

Department of Education
OFFICE FOR CIVIL RIGHTS
Fiscal Year 2020 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, \$125,000,000. (*Department of Education Appropriations Act, 2019.*)

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Amounts Available for Obligation
(dollars in thousands)

	2018	2019	2020
Appropriation and Adjustments			
Discretionary appropriation:			
Appropriation.....	\$117,000	\$125,000	\$125,000
Unobligated balance, expiring	<u>-112</u>	<u>0</u>	<u>0</u>
Total, direct obligations.....	116,888	125,000	125,000

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Obligations by Object Classification
(dollars in thousands)

Object Class		2018 Actual	2019 Appropriation	2020 Request	Change from 2019 to 2020
11.10	Full-time permanent	\$59,206	\$67,892	\$67,265	-\$627
11.31	Full-time temporary	719	663	777	+114
11.32	Part-time	995	553	666	+113
11.33	Consultants	0	0	0	0
11.51	Overtime	264	100	63	-37
11.52	Awards	641	630	630	0
11.80	Other Compensation	<u>22</u>	<u>0</u>	<u>0</u>	<u>0</u>
	Subtotal, Personnel Comp.	61,847	69,838	69,401	-437
12.00	Benefits	20,006	23,737	23,591	-146
13.1	Benefits for Former Personnel	<u>401</u>	<u>0</u>	<u>0</u>	<u>0</u>
	Subtotal, Per. Comp. & Ben.	82,254	93,575	92,992	-583
21.00	Travel	517	684	684	0
22.00	Transportation of things	0	0	0	0
23.10	Rental Payments to GSA	8,595	9,146	9,494	+348
23.31	Communications	4	10	10	0
23.32	Postage/fees	<u>1</u>	<u>32</u>	<u>32</u>	<u>0</u>
	Subtotal, 23	8,600	9,188	9,536	+348
24.00	Printing & Reproduction	1	12	12	0
25.1	Advisory and Assist Serv	0	0	0	0
25.21	Other Services	2,038	1,681	1,273	-408
25.22	Training/Tuition/Contracts	197	244	522	+278
25.30	Goods/Services from Gov't	3,216	2,165	2,480	+315
25.40	Operations/Maint of Facilities	0	1	1	0
25.71	Operations/Maint of Equipment	6	15	0	-15
25.72	IT Services/Contracts	<u>18,002</u>	<u>17,205</u>	<u>17,237</u>	<u>+32</u>
	Subtotal, 25	23,459	21,311	21,513	+202
26.00	Supplies	77	57	58	+1
31.10	IT Equipment/Software	192	173	205	+32
31.30	Other Equipment	<u>10</u>	<u>0</u>	<u>0</u>	<u>0</u>
	Subtotal, 31	202	173	205	+32
32.00	Building Alterations	<u>1,778</u>	<u>0</u>	<u>0</u>	<u>0</u>
	Total, obligations	116,888	125,000	125,000	0

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Summary of Changes
(dollars in thousands)

2019.....	\$125,000
2020.....	<u>125,000</u>
Net Change.....	0

Increases:	<u>2019</u> <u>Appropriation</u>	<u>Change from</u> <u>Appropriation</u>
<u>Program:</u>		
Increase in rent to GSA	\$9,146	+\$348
Increase in training	244	+278
Increase in goods/services from the Government.	2,165	+315
Increase in IT service contracts.	17,205	+32
Increase in supplies.	57	+1
Increase in IT equipment/software.	173	<u>+32</u>
Subtotal, increases		+1,006
Decreases:		
<u>Built-in:</u>		
Decrease in PC&B	\$93,575	-\$583
<u>Program:</u>		
Decrease other services.	1,681	-408
Decrease in operations/maintenance of equipment	15	<u>-15</u>
Subtotal, decreases		-1,006
Net Change		0

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Authorizing Legislation

(dollars in thousands)

Activity	2019 Authorized	2019 Appropriation	2020 Authorized	2020 Request
Civil Rights (DEOA).....	<u>Indefinite</u>	<u>\$125,000</u>	<u>Indefinite</u>	<u>\$125,000</u>
Total appropriation.....		125,000		125,000

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Appropriations History (dollars in thousands)

Year	Budget Estimate to Congress	House Allowance	Senate Allowance	Appropriation
2011	105,700	103,024 ¹	105,700 ¹	102,818 ¹
2012	107,772	102,818 ²	102,818 ²	102,624
2013	102,624	102,624 ³	102,624 ³	98,356
2014	98,356	N/A ⁴	98,356	98,356
2015	102,000	N/A ⁴	102,000 ⁵	100,000
2016	130,691	100,000 ⁶	100,000 ⁶	107,000
2017	137,708	100,000 ⁷	110,000 ⁷	108,500 ⁷
2018	106,797	108,500 ⁸	117,000 ⁸	117,000 ⁸
2019	107,438	117,000 ⁹	125,000 ⁹	125,000 ⁹
2020	125,000			

¹ The levels for the House allowance reflects the House-passed full-year continuing resolution; Senate allowance reflects Committee action only; the Appropriation reflects the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10).

