

**Department of Education**  
**OFFICE FOR CIVIL RIGHTS**  
**Fiscal Year 2019 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, \$107,438,000.

### NOTE

A full year 2018 appropriation for this account was not enacted at the time the fiscal year 2019 Budget was prepared; therefore, the Budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115-56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution.

**OFFICE FOR CIVIL RIGHTS**

**Amounts Available for Obligation**  
(dollars in thousands)

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Appropriation and Adjustments	2017	2018 Annualized CR	2019
Discretionary appropriation:			
Appropriation.....	\$108,500	\$108,500	\$107,438
Across-the-board-reduction (P.L. 115-56) .....	<u>0</u>	<u>-737</u>	<u>0</u>
Subtotal, appropriation.....	108,500	107,763	107,438
Unobligated balance, expiring .....	<u>-43</u>	<u>0</u>	<u>0</u>
Total, direct obligations.....	108,457	107,763	107,438

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**OFFICE FOR CIVIL RIGHTS**

**Obligations by Object Classification**  
(dollars in thousands)

Object Class		2017	2018 Annualized CR	2019	Change from 2018 to 2019
11.10	Full-time permanent	\$61,005	\$57,572	\$57,572	\$0
11.31	Full-time temporary	587	894	894	0
11.32	Part-time	1,150	671	671	0
11.33	Consultants	0	0	0	0
11.51	Overtime	24	8	16	8
11.52	Awards	357	81	450	369
11.80	Other Compensation	<u>22</u>	<u>0</u>	<u>0</u>	<u>0</u>
	Subtotal, Personnel Comp.	63,145	59,226	59,603	377
12.00	Benefits	20,202	19,502	19,669	167
13.1	Benefits for Former Personnel	<u>0</u>	<u>400</u>	<u>0</u>	<u>-400</u>
	Subtotal, Per. Comp. & Ben.	83,347	79,128	79,272	144
21.00	Travel	381	405	405	0
22.00	Transportation of things	3	0	0	0
23.10	Rental Payments to GSA	8,246	9,877	9,372	-505
23.31	Communications	21	19	72	53
23.32	Postage/fees	<u>0</u>	<u>32</u>	<u>32</u>	<u>0</u>
	Subtotal, 23	8,447	9,928	9,476	-452
24.00	Printing & Reproduction	5	12	12	0
25.1	Advisory and Assist Serv	3	0	0	0
25.21	Other Services	800	819	864	45
25.22	Training/Tuition/Contracts	74	270	243	-27
25.30	Goods/Services from Gov't	2,173	2,142	2,183	41
25.40	Operations/Maint of Facilities	0	1	1	0
25.71	Operations/Maint of Equipment	0	15	15	0
25.72	IT Services/Contracts	<u>12,960</u>	<u>14,826</u>	<u>14,737</u>	<u>-89</u>
	Subtotal, 25	16,010	18,073	18,043	-30
26.00	Supplies	73	58	57	-1
31.10	IT Equipment/Software	185	159	173	14
31.30	Other Equipment	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>
	Subtotal, 31	188	159	173	14
32.00	Building Alterations	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>
	Total, obligations	108,457	107,763	107,438	-325

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**Summary of Changes**  
(dollars in thousands)

2018.....	\$107,763
2019.....	<u>107,438</u>
Net Change.....	-325

	2018 <u>Annualized CR</u>	Change from <u>Annualized CR</u>
<b>Increases:</b>		
<u>Built-in:</u>		
Net increase in costs associated with employee health benefits and awards.	\$79,128	+\$144
<u>Program:</u>		
Increase in communications.	19	+53
Increase in other services.	819	+45
Increase in goods/services from the Government.	2,142	+41
Increase in IT equipment/software.	159	<u>+14</u>
Subtotal, increases		+297
 <b>Decreases:</b>		
<u>Built-in:</u>		
Decrease in rent.	\$9,877	-\$505
<u>Program:</u>		
Decrease in central services training.	270	-27
Decrease in IT service contracts.	14,826	-89
Decrease in supplies.	58	<u>-1</u>
Subtotal, decreases		-622
Net Change		-325

**OFFICE FOR CIVIL RIGHTS**

**Authorizing Legislation**

(dollars in thousands)

Activity	2018 Authorized	2018 Annualized CR	2019 Authorized	2019 Request
Civil Rights (DEOA).....	<u>Indefinite</u>	<u>\$107,763</u>	<u>Indefinite</u>	<u>\$107,438</u>
Total appropriation.....		107,763		107,438

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### Appropriations History (dollars in thousands)

Year	Budget Estimate to Congress	House Allowance	Senate Allowance	Appropriation
2010	\$103,024	\$103,024	\$103,024 <sup>1</sup>	\$103,024
2011	105,700	103,024 <sup>2</sup>	105,700 <sup>1</sup>	102,818 <sup>3</sup>
2012	107,772	102,818 <sup>4</sup>	102,818 <sup>4</sup>	102,624
2013	102,624	102,624 <sup>5</sup>	102,624 <sup>5</sup>	98,356
2014	98,356	N/A <sup>6</sup>	98,356 <sup>1</sup>	98,356
2015	102,000	N/A <sup>6</sup>	102,000 <sup>7</sup>	100,000
2016	130,691	100,000 <sup>8</sup>	100,000 <sup>8</sup>	107,000
2017	137,708	100,000 <sup>9</sup>	110,000 <sup>9</sup>	108,500 <sup>9</sup>
2018	106,797	108,500 <sup>10</sup>	117,000 <sup>10</sup>	107,763 <sup>10</sup>
2019	107,438			

<sup>1</sup> The level for the Senate allowance reflects Committee action only.

<sup>2</sup> The level for the House allowance reflects the House-passed full-year continuing resolution.

<sup>3</sup> The level for appropriation reflects the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10).

<sup>4</sup> The level for the House allowance reflects an introduced bill and the level for the Senate allowance reflects Senate Committee action only.

<sup>5</sup> 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.

<sup>6</sup> The House allowance is shown as N/A because there was no Subcommittee action.

