



# 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.

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

## 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](mailto: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: <https://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  
1350 Euclid Avenue, Suite 325  
Cleveland, OH 44115  
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  
One Petticoat Lane  
1010 Walnut Street, Suite 320, 3rd Floor  
Kansas City, MO 64106  
Telephone: 816-268-0550\*  
FAX: 816-268-0599  
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 United Nations Plaza  
San Francisco, CA 94102  
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