

Department of Education
OFFICE FOR CIVIL RIGHTS
Fiscal Year 2015 Budget Request

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OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, [\$98,356,000] \$102,000,000. (*Department of Education Appropriations Act, 2014.*)

OFFICE FOR CIVIL RIGHTS

Amounts Available for Obligation
(dollars in thousands)

Appropriation and Adjustments	2013	2014	2015
<hr/>			
Discretionary budget authority:			
Appropriation.....	\$102,624	\$98,356	\$102,000
Across-the-board rescission (P.L. 113-6)	<u>-205</u>	<u>0</u>	<u>0</u>
Subtotal, appropriation	102,419	98,356	102,000
Sequester (P.L. 112-25)	-5,163	0	0
Transfer from Student Aid Administration	<u>+1,100</u>	<u>0</u>	<u>0</u>
Subtotal, adjusted discretionary appropriation	98,356	98,356	102,000
Unobligated balance, expiring	<u>-92</u>	<u>0</u>	<u>0</u>
Total, direct obligations	98,264	98,356	102,000

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Obligations by Object Classification (dollars in thousands)

Object Class	2013	2014	2015	CHANGE FROM 2014 to 2015
11.10 Full-time permanent	\$56,093	\$56,804	\$57,230	\$426
11.31 Full-time temporary	1,166	1,166	1,174	8
11.32 Part-time	1,452	1,166	1,174	8
11.33 Consultants	122	0	0	0
11.51 Overtime	3	18	18	0
11.52 Awards	567	574	377	(197)
11.80 Other Compensation	89	0	0	0
Compensation subtotal	59,492	59,728	59,973	245
12.00 Benefits	16,960	17,255	18,035	780
Comp/benefits subtotal	76,452	76,983	78,008	1,025
21.00 Travel	445	673	673	0
22.00 Transportation of things	16	0	0	0
23.10 Rental Payments to GSA	8,262	8,045	7,755	(290)
23.31 Communications	211	162	162	0
23.32 Postage/fees	3	73	64	(9)
Subtotal 23	8,476	8,280	7,981	(299)
24.00 Printing & Reproduction	7	13	13	0
25.21 Other Services	784	699	798	99
25.22 Training/Tuition/Contracts	179	233	223	(10)
25.30 Goods/Services from Gov't	1,961	2,330	2,454	124
25.40 Operations/Maint of Facilities	0	1	1	0
25.71 Operations/Maint of Equipment	14	15	15	0
25.72 IT Services/Contracts	9,595	9,006	11,698	2,692
Subtotal 25	12,533	12,284	15,189	2,905
26.00 Supplies	117	32	32	0
31.10 IT Equipment/Software	125	91	104	13
31.30 Other Equipment	60	0	0	0
Subtotal 31	185	91	104	13
32.00 Building Alterations	33	0	0	0
Total	98,264	98,356	102,000	3,644

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Summary of Changes
(dollars in thousands)

2014.....	\$98,356
2015.....	<u>102,000</u>
Net change	+3,644

Increases:	<u>2014 base</u>	<u>Change from base</u>
<u>Built in:</u>		
Increase in salaries primarily to support a proposed 1 percent Governmentwide pay raise.	\$59,136	+\$442
Increase in benefits for OCR's share of health, retirement, and other benefits, as well as increased FERS contribution rates starting October 2014.	17,255	+780
<u>Program:</u>		
Increase in other services for electronic records management, translation services, and security services.	699	+99
Increase in Goods and services from Government for IT and physical security, and payroll processing system.	2,330	+124
Increase in Information Technology services/ contracts for the Civil Rights Data Collection, EDWeb, and Information Assurance Enhancement.	9,006	+2,692
Small increase in Information Technology equipment/software.	91	<u>+13</u>
Subtotal, increases		+4,150

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Summary of Changes
(dollars in thousands)

Decreases:	<u>2014 base</u>	<u>Change from base</u>
<u>Program:</u>		
Decrease in awards.	\$574	-\$197
Decrease in postage.	73	-9
Decrease in rent.	8,045	-290
Decrease in training.	233	<u>-10</u>
Subtotal, decreases		-506
Net Change		+3,644

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Authorizing Legislation
(dollars in thousands)

Activity	2014 Authorized	2014 Estimate	2015 Authorized	2015 Request
Civil Rights (DEOA)	<u>Indefinite</u>	<u>\$98,356</u>	<u>Indefinite</u>	<u>\$102,000</u>
Total definite authorization	0		0	
Total appropriation		98,356		102,000

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Appropriations History (dollars in thousands)

Year	Budget Estimate to Congress	House Allowance	Senate Allowance	Appropriation
2006	\$91,526	\$91,526	\$91,526	\$90,611
2007	92,866	N/A ¹	N/A ¹	91,205 ¹
2008	93,771	93,771	93,771	89,612
2009	96,826	96,040 ²	89,612 ²	96,826
2009 Transfer	0	0	0	-60
2010	103,024	103,024	103,024 ³	103,024
2011	105,700	103,024 ⁴	105,700 ³	102,818 ⁵
2012	107,772	102,818 ⁶	102,818 ⁶	102,624
2013	102,624	102,624 ⁷	102,624 ⁷	98,356
2014	98,356	N/A ⁸	98,356 ³	98,356
2015	102,000			

¹ This account operated under a full-year continuing resolution (P.L. 110-5). House and Senate allowances are shown as N/A (Not Available) because neither body passed a separate appropriations bill.

² The levels for the House and Senate allowances reflect action on the regular annual 2009 appropriations bill, which proceeded in the 110th Congress only through the House Subcommittee and the Senate Committee.

³ The level for the Senate allowance reflects Committee action only.

⁴ The level for the House allowance reflects the House-passed full-year continuing resolution.

⁵ The level for appropriation reflects the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10).

⁶ The level for the House allowance reflects an introduced bill and the level for the Senate allowance reflects Senate Committee action only.

⁷ The levels for the House and Senate allowances reflect action on the regular annual 2013 appropriations bill, which proceeded in the 112th Congress only through the House subcommittee and the Senate Committee.