<sup>7</sup> The level for the Senate allowance reflects Senate Subcommittee action only.

<sup>8</sup> The levels for House and Senate allowances reflect action on the regular annual 2016 appropriations bill, which proceeded in the 114th Congress only through the House Committee and Senate Committee.

<sup>9</sup> The levels for the House and Senate allowances reflect Committee action on the regular annual 2017 appropriations bill; the Appropriation reflects the Consolidated Appropriations Act, 2017.

<sup>10</sup> The levels for the House reflect floor action on an Omnibus appropriation bill; Senate allowances reflect Committee action on the regular annual 2018 appropriations bill; the Appropriation reflects the Annualized Continuing Resolution level.

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### Office for Civil Rights

(Department of Education Organization Act, Section 203)

(dollars in thousands)

FY 2019 Authorization: Indefinite

Budget Authority:

	2018 <u>Annualized CR</u>	2019 <u>Request</u>	Change from 2018 <u>Annualized CR</u>
Personnel Compensation and Benefits Costs	\$79,128	\$79,272	+\$144
Non-Personnel Costs	<u>28,635</u>	<u>28,166</u>	<u>-469</u>
Total	107,763	107,438	-325
FTE	529	529	0

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### 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 mission is in alignment with the Department's mission to promote educational excellence and ensure equal access.

OCR's law enforcement function is to ensure that institutions, programs, and activities that receive financial assistance from the Department and other covered entities comply with the Federal civil rights laws enacted by Congress. OCR fulfills this responsibility by enforcing six civil rights laws and their implementing regulations that prohibit discrimination on the basis of race, color, national origin, sex, disability, age, and a statute that ensures equal access to school facilities for the Boy Scouts of America or other groups identified by Congress as patriotic societies. 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

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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).

Under Title VI, Title IX, Section 504, and the Age Discrimination Act, OCR has jurisdiction over institutions that receive Federal financial assistance from the Department and institutions for which OCR has been delegated authority from other Federal agencies. Under Title II, OCR has jurisdiction over public elementary and secondary education systems and institutions, public institutions of higher education and vocational education (other than schools of medicine, dentistry, nursing, and other health-related schools), and public libraries, regardless of whether these institutions receive Federal financial assistance. Under the Boy Scouts Act, OCR has jurisdiction over public elementary schools, public secondary schools, local educational agencies and State educational agencies that receive funds made available through the Department.

The six civil rights laws for which OCR has enforcement responsibility extend to a wide range of entities, including: all State educational agencies; local educational agencies; postsecondary institutions, including proprietary schools and community colleges; State vocational rehabilitation agencies and their sub-recipients; as well as libraries, museums, and correctional institutions. More than 80 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 is headed by an Assistant Secretary who is appointed by the President and confirmed by the Senate. The staff in the immediate office of the Assistant Secretary may include a Principal Deputy Assistant Secretary, a Deputy Assistant Secretary for Enforcement, a Deputy Assistant Secretary for Policy, a Deputy Assistant Secretary for Strategic Operations and Outreach, and a Deputy Assistant Secretary for Management and Operations.

The Principal Deputy Assistant Secretary performs functions as assigned by the Assistant Secretary such as assisting and advising the Assistant Secretary in the overall direction and management of the agency.

The Deputy Assistant Secretary for Enforcement manages the overall operations of the 12 regional offices that are responsible for ensuring that recipients of Federal assistance and other covered entities comply with the Federal civil rights laws prohibiting discrimination. The vast majority of OCR's staff members work in the agency's 12 regional offices. Their main function is to investigate complaints from the public that allege a violation of one or more of the statutes that OCR enforces and to determine the compliance status of recipients. Time and resources permitting, employees launch proactive investigations of recipients, which is described in more detail below on page Z-12 under "Personnel Compensation and Benefits (PC&B) Costs." Enforcement staff also monitors recipients' compliance with voluntary settlement agreements. In addition, they develop and provide technical assistance to foster greater understanding of the statutes that OCR enforces.

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The Deputy Assistant Secretary for Policy oversees the Headquarters' Program Legal Group that provides a range of legal services including: developing policy guidance, technical assistance materials, consulting on novel cases from the regional offices, regulation development, and helping to ensure that civil rights issues are appropriately addressed within the Department's programs and initiatives and among Federal Agencies. The Program Legal Group also has responsibility for administration of the Civil Rights Data Collection.

The Deputy Assistant Secretary for Strategic Operations and Outreach has responsibility for overseeing OCR's strategic and operational planning, establishing and maintaining effective collaboration with other components of the Department, and ensuring effective outreach and communication between OCR and external stakeholders and the public.

The Deputy Assistant Secretary for Management and Operations has the responsibility for overseeing and directing areas of planning, developing, and implementing budget, operational, and administrative policy for OCR.

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2014.....	\$98,356
2015.....	100,000
2016.....	107,000
2017.....	108,500
2018.....	107,763

