



**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, 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. 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, 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.

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Complaint Form, Consent Form, and Complaint Processing Procedures

1. Name of person filing this complaint:

(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.

(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: Clark County School District ("CCSD")

Address: 5100 W. Sahara Avenue

City: Las Vegas State: Nevada Zip Code: 89146

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

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)**

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

Discrimination **based on color (specify)**

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

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

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

Discrimination **based on sex (specify)**

Discrimination based on disability (specify)

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

Discrimination based on age (specify)

Retaliation because you filed a complaint or otherwise asserted rights

under laws enforced by OCR (specify)

CCSD benefits from government grants. Thereby, it violates 20 U.S.C §1232 g, Sec 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (Title II), and Title VI of the Civil Rights Act.

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.

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

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.

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

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)

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?

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

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

(b)(6);
(b)(7)(A);
) filing an internal complaint or appeal with your school or institution?

(b)(7)(C) 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.

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

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: N/A

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: N/A **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 _____
Telephone _____

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

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?

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



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

915 2nd AVENUE, ROOM 3310
SEATTLE, WA 98174-1009

REGION X

ALASKA
AMERICAN SAMOA
GUAM
HAWAII
IDAHO
MONTANA
NEVADA
NORTHERN MARIANA ISLANDS
OREGON
WASHINGTON

October 11, 2023

Via Email Only: jarajf@nv.ccsd.net

Dr. Jesus Jara
Superintendent
Clark County School District
5100 West Sahara Avenue
Las Vegas, Nevada 89148

Re: Clark County School District
OCR Reference No. 10231426

Dear Superintendent Jara:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR) has received a complaint against the Clark County School District (District). OCR will investigate whether the District:

1. discriminated against Student A (b)(6); (b)(7)(A); (b)(7)(C), on the bases of race, color, and national origin by failing to respond consistent with the requirements of Title VI to reports of harassment of Student A based on race, color, or national origin;
2. discriminated and retaliated against Student A, on the basis of disability, by failing to respond consistent with the requirements of Section 504 and Title II to reports of harassment of Student A based on her disability, and;
3. retaliated against Student A when the District impeded the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) efforts to complete its investigation of the reports of above-referenced harassment because Student A's parent participated in (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C)

OCR has the authority to enforce Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d *et seq.*, and its implementing regulation, at 34 C.F.R. Part 100 and Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, at 34 C.F.R. Part 104. These federal civil rights statutes prohibit retaliation, and discrimination on the bases of race, color, and national origin (Title VI), and disability (Section 504), in programs and activities receiving federal financial assistance. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and its implementing

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

regulation, at 28 C.F.R. Part 35, which prohibits disability discrimination by public entities. Because the District is a recipient of federal financial assistance from this Department and is a public entity, it is subject to these laws. Additional information about the laws that OCR enforces can be found at <http://www.ed.gov/ocr>.

During OCR’s investigation of this complaint, the allegations may be resolved in a variety of ways, including a voluntary written agreement in which the District agrees to take remedial actions that OCR determines fully resolve the allegations consistent with applicable legal standards. Where appropriate, the allegations may also be resolved through mediation facilitated by OCR. If a resolution of the complaint is not reached before OCR completes its investigation, OCR will make findings and a determination as to whether the District is in compliance with applicable legal standards and, in the event that non-compliance is found, OCR will propose that the District enter into a voluntary resolution agreement in which the District commits to take specific steps to comply with applicable laws and regulations. Additional information about OCR’s case processing procedures can be found at <https://www2.ed.gov/about/offices/list/ocr/complaints-how.html>.

Opening these allegations for investigation in no way implies that OCR has made a determination with regard to their merit. 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 conduct its investigation in accordance with the provisions of Article III of the OCR’s Case Processing Manual (CPM).

As part of its investigation, OCR is requesting information from the District. OCR is authorized to obtain information pursuant to 34 C.F.R. § 100.6(C). OCR is entitled to access information that may otherwise be protected as private or confidential as provided by 34 C.F.R. §§ 99.31(a)(3)(iii) and 99.35(a)(1). Please submit the following information to OCR by **October 26, 2023**:

1. A copy of the District’s policies and procedures relating to discrimination, including harassment, based on race, color, national origin and/or disability, in effect for the (b)(6); (b)(7)(A) school year.
2. A copy of all documents relating to racial, color, or national origin harassment of Student A by other students, during the (b)(6); (b)(7)(A); (b)(7)(C) school years, including but not limited to, letters, e-mails, memoranda, notes, logs, investigative reports, determinations, witness statements, disciplinary records, and other records, whether generated or received by the District.
3. A copy of all documents relating to racial, color, or national origin harassment of student(s) by other students at (b)(6); (b)(7)(A); (b)(7)(C) during the (b)(6); (b)(7)(A); (b)(7)(C) school year, including but not limited to, letters, e-mails, memoranda, notes, logs, investigative reports, determinations, witness statements, disciplinary records, and other records, whether generated or received by the District.

4. A copy of all documents relating to disability harassment of Student A by other students, during the [REDACTED] school years, including but not limited to, letters, e-mails, memoranda, notes, logs, investigative reports, determinations, witness statements, disciplinary records, and other records, whether generated or received by the District.
5. A copy of all documents relating to disability harassment of student(s) by other students at [REDACTED] during the [REDACTED] school year, including but not limited to, letters, e-mails, memoranda, notes, logs, investigative reports, determinations, witness statements, disciplinary records, and other records, whether generated or received by the District.
6. All other information that the District believes will assist OCR in resolving this complaint, such as a narrative response to the complaint allegations.

To the extent that any responsive documents or information are published on the District’s publicly-accessible website, the response may consist of the exact web address where the relevant information is located. To the extent that other documents or information are available in electronic format, please provide them electronically.

I will contact you or your designated representative soon to discuss the allegations and the complaint resolution process. If you have any questions, please contact me at (202) 987-1257 or brittany.whittle@ed.gov.

Sincerely,

[REDACTED]

Brittany Whittle
Attorney