⁸ The House allowance is shown as N/A because there was no Subcommittee action.

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Office for Civil Rights

(DEOA, section 203)

(dollars in thousands)

FY 2015 Authorization: Indefinite

Budget Authority:

	<u>2014</u>	<u>2015</u>	<u>Change from 2014</u>
Personnel costs	\$76,983	\$78,008	+\$1,025
Non-personnel costs	<u>21,373</u>	<u>23,992</u>	<u>+2,619</u>
Total	98,356	102,000	+3,644
FTE	558	558	0

PROGRAM DESCRIPTION

The mission of the Office for Civil Rights (OCR) is to ensure equal access to education and to promote educational excellence throughout the Nation through vigorous enforcement of civil rights laws. This is in alignment with the Department's mission to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

OCR ensures equal access to education by enforcing Federal civil rights laws and implementing regulations that prohibit discrimination on the basis of race, color, national origin, sex, disability, and age in all programs and institutions that receive financial assistance from the Department. These laws are:

- Title VI of the Civil Rights Act of 1964 (prohibiting race, color, and national origin discrimination);
- Title IX of the Education Amendments of 1972 (prohibiting sex discrimination);
- Section 504 of the Rehabilitation Act of 1973 (prohibiting disability discrimination);
- Age Discrimination Act of 1975 (prohibiting age discrimination);
- Title II of the Americans with Disabilities Act of 1990 (prohibiting disability discrimination in State and local government services – whether or not programs receive Federal financial assistance); and
- Boy Scouts of America Equal Access Act of 2002 (prohibiting public elementary and secondary schools, local educational agencies, and State educational agencies from denying equal access or a fair opportunity to meet, or discriminating against, any group officially affiliated with the Boy Scouts of America or any other youth group listed as a patriotic society in Title 36 of the United States Code).

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These and other civil rights laws extend to a wide range of Federal recipients, including: all State educational agencies; approximately 16,900 local educational agencies; approximately 7,200 postsecondary institutions, including proprietary schools and community colleges; 80 State vocational rehabilitation agencies and their sub-recipients; as well as other institutions that receive U.S. Department of Education financial assistance, such as libraries, museums, and correctional institutions. More than 79 million individuals are beneficiaries of the financial assistance these institutions and agencies receive on behalf of the Department.

OCR PROGRAM INFORMATION

Organizational Structure and Staffing

The Office for Civil Rights requires a staffing level of 558 full-time equivalents (FTEs) to support its mission. Currently, 88 percent of OCR's staff is located in 12 enforcement offices throughout the country and the remaining 12 percent occupies OCR's headquarters office. The Headquarters and DC Metro Enforcement offices are located in Washington, DC, and the remaining 11 Enforcement offices are located in 10 regional centers and 1 field office throughout the Nation: Boston, New York, Philadelphia, Atlanta, Dallas, Chicago, Kansas City, Denver, San Francisco, Seattle, and the Cleveland field office.

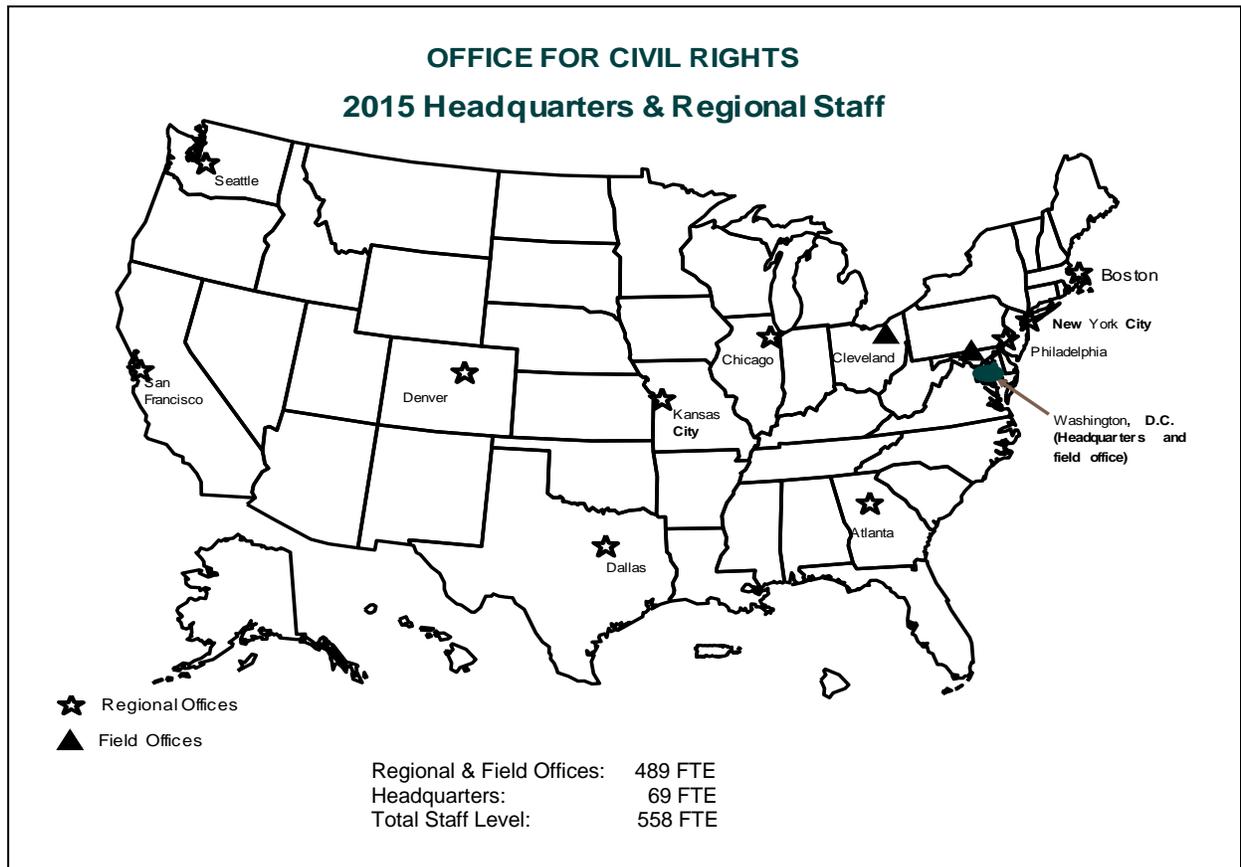
OCR is headed by an Assistant Secretary. The Assistant Secretary is supported by a Principal Deputy Assistant Secretary, a Deputy Assistant Secretary for Enforcement, a Deputy Assistant Secretary for Policy, and a Deputy Assistant Secretary for Strategic Operations and Outreach. These positions report to the Principal Deputy Assistant Secretary.