### FY 2019 BUDGET REQUEST

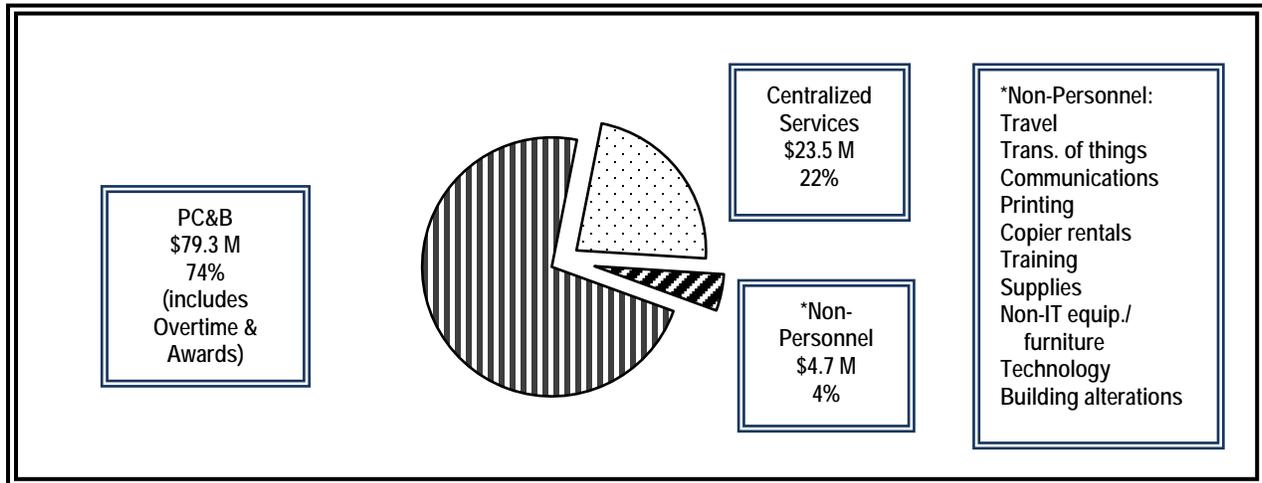
For fiscal year 2019, the Department requests \$107.4 million for the Office for Civil Rights (OCR), supporting an FTE level of 529, a decrease of \$325,000 below the fiscal year 2018 Annualized Continuing Resolution (CR) level. This funding request supports the resources essential for OCR to deliver on its statutory and regulatory mandates.

- The **Personnel Compensation and Benefits (PC&B)** request of \$79.3 million is an increase of \$144,000 over the fiscal year 2018 Annualized CR level. The 2019 request will support PC&B costs associated with an FTE level of 529, increases in employee awards and transit subsidy benefits. To operate within an FTE level of 529 and still handle its caseload, OCR will have to maximize the number of its investigative staff while eliminating non-investigative positions and delayering management. OCR will also have to rethink how it investigates its complaints by revising the current case processing manual to reduce the length of time it takes to process complaints.
- The **Non-Personnel Costs, excluding Departmental Centralized Services** request of \$4.7 million is an increase of \$850,000 over the fiscal year 2018 Annualized CR level. The majority of non-personnel funds are for the Civil Rights Data Collection (CRDC): \$3.5 million; travel: \$405,000; software support to operate OCR's Case and Activity Management System (CAMS): \$310,000; and Online Discrimination Complaint Form Enhancement: \$102,000.

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- OCR's fiscal year 2019 share of the **Department's Centralized Services (overhead)** is \$23.5 million, a decrease of \$768,000 below the fiscal year 2018 Annualized CR level.

**FY 2019 Budget  
(dollars in millions)  
Total: \$107.438  
FTE: 529**



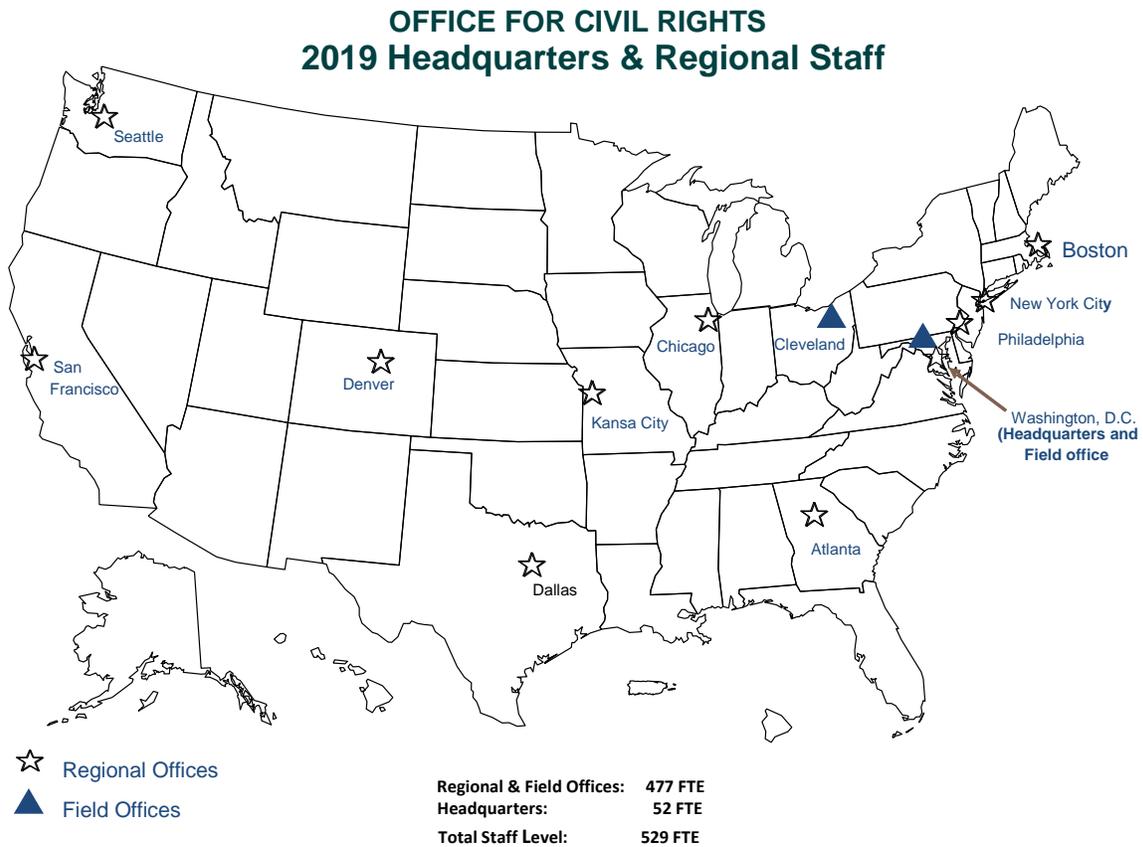
For OCR to more efficiently operate to enforce civil right laws with a FTE level of 529 and a budget level of \$107.438 million, OCR revised its Case Processing Manual (CPM) to reduce the length of time it takes to process cases, allowing staff to handle a certain number of cases per investigative staff. OCR seeks to improve the efficiency in which investigative staff process cases to curtail the high volume of complaints that are pending over 180 days. As of March 31, 2017, OCR had 3,696 cases pending more than 180 days. The revised CPM is being implemented in fiscal year 2018 and OCR anticipates seeing a decline in the number of cases pending over 180 days in fiscal year 2019. Efficient case resolution will likely positively impact the ratio of cases per staff in fiscal year 2019, which is currently projected to be 39 cases per staff. Improved case resolution time will enable the investigative FTE to better handle the projected high volume of case receipts in fiscal year 2019.

