



**United States Department of Education  
Office for Civil Rights**

**DISCRIMINATION COMPLAINT FORM**

**You do not have to use this form to file a complaint with the U.S. Department of Education's Office for Civil Rights (OCR). You may send OCR a letter or email instead of this form, but the letter or email must include the information in items 1-15 of this form. If you decide to use this form, please type or print all information and use additional pages if more space is needed. An online, fillable version of this form, which can be submitted electronically, can be found at:**  
**<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>**

Before completing this form, please read all information contained in the enclosed packet including: Information About OCR's Complaint Resolution Procedures, Notice of Uses of Personal Information and the Consent Form.

If you have questions about civil rights or how to file a complaint, you may contact OCR at 800-421-3481, 800-877-8339 (TTY), [OCR@ed.gov](mailto:OCR@ed.gov), or by calling the enforcement office that serves your state or territory. Contact information for enforcement offices can be found at: <https://ocrcas.ed.gov/contact-ocr>.

If you have difficulty understanding English, you may, free of charge, request language assistance services for this Department information by calling 1-800- USA-LEARN (1- 800-872-5327) (TTY: 1-800-877-8339), or email us at: [Ed.Language.Assistance@ed.gov](mailto:Ed.Language.Assistance@ed.gov). If you are a person with a disability, you may request disability-related assistance by contacting OCR at 800-421-3481, 800-877-8339 (TTY), [OCR@ed.gov](mailto:OCR@ed.gov), or by calling the enforcement office that serves your state or territory. Contact information for enforcement offices can be found at: <https://ocrcas.ed.gov/contact-ocr>. To request this document in an alternate format such as Braille or large print please contact the Department at 202-260-0852 or [om\\_eeos@ed.gov](mailto:om_eeos@ed.gov).

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Complaint Form, Consent Form, and Complaint Processing Procedures

1. Name of person filing this complaint:

**Last Name:** (b)(6); (b)(7)(A); **First Name:** (b)(6); (b)(7)(A); (b)(7)(C) **Address:**  
(b)(6); (b)(7)(A); (b)(7)(C)

**City:** (b)(6); (b)(7)(A); (b)(7)(C) **State:** (b)(6); (b)(7) **Zip Code:** (b)(6); (b)(7)(A);

**Primary number:** (b)(6); (b)(7)(A); (b)(7)(C) **Alternate number:** (b)(6); (b)(7)(A); (b)(7)(C)

**Email Address:** (b)(6); (b)(7)(A); (b)(7)(C)

2. Name of person discriminated against (if **other** than person filing). If the person discriminated against is age 18 or older, we will need that person's signature on this complaint form and the consent/release form before we can proceed with this complaint. If the person is a minor, and you do not have the legal authority to file a complaint on the student's behalf, the signature of the child's parent, guardian, or other authorized legal representative is required.

**Last Name:** (b)(6); (b)(7)(A); **First Name:** (b)(6); (b)(7)(A); (b)(7)(C) **Address:**  
(b)(6); (b)(7)(A); (b)(7)(C)

**City:** (b)(6); (b)(7)(A); (b)(7)(C) **State:** (b)(6); (b)(7) **Zip Code:** (b)(6); (b)(7)(A);

**Primary Phone:** (b)(6); (b)(7)(A); (b)(7)(C) **Alternative Phone:** (b)(6); (b)(7)(A); (b)(7)(C)

**Email Address:** (b)(6); (b)(7)(A); (b)(7)(C)

3. OCR investigates discrimination complaints against schools, colleges and universities, institutions, and agencies which receive funds or other forms of financial assistance from the U.S. Department of Education and against public educational entities and libraries that are subject to the provisions of Title II of the Americans with Disabilities Act. Please identify the institution or agency that engaged in the alleged discrimination. If we cannot accept your complaint, we will attempt to refer it to the appropriate agency and will notify you of that fact.

**Name of Institution:** San Diego State University

**Address:** 5500 Campanile Dr.

**City:** SD **State:** CA **Zip Code:** 92182

**Department/School:** (b)(6); (b)(7)(A); (b)(7)(C)

4. The regulations OCR enforces prohibit discrimination on the basis of race, color, national origin, sex, disability, or age. The regulations also ban retaliation against persons who assert the right to be free from discrimination. Please note the following:

- Discrimination based on race, color, and national origin includes failure to provide meaningful access to English learners and limited English proficient parents and guardians, as well as discrimination based on shared ancestry or ethnic characteristics or based on citizenship in a country with a dominant religion.