The Deputy Assistant Secretary for Enforcement is responsible for oversight of the 12 Enforcement offices and the 3 Enforcement Directors who provide day-to-day leadership to those offices. The Enforcement Offices' primary responsibilities are conducting complaint investigations, participating in identifying and setting proactive enforcement priorities, conducting proactive compliance reviews, and delivering technical assistance.

The Deputy Assistant Secretary for Policy oversees the Headquarters' Program Legal Group that provides a range of legal services including: developing policy guidance, developing technical assistance materials, consulting on cases from the enforcement offices, regulation development, determining the compliance status of recipients, and helping ensure that civil rights issues are appropriately addressed within the Department's programs and initiatives and among Federal Agencies.

The Deputy Assistant Secretary for Strategic Operations and Outreach has responsibility for facilitating overall strategy and coordination among the different components of OCR, and for establishing and maintaining effective relations between OCR and the public, Congress, Federal executive agencies, and State and local entities. This position supervises the Director of OCR's Resource Management Group and oversees management of budgetary and other resources, communications, information systems, staff and organizational development, contracts, training, customer service, and general services.

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Civil Rights Challenges While Promoting Efficient Spending

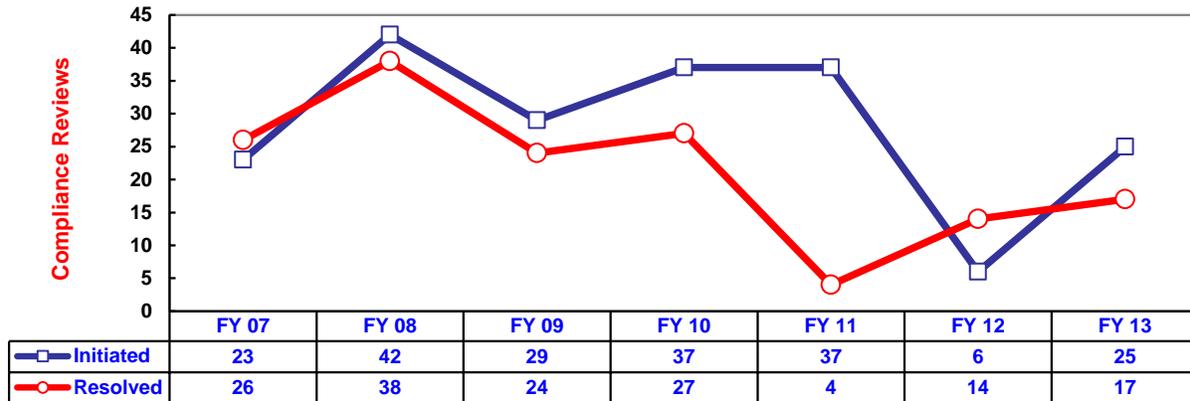
OCR has become a more effective and visible organization while its appropriations and the number of on-board staff have decreased. Most recently, full-time equivalent staff usage decreased approximately 3 percent from 582 in FY 2012 to 565 in FY 2013. Resolving complaints of discrimination brought by the public has always been OCR's primary function, and the volume of complaints continues to grow. In FY 2012, OCR received 7,833 complaints and resolved 8,163, some of which had been filed in previous years. OCR received 9,950 complaints in FY 2013, a 27 percent increase over FY 2012 (roughly half of the increase was due to a large number of cases filed by 3 individuals). The ever-increasing number of complaint receipts occupies the workload for the majority of the staff.

While managing the increase in complaint receipts, OCR is implementing refinements to case processing to free more staff for proactive work. For example, the FY 2012 Rapid Resolution Process pilot, which focused on resolving single-issue disability complaints, was rolled out in all of OCR's regional and field offices in FY 2013. Under this process, immediate contact is made with the complainant to attempt to resolve the issue via telephone. In 2013, OCR designed, developed, and tested a Web-based Pre-Complaint Assistance Request Form to help potential complainants understand the scope of OCR's authority and reduce the number of complaints filed that do not fall under OCR's authority. This form should save staff time currently used for logging in, reviewing, and/or referring such complaints to another agency. In August 2014, OCR will measure the impact that this form has had on its online complaints.

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While complaint receipts rise, case processing resolution time has continued to exceed established Government Performance and Results Act efficiency measures. However, proactive compliance reviews, required by regulation (34 C.F.R. § 100.7(a)), have suffered from spending cuts. Complaints often affect one or a small group of students, whereas compliance reviews target issues of discrimination that are acute, regional, national in scope, or are newly emerging. They are designed to affect significant change at the target institution and provide widely applicable solutions. In fiscal years 2010 and 2011, OCR initiated 74 compliance reviews, but in fiscal years 2012 and 2013, OCR initiated only 31 compliance reviews, a 42 percent decrease. The reduced number of initiated compliance reviews was a result of their complexity; the need to resolve open compliance reviews before initiating new ones; and the need to shift staff resources to investigate the increased number of complaint receipts. Funding reductions significantly jeopardized OCR's ability to keep pace and address emerging civil rights concerns proactively. (Complaint Receipts and Resolutions chart shown on page BB-18).

Compliance Reviews Initiated and Resolved



In addition to working on complaints and compliance reviews, OCR's staff monitor resolution agreements and ensure their appropriate implementation. OCR also issues policy guidance on current and emerging civil rights issues that emphasize real-world scenarios and examples, conducts outreach, and provides technical assistance and customer service to Federal recipients and the public to increase compliance with and understanding of civil rights laws.