² The level for the House allowance reflects an introduced bill and the level for the Senate allowance reflects Senate Committee action only.

³ 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.

⁴ The House allowance is shown as N/A because there was no Subcommittee action.

⁵ The level for the Senate allowance reflects Senate Subcommittee action only.

⁶ 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.

⁷ 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.

⁸ The level for the House allowance reflects floor action on the Omnibus appropriations bill; the Senate allowance reflects Committee action on the regular annual 2018 appropriations bill; the Appropriation reflects the Consolidated Appropriations Act, 2018 (P.L. 115-141).

⁹ The levels for the House and Senate allowance reflect Committee action on the regular annual 2019 appropriations bill; the Appropriation reflects enactment of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 (P.L. 115-245).

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Significant Items in FY 2019 Appropriations Reports

OCR Status of Investigations

Senate	To understand how OCR's new policies are affecting its enforcement of civil rights laws under its jurisdiction, the Committee directs OCR to provide not later than 30 days after the conclusion of each quarter, a report to the Committees on Appropriations of the House of Representatives and Senate, the House of Representatives Committee on Education and the Workforce, and the Senate Committee on Health, Education, Labor, and Pensions on all complaints opened for investigation, closed, or resolved including: the institution level, the date each was opened or resolved, an issue code and an issue description, and for all complaints closed or resolved whether the issue was closed by dismissal, insufficient evidence, or change without an agreement.
Response	The Department has and will continue to submit quarterly reports to the Committee as directed.

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Office for Civil Rights

(Department of Education Organization Act, Section 203)

(dollars in thousands)

FY 2020 Authorization: Indefinite

Budget Authority:

	<u>2019</u>	<u>2020</u>	<u>Change</u>
Personnel Compensation and Benefits			
Costs	\$93,575	\$92,992	-\$583
Non-Personnel Costs	<u>31,425</u>	<u>32,008</u>	<u>+583</u>
Total	125,000	125,000	0
FTE	625	619	-6

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 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 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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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.

Funding levels for the past 5 fiscal years were:

Fiscal Year	(dollars in thousands)
2015.....	100,000
2016.....	107,000
2017.....	108,500
2018.....	117,000
2019.....	125,000

FY 2020 BUDGET REQUEST

For fiscal year 2020, the Administration requests \$125 million for the OCR, level with the fiscal year 2019 appropriation. Funds would support an FTE level of 619 and would provide for the resources essential for OCR to deliver on its statutory and regulatory mandates.

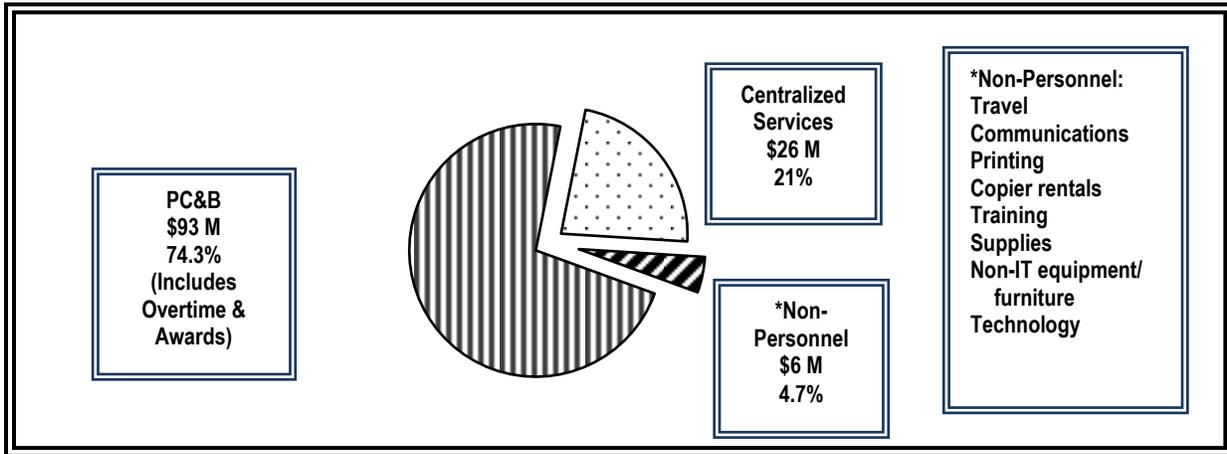
- The **Personnel Compensation and Benefits (PC&B)** request of \$93.0 million is \$583,000 less than the fiscal year 2019 appropriation. The fiscal year 2020 request will support PC&B costs associated with an FTE level of 619, a decrease of 6 from the fiscal year 2019 level.
- The **Non-Personnel Costs, excluding Departmental Centralized Services** request of \$5.8 million is \$210,000 less than fiscal year 2019. The majority of non-personnel funds are primarily for the Civil Rights Data Collection (CRDC): \$3.6 million; software support to operate OCR's Case and Activity Management System (CAMS): \$612,000; travel: \$684,000; and the Online Discrimination Complaint Form Enhancement System: \$343,000.
- OCR's fiscal year 2020 share of the **Department's Centralized Services (overhead)** is \$26.2 million, \$793,000 more than the fiscal year 2019 appropriation. The chart below shows the funding level by category and the percentage share of the fiscal year 2020 request.

