## Filing a Civil Rights Complaint

A resource for Oregon K-12 students, families, and communities.

If you are experiencing any kind of protected class discrimination in an Oregon K-12 public school or public charter school setting, you have options for filing a complaint. Options for filing a civil rights complaint include:



Filing a complaint with your local school/district



Filing a complaint
with the US
Department of
Education Office for
Civil Rights



Appealing a complaint to the Oregon
Department of Education



### File a complaint with your local school or district

All K-12 public school districts and public charter schools in Oregon are required by state law to have <u>discrimination policies and procedures</u> that cover discrimination based on age, <u>disability</u>, <u>national origin</u>, <u>race</u>, <u>color</u>, <u>marital status</u>, <u>religion</u>, <u>sex</u>, <u>sexual orientation</u>, <u>or gender identity</u>.

- Contact *any* school official to make a report either verbally or in writing (including email), such as the district Civil Rights Coordinator, your school Principal, a district official, or other staff member you trust. Let them know you want to make a discrimination complaint.
- Some schools provide <u>discrimination complaint forms</u>, which you can find on the school or district website or by contacting one of the people listed above. These forms may be used to submit a complaint in person or electronically.
- Locate your school/district's non-discrimination policies and complaint procedures for reference.

### Can't find your district's discrimination policy? Aren't sure how to file a complaint with your district?

- Contact your Civil Rights Coordinator and ask them how to submit a discrimination complaint. The
  contact information for the Civil Rights Coordinator should be posted on the district website in the
  district's notice of nondiscrimination; OR
- Contact an ODE Civil Rights Support Specialist at ODE.CivilRightsSupport@ode.oregon.gov or 971-209-8278.



### File a complaint with the U.S. Department of Education

Discrimination based on **age, color, disability, national origin, race, or sex** can be reported to the U.S. Department of Education's Office for Civil Rights (OCR) with or without first filing a complaint with your school or district.

OCR Website: https://www.ed.gov/about/ed-offices/ocr



### **Appeal a complaint to the Oregon Department of Education**

The Oregon Department of Education (ODE) can <u>only</u> accept protected class discrimination complaints on appeal, which means you need to have first filed with your school/district. Appeals can be filed with ODE once you have completed the local school district complaint process. The local process is considered complete once you have met at least one of the following:

- You have received a <u>final written decision</u> from your school/district's <u>entire</u> complaint process; OR
- In a multi-step complaint process, the district does not provide you a <u>written response</u> about your complaint <u>within 30 days</u> at any one step of the process; OR
- The district does not issue a <u>final decision or response within 90 days</u> of the initial filing of the formal or informal complaint.

### **Oregon Department of Education (ODE) Appeal Process**

#### **COMPLAINT SUBMITTED**

ODE accepts complaints of discrimination on appeal.

#### ODE UNABLE TO ACCEPT COMPLAINT

ODE may not be able to accept a complaint due to timeliness, procedural error or because the statement of facts does not support a claim of discrimination. Complainant (you) notified in writing within 14 DAYS.



Complainant (you) and District notified in writing within 14 DAYS.

#### **DISTRICT RESPONSE**

Within 30 DAYS\* of receiving notice that ODE has accepted a complaint, the District must provide a written response.

#### **INVESTIGATION**

Within 210 DAYS\* of accepting a complaint, ODE conducts an investigation and determines if discrimination *more than likely* did or did not happen. At any time prior to giving a Final Order, Complainant (you) and District may jointly ask ODE to pause the process to try and settle the appeal;

OR may jointly ask for corrective actions from ODE.

#### ODE FINDS DISCRIMINATION OCCURED

ODE issues a FINAL ORDER with "corrective actions" the district must take to correct the violation.

# ODE FINDS DISCRIMINATION DID NOT OCCUR

ODE issues a Notice of Compliance or Final Order closing the appeal.

### Do you have questions about filing a discrimination complaint?



Contact your school/district Civil Rights Coordinator OR contact ODE's Civil Rights Support Specialists at ODE.CivilRightsSupport@ode.oregon.gov or 971-673-2777



<sup>\*</sup>These deadlines can be extended for good cause.