Increased case processing efficiencies, use of technology, and the alignment of OCR's policy, compliance, and enforcement activities around priority issues will continue to enhance program effectiveness. However, given the decline in staffing, there are limits to what OCR can continue to accomplish. Full funding of OCR's budget request is critical to implementing the Department's mission and to ensuring schools' adherence to equity and nondiscrimination in the 21st century. This is especially true given that OCR anticipates having less capacity to maintain the quantity and timeliness of complaint resolutions in the coming years. Removing barriers to equal educational opportunity for students is not only a moral imperative, but an economic necessity.

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Funding levels for the past 5 fiscal years were:

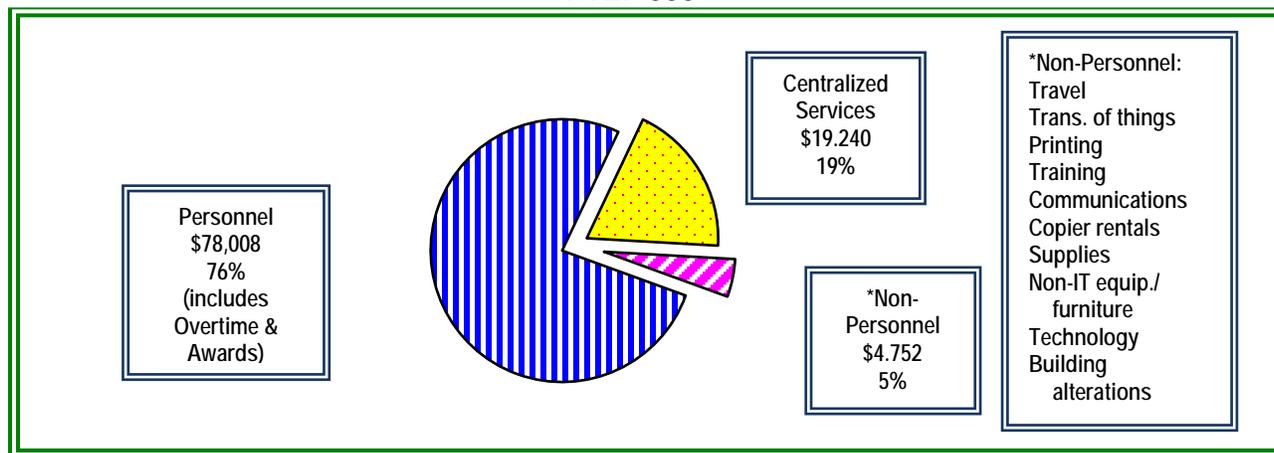
	(dollars in thousands)
2010.....	\$103,024
2011.....	102,818
2012.....	102,624
2013.....	98,356
2014.....	98,356

FY 2015 BUDGET REQUEST

The total FY 2015 request is \$102.0 million with a full-time equivalent (FTE) level of 558. This request is a \$3.7 million, or 3.7 percent, increase above the FY 2014 estimate.

- The Personnel Compensation and Benefits (PC&B) request of \$78.0 million is an increase of \$1.025 million over the FY 2014 level due to a proposed pay raise of 1 percent, built-in benefits increases, as well as increased FERS contribution rates starting October 2014. The FTE level of 558 is the same as in FY 2014.
- Non-Personnel costs, excluding centralized services, will be \$4.8 million, an increase of \$2.6 million over FY 2014. The majority of non-personnel funds is for the Civil Rights Data Collection (CRDC) (\$3.3 million), software support to operate OCR’s Case and Activity Management System (CAMS) (\$255,000), and travel (\$673,000).
- OCR’s FY 2015 share of the Department’s centralized services (overhead) amount of \$19.2 million reflects an increase of \$20,000, due to projected increases in information technology (IT), and physical security.

**FY 2015 Budget
(dollars in thousands)
Total: \$102.000
FTE: 558**

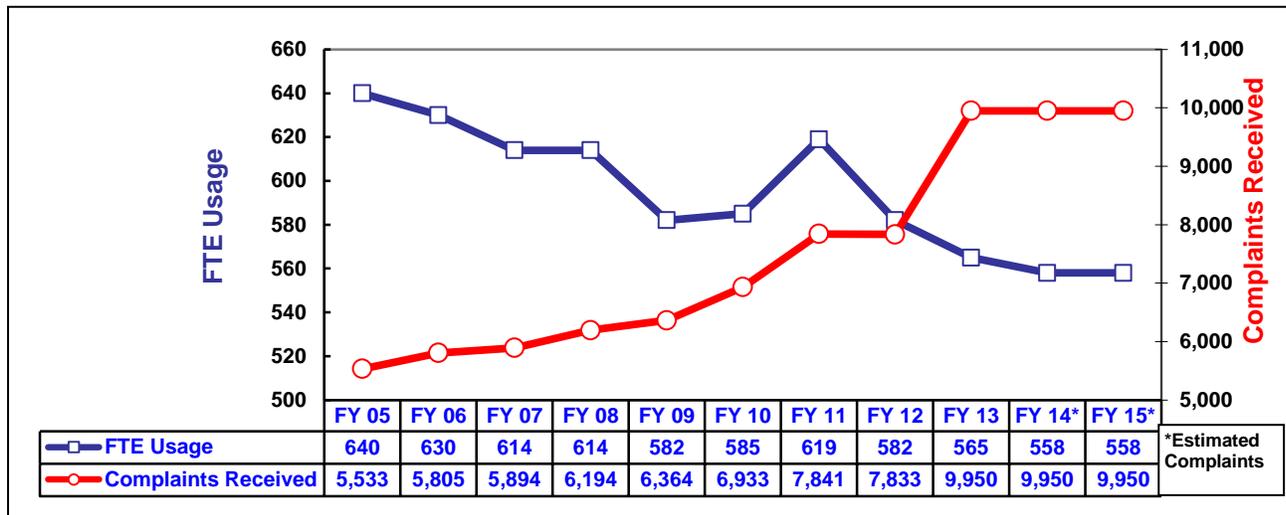


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Personnel Costs

For FY 2015, PC&B costs are 76 percent of the request, or \$78.0 million, \$1.025 million over the FY 2014 level. The request maintains an FTE level of 558, the same as 2014. To provide context for OCR's request, it is anticipated that the 2015 FTE request would result in a ratio of complaints per FTE that is higher than the 2012 actual; however, the requested level should be adequate to ensure that OCR continues to meet its performance targets, in part due to the increased capacity to carry out compliance reviews.