Additionally, OCR has taken steps to restructure the organization to maximize the number of investigative staff. For example, in fiscal year 2018, OCR identified positions for which it offered Voluntary Early Retirement Authority and Voluntary Separation Incentive Payment (VERA/VSIP). The goal of this offering was to abolish positions associated with outdated position descriptions or for which certain skills were no longer utilized or required. The abolished positions will help reduce OCR's FTE level from 569 to 529 in fiscal year 2018 (a difference of 40 FTE). Of the 529 FTE, OCR is proposing to convert 11 positions from non-investigative to investigative positions in order to ensure an appropriate balance of cases per staff.

OCR is also exploring ways to reduce its overhead costs in centralized services by reducing rent and other costs associated with physical office locations.

## OFFICE FOR CIVIL RIGHTS

### Current Organizational Structure and Staffing



OCR consists of a headquarters office located in Washington, DC and 12 regional enforcement offices. These offices are located in Washington, DC (co-located with headquarters), Boston, New York, Philadelphia, Atlanta, Dallas, Chicago, Kansas City, Denver, San Francisco, Seattle, and Cleveland.

The Office for Civil Rights is led by an Assistant Secretary who is appointed by the President and confirmed by the Senate. The staff in the immediate office of the Assistant Secretary may include a Principal Deputy Assistant Secretary, a Deputy Assistant Secretary for Enforcement, a Deputy Assistant Secretary for Policy, a Deputy Assistant Secretary for Strategic Operations and Outreach, and a Deputy Assistant Secretary for Management and Operations, depending on which positions the Administration chooses to utilize.

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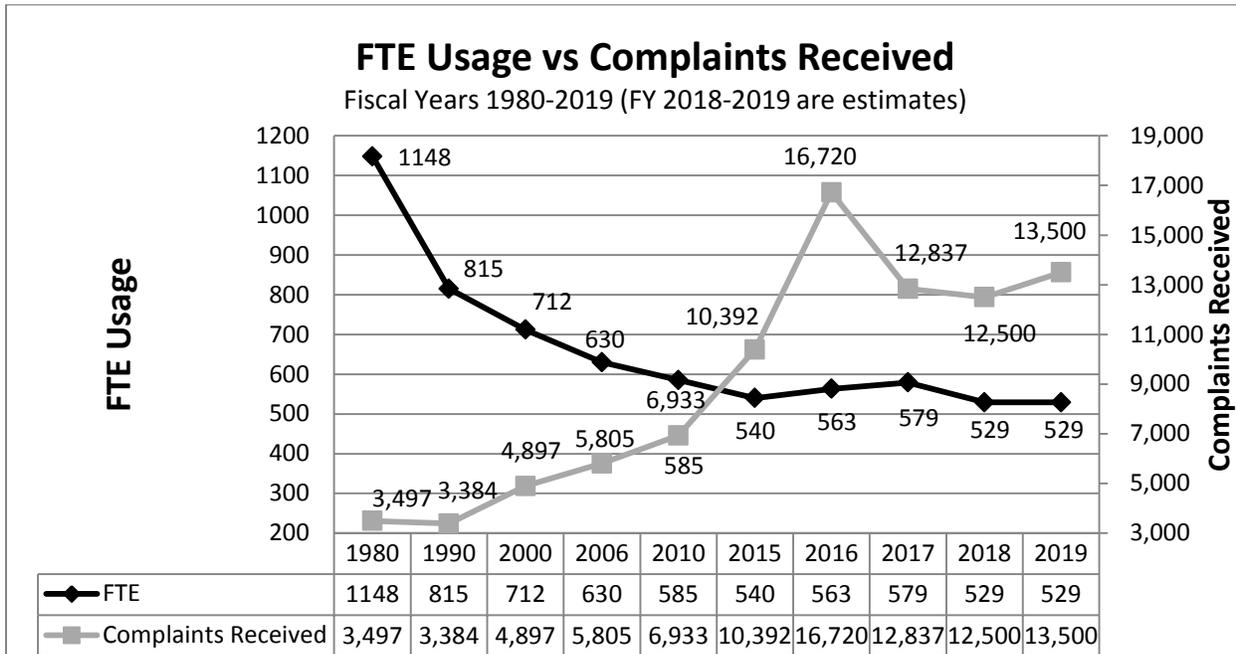
### Personnel Compensation and Benefits (PC&B) Costs

OCR accomplishes its mission primarily by responding to complaints and initiating proactive investigations, both of which require significant investments in human capital. Proactive investigations include compliance reviews and directed investigations. OCR initiates compliance reviews to determine whether recipient practices comply with civil rights regulations. OCR initiates directed investigations to address possible discrimination that is not currently being addressed through OCR's complaint resolution, compliance review, or technical assistance activities. The statutes and implementing regulations enforced by OCR require recipients to ensure nondiscrimination in their programs and activities that receive Federal financial assistance. The regulations require OCR "to make a prompt investigation whenever a compliance review, report, complaint, or any other information indicates a possible failure to comply" with laws protecting students from discrimination in academic institutions that receive Federal funding. Therefore, PC&B costs historically have been the biggest component of OCR's budget as well as the key factor in OCR being able to accomplish its mission.

For fiscal year 2019, PC&B costs are 74 percent of the request, or \$79.3 million, an increase of \$144,000 over the fiscal year 2018 Annualized CR level. The request supports 529 FTE, the same as the fiscal year 2018 FTE level.