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- Discrimination based on sex includes discrimination based on sex stereotypes, pregnancy or related conditions, sexual orientation, and gender identity, as well as rules about parental, family, or marital status that treat people differently based on sex.
- Discrimination based on disability includes discrimination against individuals who have a physical or mental impairment that substantially limits a major life activity, as well as individuals who have a record of or are regarded as having a disability.
- Discrimination based on age does not limit protection against discrimination to a certain age group (e.g., people over 40); however, there are a variety of exceptions to the relevant Federal law that may permit age to be taken into account.
- Retaliation refers to actions taken for the purpose of interfering with any rights under the laws enforced by OCR, or because you made a complaint, testified, or participated in any manner in an OCR proceeding.

Please indicate the basis of your complaint:



**Discrimination based on race (specify)**

I filed a complaint of discrimination on (b)(6); (b)(7)(A); (b)(7)(C) officially.

After a conversation on (b)(6); (b)(7)(A); (b)(7)(C) with (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) I was referred to as A (b)(6); (b)(7)(A); (b)(7)(C), and called an (b)(6); (b)(7)(A); (b)(7)(C) amongst other derogatory remarks and bias. Likewise there was an other (b)(6); (b)(7)(A); (b)(7)(C) whom was



**Discrimination based on color (specify)**

In conversation with (b)(6); (b)(7)(A); (b)(7)(C) she addressed specific concerns by two unnamed student as to my treatment and bias of (b)(6); (b)(7)(A); (b)(7)(C) In the context of conversation I specifically stated to be appalled by her (b)(6); (b)(7)(A); (b)(7)(C) insinuations presented by unnamed informants. I



**Discrimination based on national origin (specify)**

I was officially counseled by (b)(6); (b)(7)(A); (b)(7)(C) on (b)(6); (b)(7)(A); (b)(7)(C) based on two informants questioning my treatment of (b)(6); (b)(7)(A); (b)(7)(C) community. I was appalled at the insinuations brought forwards, As I am both an (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) member of the community, and the students whom



**Discrimination based on sex (specify)**

I on multiple occasion was asked how I felt being an (b)(6); (b)(7)(A); (b)(7)(C) and other references indicating my (b)(6); (b)(7)(A); (b)(7)(C) was detrimental to the program, these statements were made by (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C)

Discrimination **based on disability (specify)**

Discrimination **based on age (specify)**

I was continually asked how I felt because, "I'm an (b)(6); (b)(7)(A);", or how I was feeling being amongst such (b)(6); (b)(7)(A); students. On a daily basis

**Retaliation because you filed a complaint or otherwise asserted rights under laws enforced by OCR (specify)**

Title VI, VII and age discrimination clause 1972. Furthermore after I filed official complaints, I was denied access to student document account, therefore I can not complete my academic course works, as (b)(6); (b)(7)(A); has denied my access as of (b)(6); (b)(7)(A);

(b)(6); (b)(7)(A); I have no documentation regarding my position in

**Violation of the Boy Scouts of America Equal Access Act (specify)**

5. Please describe each alleged discriminatory act. For each action, please include the date(s) the discriminatory act occurred, the name(s) of each person(s) involved and, why you believe the discrimination was because of race, disability, age, sex, etc. Also please provide the names of any person(s) who was present and witnessed the act(s) of discrimination.

On (b)(6); (b)(7)(A); in a group I along with an other (b)(6); (b)(7)(A); student were referred to as (b)(6); (b)(7)(A);, and further speculated in academic debate by (b)(6); (b)(7)(A); and (b)(6); (b)(7)(A);. The content of discussion stemmed from their specific reference to my ethnic background and particularly my alleged dis-engagement based on (b)(6); (b)(7)(A); community and our ethnographic program. First and foremost I was appalled by the statement of (b)(6); (b)(7)(A); and further sentiments of I not being (b)(6); (b)(7)(A); or (b)(6); (b)(7)(A); which I am both.