As the chart below shows, from 2005 to 2013, OCR's staffing level decreased by 11 percent while complaint receipts rose almost 80 percent.



Awards & Overtime

OCR is requesting \$377,000 for awards and \$18,000 for overtime for a total of \$395,000, a decrease of \$197,000 below the FY 2014 level. OCR rewards staff based upon performance. The requested amount will enable OCR to provide appropriate recognition for high performance and will compensate those employees who work additional hours to complete critical projects within constricted timeframes, consistent with departmental policy. This award level will be considerably lower than the prescribed amounts under the awards guidance memorandum (M-14-02) issued by the Office of Personnel Management on November 1, 2013.

Non-Personnel Costs

The total request for non-personnel activities in FY 2015, excluding departmental centralized services, is \$4.8 million, an increase of \$2.599 million above the 2014 level. The requested non-personnel funds will provide program support to resolve complaints of discrimination filed by the public and ensure that institutions receiving Federal financial assistance are in compliance with the civil rights laws enforced by OCR. Of the requested increase, 98 percent, or \$2.545 million, is for the Civil Rights Data Collection.

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OCR's non-pay projects are listed below:

Information Technology Services/Civil Rights Data Collection (CRDC) — OCR is requesting \$3.3 million for the CRDC, an increase of \$2.545 million above the FY 2014 level of \$791,000. The majority of the increase supports the collection of 2015-16 school year CRDC data in FY 2015. OCR funds available in FY 2014 are sufficient to fund Phase I and partially fund Phase II of the 2013-2014 Universal CRDC. Funds requested in FY 2015 will begin important notification efforts for the 2015-2016 Universal CRDC and complete funding of Phases I, II and III of the 2015-2016 CRDC. OCR has been working with the National Center for Education Statistics (NCES) and other Department offices to identify key new data items for inclusion in the 2013-2014 CRDC, such as those relating to school safety. NCES and OCR will deploy a new data collection tool with improved quality assurance checks for the next CRDC. OCR intends to use FY 2014 and FY 2015 funds to provide technical assistance for school districts on preparing and submitting accurate data. The following table provides a detailed account of the CRDC budget for fiscal years 2013-2015:

School Year	Major Activity	Fiscal Year 2013	Fiscal Year 2014	Fiscal Year 2015
CRDC 2011-12	Phase IV - Finalizing Data Files: Data quality closeout, time series.	\$126,887		
	Data collection from LEAs: Incentive payment for achieving high response rate.	325,000		
CRDC 2013-14	Phase I - Notification & Guidance: Notification to school districts, identifying primary point of contact, guidance.		\$527,700	
	Phase II - Preparing for data submissions: File specifications, pre-collection tools, confirmation of school directory, technical assistance to prepare districts to collect and submit data (Web collection tool development through NCES).		107,270	
	Phase III - Survey Submission Window: Begin data collection from LEAs, Partner Support Center for technical support for school districts' data submissions (Web collection tool development and Partner Support center funded through NCES contract).		NCES funds will cover this Phase	
	Phase IV - Finalizing Data Files: Data quality review & editing, time series, privacy protection (Web collection tool development and data editing funded through NCES contract).		NCES funds will cover this Phase	
CRDC 2015-16	Phase I - Notification & Guidance: Notification to school districts, identifying primary point of contact, guidance (Q&A).			\$538,285
	Phase II - Preparing for data submissions: File specifications, pre-collection tools, confirmation of school directory, technical assistance to prepare districts to collect and submit data (Web collection tool development through NCES).			1,618,891

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	Phase III - Survey Submission Window: Begin data collection from LEAs, Partner Support Center for technical support for school districts' data submissions.			\$1,020,040
CRDC Data Web site	Data Web site operations and maintenance support; uploading the 2011-12 Data; and Data Analysis for report development, developing estimations for low item response variables.		\$72,246	75,000
Web Hosting	Web hosting under the EDUCATE contract.	\$83,784	83,784	83,784
Total CRDC Expenses		\$535,671	\$791,000	\$3,336,000

Information Technology Services/Case Activity Management System (CAMS) — OCR is requesting \$255,000 for CAMS, same as FY 2014. OCR's CAMS is an electronic tracking system used to record OCR's case status and store the documents associated with each case. It uses a combination of three software applications: Case Management System (CMS), Activity Management System, and Open Text Document Management System. The funding for this project provides for: (a) enhancements to apply business process changes and to improve the usage of these core systems; (b) compliance with up-to-date departmental IT environment; and (c) software subscription services to maintain version upgrades and technical phone support on the Open Text products. OCR's current contract must be recompeted in 2015. OCR is currently conducting a needs assessment to determine the extent of and requirements for critical unmet needs that have been identified by CAMS' core users.

Information Technology Services/Office for Civil Rights Main Web site Operations and Maintenance of 'new' deployed capabilities — OCR is requesting \$50,000, same as the FY 2014 level, for the operations and maintenance (O&M) support to the OCR Complaint Pre-Assessment (CAS) and Online Complaints Database (OCD) support tools. The pre-assessment tool is an automated "walkthrough" of the considerations a potential complainant should make prior to deciding to submit an online discrimination complaint. The intent is to reduce the number of complaints filed that ultimately are dismissed because they have no merit or are sent incorrectly to OCR for resolution assistance. The OCD database is the repository of submitted data from the Online Complaint Form that contains all of the detailed data needed by OCR staff to launch a potential investigation into the complaint allegation. Both tools were integrated into the new OCR Online Complaint Form work flow process, which resided in the deployed OCR general Web site in FY 2013, and now must be maintained in the operational Web site starting in FY 2014. The deployment of the new online complaint form supports capability for record input, data capturing, and storage. Now that the OCD and CAS code have been deployed and fully integrated into the online complaint form, the operations and maintenance phase for the application code project (hosted in an Education Department Utility for Communications, Applications and Technology Environment (EDUCATE) production server) begins. O&M funding supports:

- a. Basic application maintenance and general code enhancements to apply business process changes, and to improve the usage of the core code components integrated into the Online Complaint Form;
- b. Assist with complying with up-to-date departmental Web site IT environmental changes; and
- c. Security assurance updates as directed by ED.