The chart below shows trends in FTE levels and caseload. While some of the decline in FTE since 1980 may be attributed to technological advances that improved efficiency, the FTE decline from 2010 to 2015 was a result of decreased funding (\$103 million in FY 2010 to \$100 million in FY 2015). From FY 2006 to FY 2017, the number of complaints is projected to increase by 124 percent. While there was an increase in the number of complaints between FYs 2015 and 2016, the increase was attributable to one individual who filed 6,201 complaints in FY 2016. As a result, OCR projects a decrease in complaints from FY 2016 of 16,720 to 12,837 in FY 2017.

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Prior to fiscal year 2016, the caseload grew by nearly 500 additional cases per year since fiscal year 2006. The fiscal year 2017 ratio of cases per investigative staff was 34 to 1, a decrease from the 2016 ratio of 40 to 1.

**Table A: Caseload per Staff in FY 2006, FY 2016, and FY 2017**

	FY 2006	FY 2016	FY 2017
Number of Attorneys/Equal Opportunity Specialists (excluding managers)	391	422	379
Complaints Received & Proactive Investigations Launched	5,816	16,720 <sup>1</sup>	12,837
# of cases per staff	15	40	34
# of multi-jurisdiction cases	766	1,656	1,702
Monitoring Caseload	1,054	2,734	3,688
# of monitoring cases per staff	2.7	6.5	10.0
Investigated Cases <sup>2</sup>	4,803	7,396	8,577

<sup>1</sup> In fiscal year 2016, OCR received a record high of 16,720 complaints, which was primarily attributed to one individual that filed 6,201 Title IX complaints against school districts and elementary and secondary schools. These complaints filed by one individual were partially responsible for the number of cases per staff increasing to 40.

<sup>2</sup> Criteria: The selection of investigated cases is based on cases either still pending or cases that progressed beyond dismissal and were resolved with administrative closure, no violation, Early Complaint Resolution, or change with or without a resolution agreement.

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	<b>FY 2006</b>	<b>FY 2016</b>	<b>FY 2017</b>
# of investigated cases per staff	12	17	22

**Table B: Impact of FTE per Staff Based on 13,500 Complaint Receipts & 4,300 Monitoring Cases Projected in FY 2019**

<b>Number/Staff Level</b>	<b>2019 Request</b>
Projected (through FY 18) number of Attorneys/Equal Opportunity Specialists (excluding managers)	380
Decreased number of Attorneys/Equal Opportunity Specialists for FY 2019	-23
Projected Total for FY 2019	357
# of cases per staff	38
# of monitoring cases per staff	12

**Investing in Investigative and Administrative Staff, and IT Services**

To address the high volume of complaints OCR receives and decreased staffing levels, OCR must restructure the way it operates. OCR's investigative staff is responsible for the following: (1) resolving complaints of discrimination; (2) initiating directed investigations/compliance review; and (3) providing technical assistance to help institutions achieve voluntary compliance with civil rights laws.

OCR's administrative staff provides help and support tools for the enforcement staff's improved efficiency. Support activities include: (1) providing policy guidance to clarify schools' responsibilities; (2) providing information technology and web support for OCR's enforcement and technical assistance activities and OCR's website; and (3) supporting the Civil Rights Data Collection.

The fiscal year 2019 request supports the core functions of the investigative and administrative staff above. However, OCR must direct resources toward improving and maintaining OCR's website, facilitating increased use of technology in enforcement and technical assistance activities, and monitoring and maintaining OCR's database investments (including CRDC, CAMS, and Online Discrimination Complaint Form).

**Awards & Overtime**

OCR is requesting \$450,000 for awards and \$16,000 for overtime for a total of \$466,000, an increase of \$377,000 over the fiscal year 2018 Annualized CR level. The request will cover mandated performance awards for the eligible Senior Executive Service staff and performance-based awards for general schedule employees.

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### Non-Personnel Costs

The total request for Non-Personnel activities in fiscal year 2019, excluding Departmental Centralized Services, is \$4.7 million, an increase of \$850,000 over the fiscal year 2018 Annualized CR level. The requested Non-Personnel funds would 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. Listed below are several detailed IT services non-personnel projects.

### Information Technology Services: Civil Rights Data Collection (CRDC)

OCR is requesting \$3.541 million for the CRDC, an increase of \$1.286 million over the fiscal year 2018 Annualized CR level. The request will support the data upload preparation and data analysis for the 2017-18 data collection and pre-collection and technical assistance activities to prepare for the 2019-20 CRDC. The request will also support basic operations and maintenance, non-major enhancements, and some web hosting for the CRDC reporting website. Because of limited funding in fiscal year 2017, OCR was unable to support the necessary updates and system enhancements to the CRDC Reporting website, which can jeopardize the functionality of the website. The fiscal year 2019 request will support the start of these critical activities to ensure the CRDC Reporting Website is brought up to industry standards by fiscal year 2020 and to increase operational efficiency.

In order for the CRDC to be useful to OCR, the Department, State educational agencies (SEAs), local educational agencies (LEAs), and other stakeholders, the data must be collected, analyzed and distributed in a timely manner. Other Department offices and Federal agencies also benefit from the valuable data within the CRDC to increase awareness around key issues and provide a source of national, school-level data. In addition, under section 1111(h)(1)(C)(viii) of the Every Student Succeeds Act (ESSA), SEAs and LEAs are required to include data from the CRDC on: (1) in-school suspensions; (2) out-of-school suspensions; (3) expulsions; (4) school-related arrests; (5) referrals to law enforcement; (6) incidences of violence, including bullying and harassment; (7) number and percentage of students enrolled in preschool; and (8) number and percentage of students enrolled in accelerated coursework to earn postsecondary credit while in high school (e.g., advanced placement, international baccalaureate) on their annual report cards. States and districts will begin to produce report cards as required by ESSA using the CRDC data from the 2018-19 school years.