6. Do you have documents or written information that you think will help us to understand your complaint?
- No  
 Yes

If yes, please describe the documents or written information you have.

email correspondence memo drafted (b)(6); (b)(7)(A); and sent to My private account and spouse email; after the conversation with (b)(6); (b)(7)(A); (b)(7)(C); and sent directly to her and (b)(6); (b)(7)(A); on (b)(6); (b)(7)(A);

**If OCR investigates your complaint, we may ask you to provide us the items you describe above.**

7. What is the most **recent date** you were discriminated against?

Date (b)(6); (b)(7)(A); (b)(7)(C), I was denied academic access to Google Ac

8. If this date is **more than 180 days ago**, you may request a waiver of the filing requirement.

I am requesting a waiver of the 180-day time frame for filing this complaint.

Please explain why did not file your complaint within 180 days.

9. Have you complained about the allegations that you raise in this complaint to your school, institution, or another organization or agency?

YES  NO

If yes, have you complained about the allegations that you raise in this complaint by:

filing an internal complaint or appeal with your school or institution?

participating in your school or institution's grievance procedures?

participating in a due process hearing either at your school or institution, or through another organization or government agency?

If you answered **yes to any of the above questions**, please describe the allegations that you raised in an internal complaint or appeal, through your school or institution's grievance procedures, or in a due process hearing, identify the date you complained about the allegations and where you made the complaint, and tell us the status of the complaint, appeal, grievance procedures, or due process hearing. If possible, please provide us with a copy of your complaint or grievance or appeal or due process request and, if completed, the decision in the matter.

I have writtetn to the OBUDSMAN advocate at SDSU indicating my complant and its parameters, as well further indicating my loss of access to my acadmeic portofolio, in lieu of I still being a registerd student inprogram; this after the fact I had filed the complant with director and sub director.

10. If the allegations contained in this complaint have been filed with any other Federal, state or local civil rights agency, or any Federal or state court, please give details and dates. We will determine whether it is appropriate to investigate your complaint based upon the specific allegations of your complaint and the actions taken by the other agency or court.

**Agency or Court:** \_\_\_\_\_

**Date Filed:** \_\_\_\_\_

**Case Number or Reference:** \_\_\_\_\_

**Results of Investigation/Findings by Agency or Court:**

11. You do not need to have a lawyer to file a complaint with OCR; however, if you do have a lawyer, OCR staff are required to communicate directly with your lawyer. If you have a lawyer representing you in this matter, please provide the lawyer's contact information.

**Last Name:** \_\_\_\_\_ **First Name:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

12. If we cannot reach you at your home or work, we would like to have the name and telephone number of another person (relative or friend) who knows where and when we can reach you. This information **is not required**, but it will be helpful to us.

**Last Name:** \_\_\_\_\_ **First Name:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

13. **Option to Participate in OCR’s Early Mediation Process**

OCR provides an early mediation process as an opportunity for you and the recipient institution to voluntarily resolve your complaint soon after you file it with OCR.

Mediation is a form of complaint resolution that OCR offers as an alternative to its investigative process. Mediation is an informal process in which a staff member from OCR who is trained in mediation assists the parties to reach a negotiated resolution of the complaint. The mediator does not decide who is right or wrong and does not have the authority to impose a settlement on the parties. Instead, the mediator helps the parties to find a mutually acceptable resolution to your complaint. Mediation is a strictly voluntary process. If either party does not want to participate in mediation, OCR will address the complaint through its regular processes.

***If you are interested in participating in the early mediation process, you must check the box below.*** If you indicate your interest in early mediation by checking the box below **and** OCR determines that your complaint is appropriate for this process, OCR will contact you and the recipient institution and offer this resolution option. If the recipient agrees to participate in early mediation, OCR will work with you and the recipient to achieve a mutually agreeable resolution of your complaint. If the recipient does not wish to participate in early mediation, OCR will proceed with its regular processing of your complaint. ***If you do not indicate your interest in early mediation by checking the box below, early mediation will not be offered to you and OCR will proceed with its regular processing of your complaint.***

***I am interested in participating in early mediation (Please check box):***

**NOTE:** You **MUST** submit a signed Consent Form to OCR if you want to participate in early mediation.

14. What would you like the institution to do as a result of your complaint — what remedy are you seeking?

Immediate allowance to take course content over with a different professor; As well as reimbursement of program cost, additional

(b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C)

other than here-say and innuendo based on discriminatory bias and violations of my Title VI, VII, X civil rights by fellow students, supported by Faculty.

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15. We cannot accept your complaint if it has not been signed. Please sign and date your complaint below.