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Travel — OCR is requesting a travel budget of \$673,000, same as the FY 2014 level. The overwhelming majority of OCR's travel funds are used to investigate complex complaints, conduct proactive compliance reviews, provide technical assistance, and monitor corrective action plans. In addition, OCR must ensure that staff and leadership in the enforcement offices have the ability to meet regularly to receive critical training, civil rights updates, and management skills to improve OCR operations. Face-to-face communication is sometimes essential for communicating organizational priorities, supporting professional networks and learning, and providing critical information and training for OCR's managers and staff spread among 13 locations around the country. These are functions that cannot be achieved solely through video or teleconferencing. At the same time, OCR must also utilize improved technology to enable optimal video communications and conferencing between the enforcement offices and headquarters to reduce the need for costly travel. If funds are not provided at the requested level, OCR's ability to achieve coordination and improvement in OCR's policy, compliance, and enforcement activities will be greatly diminished.

Postage — OCR is requesting \$40,000 for overnight shipping costs, same as the FY 2014 level. These funds were previously budgeted for in Centralized services and are now within the OCR non-pay budget.

Printing — OCR is requesting \$13,000 for printing, same as the FY 2014 level. In 2015, these funds will be used to print updated pamphlets in various languages, the "Report to the President on Accomplishments," OCR letterhead, literature on upcoming anniversaries and historic events, and restocking OCR's publications inventory.

Training — OCR is requesting a training budget of \$2,000; no funds were requested in 2014. OCR's leadership recognizes that the success of its work depends on the quality of its staff across all levels of the organization, and is taking steps to increase the agency's investment in improving staff training and development. Opportunities need to be provided for staff to participate in leadership programs, supervisory training, policy conferences, and continuing legal education around key civil rights priority areas. Because of decreased staffing, OCR also needs to provide training opportunities to employees who assume additional functions. In addition, staff must receive training on investigation, mediation, and negotiation techniques, and on OCR's case management process generally, to promote excellence and consistency in OCR's enforcement activities.

Communication/Copier Rentals and Operations and Maintenance of Facilities — OCR is requesting \$178,000, the same level as FY 2014. The funds are needed for existing copier rental and maintenance agreements (\$177,000) and maintenance of facilities (\$1,000).

Other Services/Goods and Services/Transportation/Supplies — OCR is requesting \$220,000, an increase of \$12,000 above the FY 2014 level. The request includes:

- Legal Research Services (\$71,000) — This is level-funded at the FY 2014 level. The contract provides an automated full-text legal information system that offers online access to Federal and State case law, statutes of all 50 States, legal publications, and law reports. If this project is not funded, it would eliminate the ability of attorneys to conduct desktop legal research and would require staff to perform legal research out of the office.

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- All Other Services/Goods and Services/Transportation/maintenance of equipment (\$120,000) — This is an increase of \$12,000 from the FY 2014 level. The request includes: support for ED Pubs at \$50,000; translation services (translating documents and pamphlets into several languages) at \$15,000; miscellaneous services for advertisement and short-term contractual services at \$32,000; and General Services Administration leased vehicles and equipment at \$23,000.
- Supplies (\$29,000) — This is level funded from FY 2014. These funds are needed to renew periodical subscriptions relating to law, disabilities, and general news; support case files maintenance; purchase copier paper; and purchase expired items in each employees' "emergency kit," such as batteries. OCR has depleted its available on hand supply items, which at times can delay staff from putting together proactive presentations and briefing materials.

Departmental Centralized Support

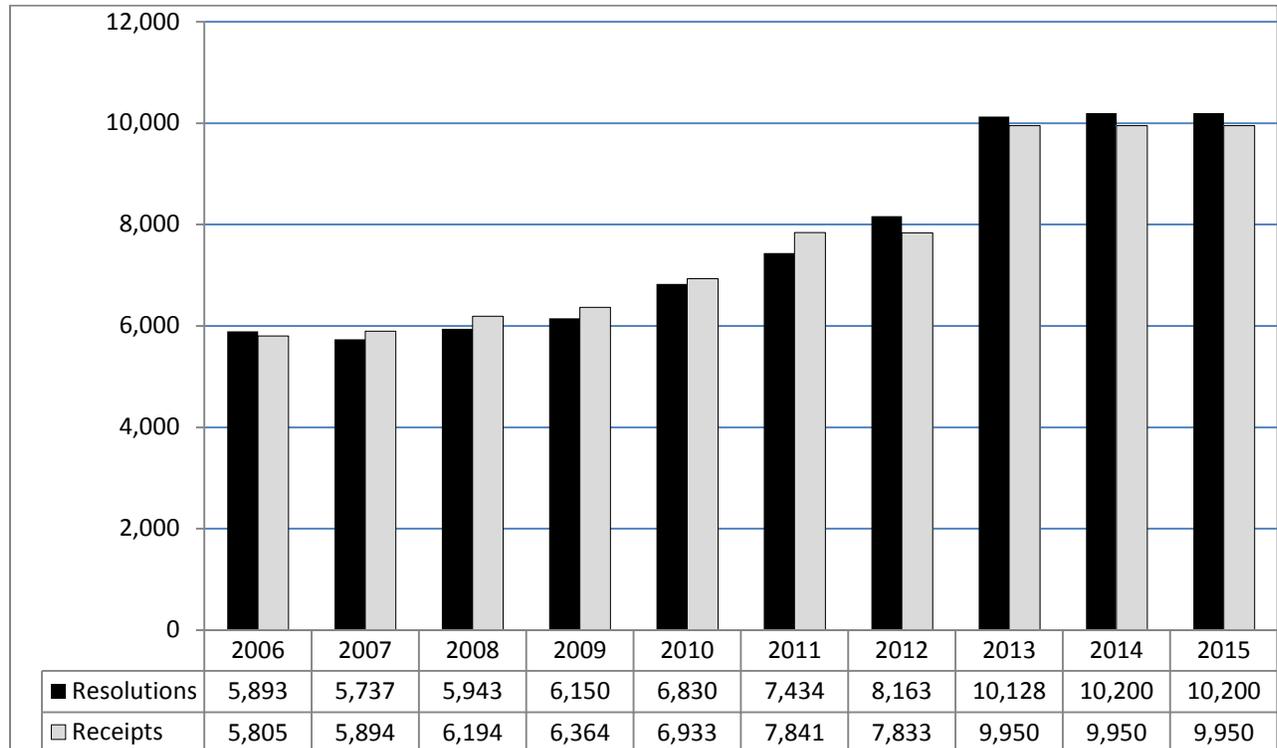
Approximately 74 percent of the total non-personnel budget request is to cover OCR's share of the Department's centralized services. The FY 2015 request is \$19.2 million, an increase of \$20,000 above the FY 2014 level of \$19.2 million. The funding request will cover the cost of services such as: rent; departmental training; records information management support services; interagency agreements for administrative services provided by other Federal Agencies, such as payroll processing, overtime utilities, training coordination and career counseling; and the EDUCATE contract that covers telecommunications, computers and related hardware, smartphones, IT processing services, network support, end user support, maintenance, and improvements.

