This application now includes data for 2013.
- FAQs describing juvenile victims of [child maltreatment](#) were updated along with items about [school crime victimization](#).

Access the Juvenile Offenders and Victims: 2014 National Report

Did You Know? Data Snapshot: Juveniles in Residential Placement

Office for Civil Rights, Office of Justice Programs Overview and Enforcement Actions





The Office for Civil Rights Enforces:

- **Title VI of the Civil Rights Act of 1964** (*race, color, national origin*)
- **Section 504 of the Rehabilitation Act of 1973** (*disability*)
- **Title II of the Americans with Disabilities Act of 1990** (*disability*)
- **Age Discrimination Act of 1975** (*age*)
- **Title IX of the Education Amendments of 1972**
(*sex in educational programs*)
- **Program Statutes (e.g. Violence Against Women Act, Safe Streets Act, Juvenile Justice and Delinquency Prevention Act)**
(*race, color, national origin, sex, religion, disability, sexual orientation, or gender identity*)

OJP-OCR Enforcement Activities

- Provides technical assistance
- Formulates policy guidance
- Conducts compliance reviews
 - In 2015, OJP-OCR began opening compliance reviews examining School Resource Officer programs
- Investigates administrative complaints

How to file a discrimination complaint with OJP-OCR

- The respondent must be a recipient (or a subrecipient) of federal funds from the DOJ
 - *www.usaspending.gov*
- A complaint must be filed within one year of the date of the alleged discrimination under the program statutes, or 180 calendar days under the cross-cutting statutes
- Follow the directions for filing a complaint found here: <http://ojp.gov/about/ocr/complaint.htm>

Contact Information

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Federal Coordination and Compliance Section (FCS)

Civil Rights Division

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Website: www.usdoj.gov/crt/fcs and

www.lep.gov



Contact Information

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Iris.Goldschmidt@usdoj.gov

Website: <https://www.justice.gov/crt/fcs> and
www.lep.gov



Contact Information

Educational Opportunities Section

By e-mail: education@usdoj.gov

By telephone: (202) 514-4092 or 1-877-292-3804 (toll-free)

By facsimile: (202) 514-8337

By letter:

U.S. Department of Justice Civil Rights Division
950 Pennsylvania Avenue, NW
Educational Opportunities Section, PHB 4300
Washington, DC 20530

In order to properly respond to a complaint, we request that complainants provide their name, address, and the name of the school/school district/university where the alleged discrimination occurred, and a description of the alleged discrimination.

Resources

- ✓ Discipline Federal Guidance package
www.ed.gov/school-discipline
- ✓ Civil Rights Data Collection
www.ocrdata.ed.gov
- ✓ DOJ Settlements and Consent Decrees
www.justice.gov/crt/educational-opportunities-cases

Additional federal guidance is available at:
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Did You Know? Data Snapshot: Juveniles in Residential Placement

Office for Civil Rights

Office of Justice Programs, U.S. Department of Justice

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