CRDC collection consists of five major phases: (I) notification and guidance to school districts, (II) preparing for data submissions, (III) survey submission window, (IV) finalizing data files, and (V) preparing the data file for upload to the CRDC website. In summary, the five phases can be captured in three categories. They are: (1) the pre-collection includes Phases I and II; (2) collection activities comprise of Phase III; and (3) post-collection include Phases IV and V. Activities related to the CRDC Reporting Website operations, maintenance, and data upload and integration are detailed separately. All phases and costs are listed in detail on the CRDC chart on the next page.

The CRDC provides data on leading civil rights indicators related to access and barriers to educational opportunity at the pre-K through 12th grade school levels. Although OCR has conducted the CRDC since 1968, the last few collection cycles have shown substantial

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improvements in both the quality and the usability of the data. OCR developed pre-submission analytic reports to assist districts in reducing errors. This effort is complemented by new tip sheets, FAQs, and guidance documents posted to the CRDC website. In addition, several enhancements were made to the data submission system for the 2015-16 CRDC to improve functionality and user experience, which resulted in a decrease in the overall data collection period.

With respect to improved usability, the CRDC has become more accessible and understandable for the general public, researchers, and policymakers. In fiscal year 2016, OCR released data from the 2013-14 CRDC, which was the third universal collection. NOTE: Previous universal collections were conducted for the 2000 and 2011-12 school years. The 2015-16 CRDC and 2017 -2018 CRDC are universal collections. The 2013-14 CRDC was released on June 7, 2016, including a First Look report that provided a broad overview of the data in key areas of inequity and progress. The collection surveyed more than 16,700 school districts and 95,500 public schools representing over 50 million students.

The following table provides a detailed account of the CRDC budget for fiscal years 2017-2019.

School Year	Major Activity	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019
CRDC 2015-16	<b>Phase IV - Finalizing Data Files:</b> Data quality review and editing, time series, privacy protection.	196,022		
CRDC 2015-16	<b>Phase V – Data Upload:</b> Applying CRDC 2015–2016 data to the CRDC (Reporting) website; hosting and releasing the new data to the general public. (This Phase is now separate from Phase IV.)			
CRDC 2017-18	<b>Phase I - Notification and Guidance:</b> Notification to school districts, identifying primary point of contact, guidance (Q&A).	409,408	186,899	
CRDC 2017-18	<b>Phase II - Preparing for data submissions:</b> File specifications, pre-collection tools, confirmation of school directory, technical assistance to prepare districts to collect and submit data.	420,300		
CRDC 2017-18	<b>Phase III - Survey Submission Window:</b> Begin data collection from LEAs, Partner Support Center for technical support for school districts' data submissions.		1,578,801	
CRDC 2017-18	<b>Phase IV - Finalizing Data Files:</b> Data quality review and editing, time series, privacy protection.		81,353	730,338
CRDC 2017-18	<b>Phase V – Data Upload Preparation:</b> Prepare CRDC 2017–18 data for upload to the CRDC (Reporting) website; hosting and releasing the new data to the general public.			309,404
CRDC 2017-18 Data Analysis	Analysis and summarization of the 2017-18 CRDC data for public dissemination; creating special tabulations and publications; designing and editing of CRDC issue briefs.			220,000
CRDC 2019-20	<b>Phase I - Notification and Guidance:</b> Notification to school districts, identifying primary point of contact, guidance (Q&A).			365,692

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School Year	Major Activity	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019
CRDC 2019-20	<i>Phase II - Preparing for data submissions:</i> File specifications, pre-collection tools, confirmation of school directory, technical assistance to prepare districts to collect and submit data.			547,008
CRDC Reporting Website	Fund the "Base Year" and 4 option years for the CRDC (Reporting) website's operation and maintenance.	269,298	274,364	364,697
CRDC Reporting Website	Upload and integrate 2015-16 CRDC data, implement data updates, develop and implement system enhancements and new reports to improve data analysis and display on the reporting website.	390,069	49,799	920,066
Web Hosting	Web hosting under the EDUCATE contract.	83,784	83,784	83,784
<b>Total CRDC</b>		<b>\$1,768,881</b>	<b>\$2,255,000</b>	<b>\$3,540,989</b>

### Information Technology Services: Case Activity Management System (CAMS)

OCR is requesting \$310,000 for CAMS, an increase of \$5,000 above the fiscal year 2018 Annualized CR level. CAMS is an electronic tracking system used to record the status of past, ongoing, and upcoming cases and store the documents associated with each case. It uses a combination of three software applications: Case Management System, Activity Management System, and Open Text Document Management System with Record Management function. The funding for this project provides for: (a) enhancements to apply business process changes and to improve the usage of these core applications, (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 continues to enhance these essential applications for critical unmet needs identified by CAMS' core users.

### Information Technology Services: Support for Operations and Maintenance (O&M) for Online Discrimination Complaint Form

OCR is requesting \$102,000, a decrease of \$494,000 below the fiscal year 2018 Annualized CR level. Of this request, \$75,000 covers two subtasks in support of the contracting task: (a) General O&M to support OCR's publically accessible website<sup>1</sup>; and (b) the OCR Web Based Collection System document upload project that allows the public to search for and access OCR enforcement resolution letters and agreements entered into on or after October 1, 2013.

- For subtask (a), O&M covers both the electronic pre-complaint and online complaint forms. The pre-complaint form is an online screening process tool that walks potential complainants through a number of considerations prior to their submission of a discrimination complaint to OCR. The Online Discrimination Complaint Form is a public facing tool. Therefore, OCR will need to invest in cybersecurity measures to manage the

<sup>1</sup> <http://www2.ed.gov/about/offices/list/ocr/index.html>

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risks of cyber threats to provide the On-Line Complaint form process in a non-Cold-Fusion software support environment.

- For subtask (b), the OCR Web Based Collection System document upload project involves contracting IT services to upload OCR resolution letters and agreements, policy documents, and other information to the OCR website in order to provide transparency to the public about OCR enforcement and compliance activities.