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PROGRAM OUTPUT MEASURES

The following chart shows the number of OCR's complaint receipts and resolutions since FY 2006. Actual data are shown for fiscal years 2006-2013 and estimates are shown for fiscal years 2014-2015.

**Complaint Receipts and Resolutions
FY 2006 – FY 2015**

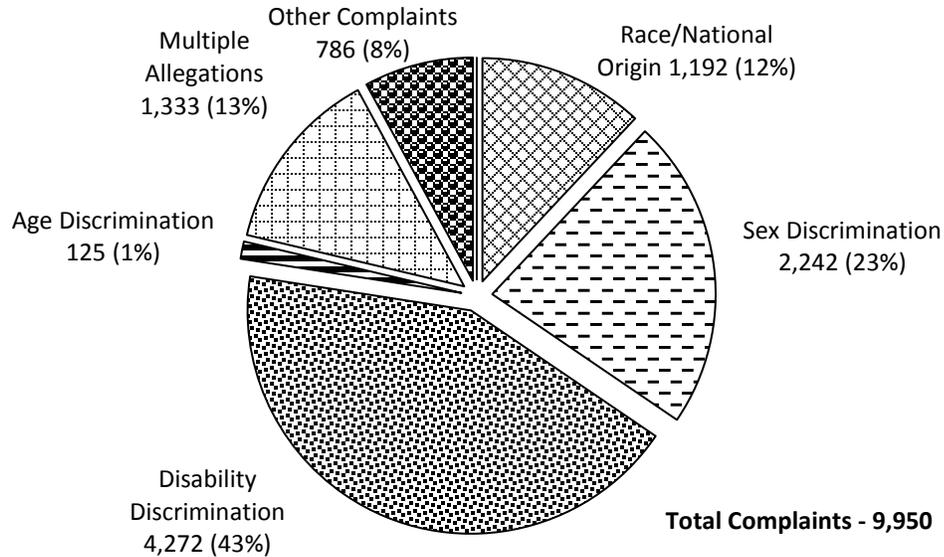


FY 2013 complaint receipts had a 27 percent increase compared to the previous year (9,950 compared to 7,833). For FY 2013, the number of complaint resolutions increased 24 percent (10,128 compared to 8,163), with a more than 7 percent increase in complaints that were resolved with change, including Early Complaint Resolution. In fiscal years 2014-2015, OCR estimates a 1 percent increase in complaint receipts over FY 2013.

The following chart reflects complaint caseload by jurisdiction for FY 2013. OCR disability discrimination complaints were 43 percent (4,272) of the total filed complaints and the sex discrimination complaints rose to 23 percent (2,242) due mainly to multiple (1,801) complaints filed by two individuals.

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**FY 2013 Complaint Caseload by Jurisdiction
(October 1, 2012 – September 30, 2013)**



PROGRAM PERFORMANCE INFORMATION

Performance Measures

OCR's Government Performance and Results Act (GPRA) measures are designed to assess the efficiency and accessibility of the complaint resolution process. While performance has remained strong over time, OCR anticipates difficulty sustaining this level of performance in future years without sufficient and appropriate funding.

Current performance measures for complaint workload:

Measure: Percentage of complaints resolved within 180 days.

Year	Target	Actual
2010	80%	90%
2011	80	92
2012	80	93
2013	80	95
2014	80	
2015	80	

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Measure: Percentage of complaints pending over 180 days.

Year	Target	Actual
2010	< 25%	22%
2011	< 25	18
2012	< 25	19
2013	< 25	19
2014	< 25	
2015	< 25	

Additional information: The first performance measure has two targets encompassing OCR's entire complaint workload, which together hold OCR accountable for efficient case resolution. Complaint receipts are rising and becoming more complex. Despite lower staffing levels, OCR has implemented an ambitious proactive agenda of complex compliance reviews and technical assistance activities. There has also been an increased number and level of monitoring of resolution agreements to ensure an entity's full compliance. For FY 2013, workload had a significant increase, however OCR's GPRA scores remained similar to FY 2012.

Measure: Mean score of customer satisfaction survey.

Year	Target	Actual
2010	3.66	3.89
2011	3.66	3.86
2012	3.66	3.86
2013	3.66	3.87
2014	3.66	
2015	3.66	

Additional information: OCR's second performance measure looks at customer satisfaction through a customer service survey that is distributed to both complainants and recipients after case resolution. The survey measures courteous and considerate treatment of customers; prompt, clear, and responsive communication (oral and written); and whether the customer is kept informed about his or her case. A fiscal year 2005 survey was used to establish baseline at 3.66 (on a scale of 1 through 5).