29 June

(Date)

(b)(6); (b)(7)(A); (b)(7)(C)  
(Signature)

(b)(6); (b)(7)(A); (b)(7)(C)

(Date)

(Signature of person in Item 2)

Please mail or email the completed and signed Discrimination Complaint Form, your signed consent form and copies of any written material or other documents you believe will help OCR understand your complaint to the OCR Enforcement Office responsible for the state where the institution or entity about which you are complaining is located. You can locate the mailing information for the correct enforcement office on OCR's website at <https://ocrcas.ed.gov/contact-ocr>.





UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

REGION IX  
CALIFORNIA

50 UNITED NATIONS PLAZA  
MAIL BOX 1200, ROOM 1545  
SAN FRANCISCO, CA 94102

October 25, 2023

Adela de la Torre, Ph.D.,  
President

c/o (b)(6); (b)(7)(A);

(b)(6); (b)(7)(A); (b)(7)(C)

Office of the President  
San Diego State University  
5500 Campanile Drive  
San Diego, CA 92182-8000

By email only to: (b)(6); (b)(7)(A); (b)(7)(C)

Re: San Diego State University  
OCR Case No. 09-23-2427

Dear Dr. de la Torre:

On June 30, 2023, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint regarding San Diego State University (the University). The Complainant, (b)(6); (b)(7)(A); alleged discrimination on the basis of race, color, national origin (b)(6); (b)(7)(A); (b)(7)(C), age, and retaliation. OCR currently understands the allegations to be as follows:

1. Whether the University failed to respond in a reasonable, timely, and effective manner to notice that other students harassed the Complainant and other students in (b)(6); on the basis of shared ancestry;
2. Whether the University failed to respond in a reasonable, timely, and effective manner to notice that other students harassed the Complainant in (b)(6); on the basis of age;
3. Whether the University treated the Complainant differently based on his race, national origin, shared ancestry, and age when it required the Complainant to (b)(6); (b)(7)(A); (b)(6); (b)(7)(A); (b)(7)(C)
4. Whether the University failed to adequately and appropriately respond to the Complainant's complaint that the University subjected him to different treatment based on race, national origin, shared ancestry, and age; and

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

5. Whether the University discriminated against the Complainant by (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) in retaliation for him filing an internal grievance.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations at 34 C.F.R. Part 100 and the Age Discrimination Act of 1975 (AgeDA), 42 U.S.C. §§ 6101-6107, and its implementing regulations, 34.C.F.R. Part 110. These laws and regulations prohibit discrimination on the basis of race, color, national origin, and age under any program or activity receiving federal financial assistance. The University receives funds from the Department and is therefore subject to these laws.

OCR is opening the allegations stated above for investigation because OCR determined that it has jurisdiction, that the allegations were timely filed, and they are appropriate for investigation under the laws and regulations enforced by OCR.

OCR is required by the AgeDA regulation to forward complaints containing age discrimination allegations that are determined to be complete to the Federal Mediation and Conciliation Service (FMCS) for mediation, whether or not other types of discrimination are also alleged. Consequently, we have forwarded this complaint to the FMCS at the following address:

Director, ADR Service  
Federal Mediation and Conciliation Service  
250 E. St. SW  
Washington, DC 20427

The AgeDA implementing regulations allow FMCS 60 days to mediate the age discrimination allegation(s). The 60-day period begins on the date that OCR refers the case to FMCS. It is OCR policy not to begin investigating any age allegation during this 60-day period unless FMCS returns the age allegation to OCR earlier. No action by the University is necessary at this time. FMCS will be in contact with you.

Please note that opening the allegations for investigation in no way implies that OCR has made a determination with regard to their merits. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegations, in accordance with the provisions of Article III of OCR's *Case Processing Manual*.<sup>1</sup>

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against any individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, an individual may file a separate complaint with OCR.

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<sup>1</sup> *Case Processing Manual* (July 18, 2022), <https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>.

Under the Freedom of Information Act (FOIA), it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, OCR will seek to protect, to the extent provided by law, personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released.

If you have any questions regarding this letter, please contact Civil Rights Attorney Laura Welp at [laura.welp@ed.gov](mailto:laura.welp@ed.gov).

Sincerely,

(b)(6); (b)(7)(A); (b)(7)(C)

Laura M. Welp  
*for* Naghmeh Ordikhani  
Team Leader