### **Travel**

OCR is requesting a travel budget of \$405,000, the same as the fiscal year 2018 Annualized CR level. The overwhelming majority of OCR's travel funds are used to investigate complaints. OCR will limit travel for conducting proactive investigations, providing technical assistance, monitoring corrective action plans, and training. OCR must ensure that staff and leadership in the enforcement offices are able to receive critical training, civil rights updates, and management skills necessary to improve OCR operations. OCR has greatly expanded its use of video teleconference technology to enable optimal video communications and conferencing between the enforcement offices and headquarters to reduce the need for costly travel.

### **Printing**

OCR is requesting \$12,000 for printing, the same as the fiscal year 2018 Annualized CR level, to cover necessary printed items such as pamphlets highlighting OCR activities in various languages, reports, fact sheets, business cards, and letterhead.

### **Training**

OCR is requesting a training budget of \$4,000, the same as the fiscal year 2018 Annualized CR level. OCR's leadership recognizes that the success of its work depends on the quality of its staff across all levels of the organization. Staff needs the opportunities to participate in leadership programs, supervisory training, policy conferences, and continuing legal education to fulfill OCR's mission. OCR will focus its professional and technical training to online and Web platforms to minimize training costs.

### **Communications, Copier Rentals, and Operations and Maintenance of Facilities**

OCR requests \$88,000, an increase of \$53,000 over the fiscal year 2018 Annualized CR level. These funds are needed to replace existing copier rental and maintenance agreements with multifunctional devices that can copy, scan, and print - \$83,000, overnight shipping costs - \$4,000, and maintenance of facilities - \$1,000.

### **Other Services**

OCR is requesting \$152,000, the same as the fiscal year 2018 Annualized CR level. The request includes:

- Legal Research Services - \$98,000. The contract provides an automated full-text legal information system that offers online access to Federal and State case law, statutes of all 50

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States, legal publications, and law reports. This service allows attorneys to conduct legal research without having to leave the office.

- Miscellaneous Services - \$54,000. The request supports translation and interpretation services (translating documents and pamphlets into several languages which is different than the printing of documents in different languages) - \$42,000; and miscellaneous services for advertisement and short-term contractual services - \$12,000.

### **Goods/Services from the Government**

OCR is requesting \$38,000, the same as the fiscal year 2018 Annualized CR level. This request supports Education publications (ED Pubs) - \$15,000, and General Services Administration-leased vehicles and equipment - \$23,000.

### **Supplies**

OCR is requesting \$53,000, the same as the fiscal year 2018 Annualized CR level. The funds are needed to purchase supplies, renew periodical subscriptions relating to law, disabilities, and news; support case files maintenance; and purchase copier paper.

### **Departmental Centralized Support**

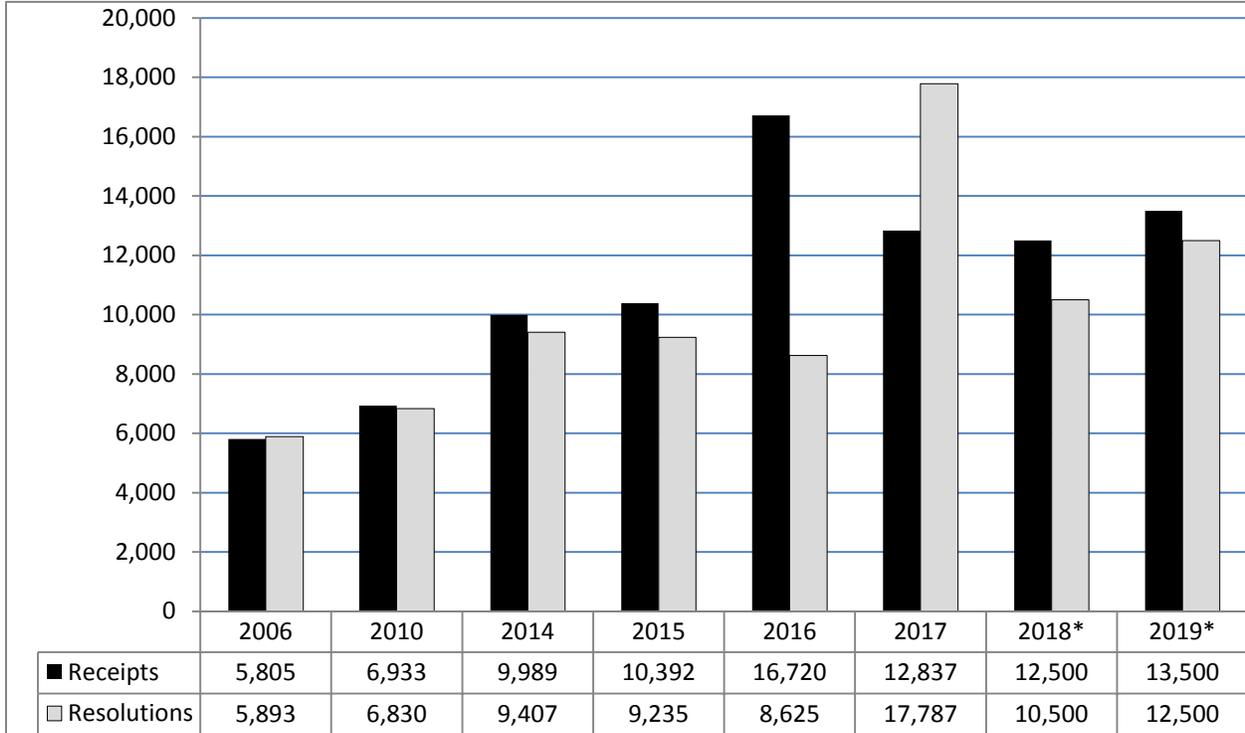
Approximately 83 percent of the total Non-Personnel budget request is to cover OCR's share of the Department's centralized services. The request provides \$23.5 million for centralized services, a decrease of \$768,000 below the fiscal year 2018 Annualized CR level. The 2019 request will cover the costs of services such as rent; departmental training; personal security; 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; IT security; telecommunications; computers and related hardware; smartphones; IT processing services; and network support.

## PROGRAM OUTPUT MEASURES

The following chart shows the number of OCR's complaint receipts and resolutions since fiscal year 2006. Actual data are shown for fiscal years 2006-2017 and estimates are shown for fiscal years 2018-2019.