OCR Initiatives and Activities to Support the Department's Strategic Plan

OCR's mission is specifically linked to the Department's FY 2014-2018 Strategic Plan "Goal 4: Equity", and in particular, "Sub-goal 4.2: Civil Rights Enforcement." Under this sub-goal, OCR is responsible for ensuring educational institutions' compliance with Federal civil rights laws and enhancing the public's knowledge of their civil rights under these laws. To ensure the success of OCR's sub-goal under the Department's strategic plan, sufficient funding is needed to support the following initiatives and activities:

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Promote Teacher and Resource Equity

Inequitable “access” to strong teachers and the resources necessary to succeed are the leading contributors to opportunity gaps experienced by low-income and racial and linguistic minority students in America. OCR is committed to reducing the opportunity gaps by vigorously enforcing Title VI to ensure that African-American and Hispanic students, English learners and other students that face discriminatory disparities have “access” to effective teachers and education resources. Because of the sheer volume of materials and data involved in investigating such cases, teacher and resource equity investigations are among the most challenging that OCR conducts. These types of investigations require funding for a full team of attorneys, investigators, data statistical analysis and entry support, and policy counsel. OCR anticipates allocating more staffing and support to complete these investigations in FY 2015.

Reduce Discriminatory Discipline

In July 2011, Attorney General Eric Holder and Secretary of Education Arne Duncan announced the Supportive School Discipline Initiative (SSDI), a collaborative project between the Departments of Justice and Education to address the “school-to-prison pipeline” and the disciplinary policies and practices that can push students out of school and into the justice system. The initiative aims to support good discipline practices to foster safe and productive learning environments in every classroom.

The goal of SSDI took on new urgency following the Newtown tragedy in late 2012, when 26 children and school personnel lost their lives in an act of gun violence at Sandy Hook Elementary School. In January 2013, the President announced *Now Is the Time*, a four-part plan to reduce gun violence and create safer schools and communities. The plan acknowledges that “effective school discipline policies are critical to addressing school and community crime and violence issues” and requires the Department of Education to “collect and disseminate best practices on school discipline polices and help school districts develop and equitably implement such policies.”¹ Addressing school discipline is both a key civil rights priority of OCR in FY 2015 and a priority for the entire Administration.

In January 2014, OCR, the Department of Education, and the Department of Justice released a school discipline guidance package (see <http://www2.ed.gov/policy/gen/guid/school-discipline/index.html>) that will assist States, districts and schools in developing practices and strategies to enhance school climate, and ensure those policies and practices comply with Federal law. The guidance package included two critical documents related to school discipline: (1) a legal policy guidance (“Dear Colleague Letter”) describing educational institutions’ obligations to identify and remedy discriminatory school discipline practices under Title VI of the Civil Rights Act of 1964; and (2) a guidance principles document responsive to the President’s directive in *Now Is the Time*. In FY 2015, OCR will need funds to escalate technical assistance efforts in this arena to ensure that these critical documents are widely disseminated and understood by schools and by the public. With the new policy guidance, OCR will continue its enforcement efforts in the discipline arena to enhance legal compliance with Title VI.

¹ See http://www.whitehouse.gov/sites/default/files/docs/wh_now_is_the_time_full.pdf.

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Reduce Racial Isolation and Increase Diversity

Racial isolation in U.S. schools remains alarmingly high. Studies show that 80 percent of Latino students and 74 percent of Black students are in schools where the majority of students are not White, and 43 percent of Latinos and 38 percent of Black students attend "intensely segregated schools" in which White students comprise 10 percent or less of the student body. (See <http://civilrightsproject.ucla.edu>.) In December 2011, OCR released two policy guidance letters to assist K-12 schools in voluntary efforts to reduce racial isolation and increase racial diversity, and to assist postsecondary institutions in voluntary efforts to increase racial diversity. Following U.S. Supreme Court cases like *Parents Involved in Community Schools v. Seattle School District* and *Fisher v. University of Texas* see <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-qa-201309.pdf>), it is more important than ever that OCR receives funds to expand its reach to educational institutions by providing up-to-date legal guidance and interactive technical assistance on how they may voluntarily and proactively take steps to diversify their student populations, in accordance with the law.

Increase Knowledge of Title IX and Disability Coordinators

OCR's regulations require each recipient to designate at least one employee to coordinate its efforts to comply with Title IX and Section 504, including investigations of any complaints of non-compliance the recipient receives. For the first time, OCR has proposed to collect from each public school district (through the Civil Rights Data Collection) the name and contact information of these employees. In order to ensure that these coordinators are effectively meeting their Federal obligation to further Federal civil rights, OCR will need funds in FY 2015 to assess the needs of these coordinators, provide them training and support, including creating a community of practice, and investigate recipients who are violating these requirements.

Other Select Areas of Civil Rights Enforcement

Funding is needed in the following areas to conduct compliance reviews and/or provide technical assistance:

Access to College- and Career-Preparatory Courses. In some school districts, college-prep, International Baccalaureate, and Advanced Placement courses are not readily available in schools with large minority populations, and minority students are often underrepresented in such courses. OCR will continue to engage in compliance reviews and technical assistance activities to ensure equal access to programs that make students ready for college.

Protection of English Language Learners (ELL). OCR will continue its enforcement and technical assistance activities to ensure recipients comply with their obligations under Title VI and the Supreme Court's ruling in *Lau v. Nichols* to provide appropriate access and services to students who are ELL.

Protection of Students with Disabilities. Pursuant to Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, OCR will continue to ensure that students with disabilities are not denied the opportunity to participate in and benefit from a school district's programs and activities. This includes ensuring that schools properly evaluate students with food allergies and other health impairments, determining technology

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needs, and giving students with disabilities equitable access to athletic programs and activities.

Reduction of Discriminatory Bullying, Harassment and Violence. OCR will continue to ensure that all students are protected against bullying, harassment and violence on the basis of race, color, national origin, sex (including gender stereotypes and gender-nonconformity) and disability and that schools act promptly, vigorously and equitably to ensure student safety.