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**Complaint Receipts and Resolutions (FY 2006 – FY 2019)**

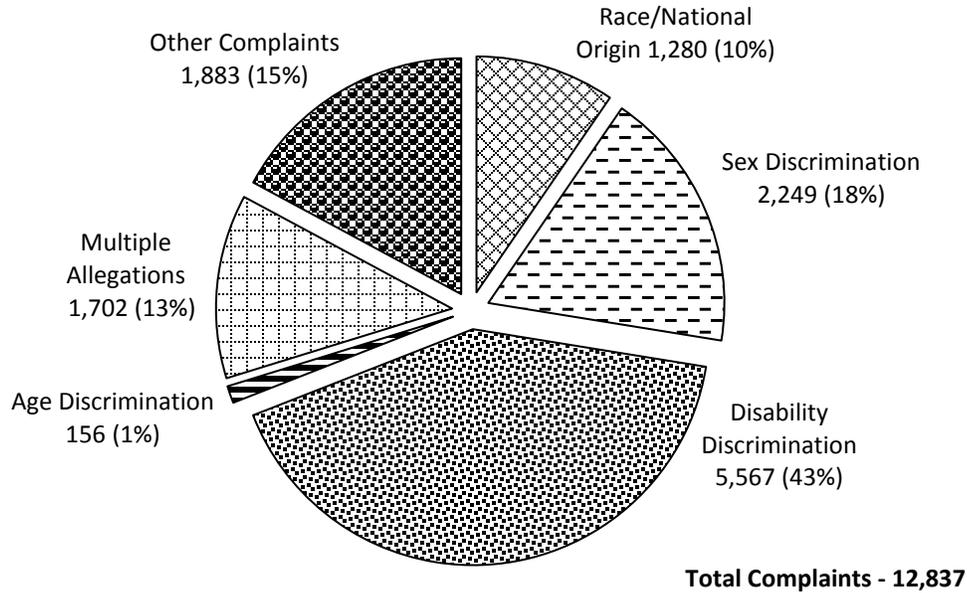


In fiscal year 2017, total complaint receipts decreased by 23 percent, or by 3,883 compared to the previous year when OCR received record high 16,720 complaints. As stated earlier in this request, the record high in fiscal year 2016 was primarily attributed to one individual that filed 6,201 Title IX complaints against school districts and elementary and secondary schools.

The pie chart on the next page displays the fiscal year 2017 complaint caseload by jurisdiction as of September 30, 2017. OCR disability discrimination complaints made up the largest percentage of filed complaints, followed by sex discrimination complaints. In general, disability discrimination has historically constituted the greatest share of OCR's complaint caseload.

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### FY 2017 Complaint Caseload by Jurisdiction (October 1, 2016 – September 30, 2017)



OCR complaints receipts in fiscal year 2017 decreased by 23% from fiscal year 2016.

The following table provides the number of cases received by jurisdiction during the past 12 years, fiscal years 2006 through 2017, as of September 30, 2017.

### Complaint Caseload by Jurisdiction (Fiscal Years 2006 – 2017)

Jurisdiction	FY 2006	FY 2010	FY 2014	FY 2015	FY 2016	FY 2017**
<b>Race</b>	998	1,056	1,203	1,143	1,294	1,280
<b>Sex</b>	334	391	2,354	2,390	7,068*	2,249
<b>Disability</b>	3,025	3,405	3,909	4,052	5,063	5,567
<b>Age</b>	86	131	122	147	108	156
<b>Multiple</b>	750	1,037	1,588	1,399	1,655	1,702
<b>Other</b>	612	913	813	1,261	1,532	1,883
<b>TOTAL</b>	<b>5,805</b>	<b>6,933</b>	<b>9,989</b>	<b>10,392</b>	<b>16,720</b>	<b>12,837</b>

\* In FY 2016, of the 7,068 Sex Discrimination complaints, 6,201 were attributed to one individual that filed these Title IX complaints against school districts and elementary and secondary schools.

\*\* FY 2017, data is as of September 30, 2017.

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### 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 had some dips in recent years, OCR anticipates performance improving in fiscal years 2018 and 2019 due to the revisions to the Case Processing Manual that are intended to help decrease case processing times. The anticipated increased ratio of investigative staff in fiscal year 2019 should also have a positive impact on performance.

#### Current performance measures for complaint workload:

**Measure:** Percentage of complaints resolved within 180 days (as of September 30, 2017).

Year	Target	Actual
2014	80%	94%
2015	80	86
2016	80	78
2017	80	81
2018	80	
2019	80	

**Measure:** Percentage of complaints pending over 180 days.

Year	Target	Actual
2014	< 25%	23%
2015	< 25	34
2016	< 25	23
2017	< 25	58
2018	< 25	
2019	< 25	

**Additional information:** The first two performance measures encompass OCR's entire complaint workload, which together hold OCR accountable for efficient case resolution. Complaint receipts are rising and becoming more labor-intensive to evaluate, investigate and resolve.

As a result, OCR has only met one of the two performance goals addressing complaint workload -- the percentage of complaints resolved within 180 days (target 80 percent, actual 81) as of September 30, 2017. OCR failed to keep the percentage of complaints pending over 180 days 25 percent or less (target <25, actual 58). OCR has a plan to address this issue by eliminating unnecessary levels of review.

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**Measure:** Mean score of customer satisfaction survey (as of September 30, 2017).

Year	Target	Actual
2014	3.66	3.79
2015	3.66	3.59
2016	3.66	3.73
2017	3.66	3.75
2018	3.66	
2019	3.66	

**Additional information:** OCR's **third performance measure** looks at customer satisfaction through a 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 exceeded the target as of December 31, 2016.

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

The Department is currently revising its strategic plan. Once the plan is finalized, OCR will demonstrate how its initiatives and activities align with the Department's Strategic Plan. In the meantime, OCR is responsible for ensuring educational institutions' compliance with Federal civil rights laws and enhancing the public's knowledge of their civil rights.