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FY 2020 Budget by Category (dollars in millions)

Total: \$125.0

FTE: 619

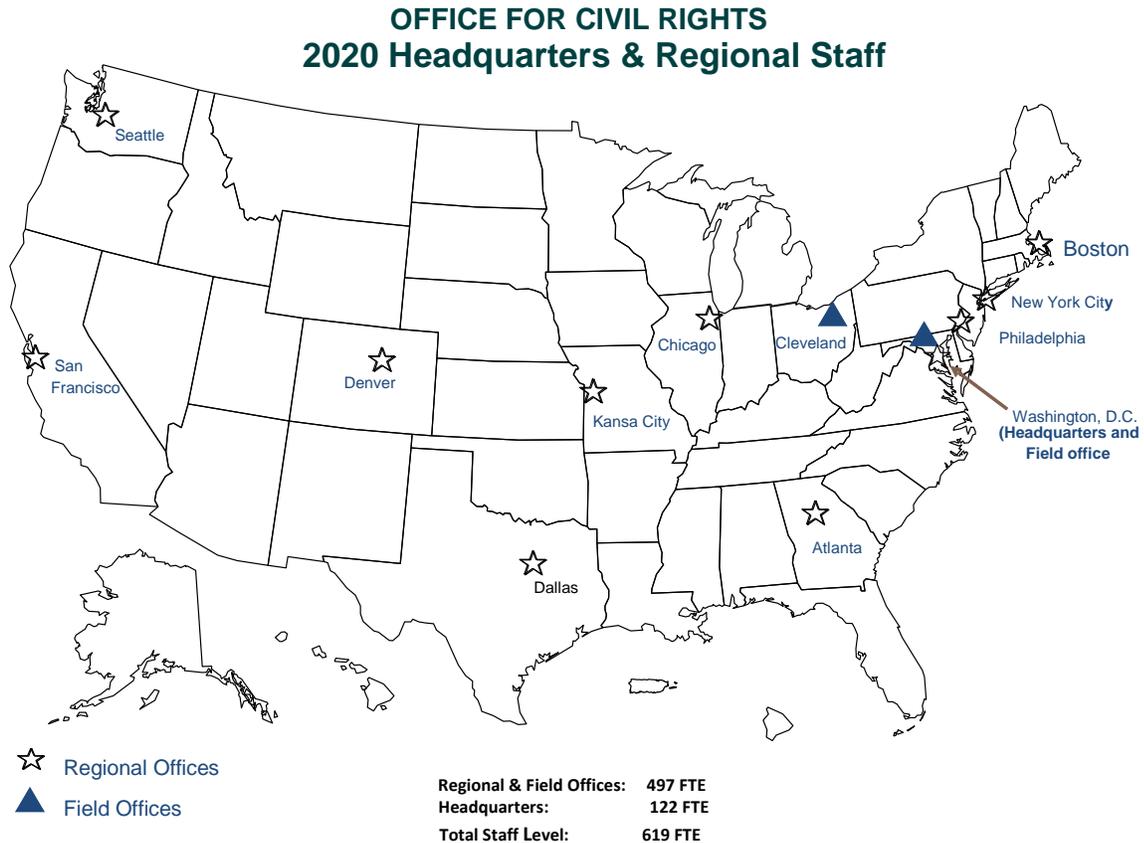


On November 19, 2018, OCR released a revised Case Processing Manual (CPM). The revised CPM included key revisions aimed at further improving OCR's investigative processes and procedures, while prioritizing effectiveness and efficiency. Specifically, revisions to the CPM also restore appeals for complainants, who may appeal findings of insufficient evidence, as well as certain types of dismissals, and provides recipients with the opportunity to respond to appeals. Revisions to the CPM eliminate former section 108(t), which provided that OCR would dismiss a complaint that is part of a pattern of complaints that places an unreasonable burden on OCR's resources. Moreover, OCR is implementing post-case closure Quality Assurance Reviews to assure consistency and quality in case processing among the 12 regional offices. Finally, revisions to the CPM make clear that as a threshold issue and throughout the processing of the complaint, OCR interprets its statutes and regulations consistent with the requirements of the First Amendment.

From March 5, 2018 through August 3, 2018, OCR dismissed 7,979 complains, closed 723 cases for insufficient evidence, entered into 591 resolution agreements, closed 207 cases through the Facilitated Resolution Between Parties (FRBP) process and resolved 156 cases with changes without agreement. During the same period in 2017, OCR dismissed 5,840 complaints, closed 882 cases for insufficient evidence, entered into 933 resolution agreements, and closed 199 cases through the FRBP process, and resolved 69 cases with change without agreement.

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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 and Development, a Deputy Assistant Secretary for Strategic Operations and Outreach, and a Deputy Assistant Secretary for Management and Planning.

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

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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 under the *Personnel Compensation and Benefits (PC&B) Costs* section. 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.

The *Deputy Assistant Secretary for Policy and Development* 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 Planning* has the responsibility for overseeing and directing areas of planning, developing, and implementing budget, operational, and administrative policy for OCR.

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.

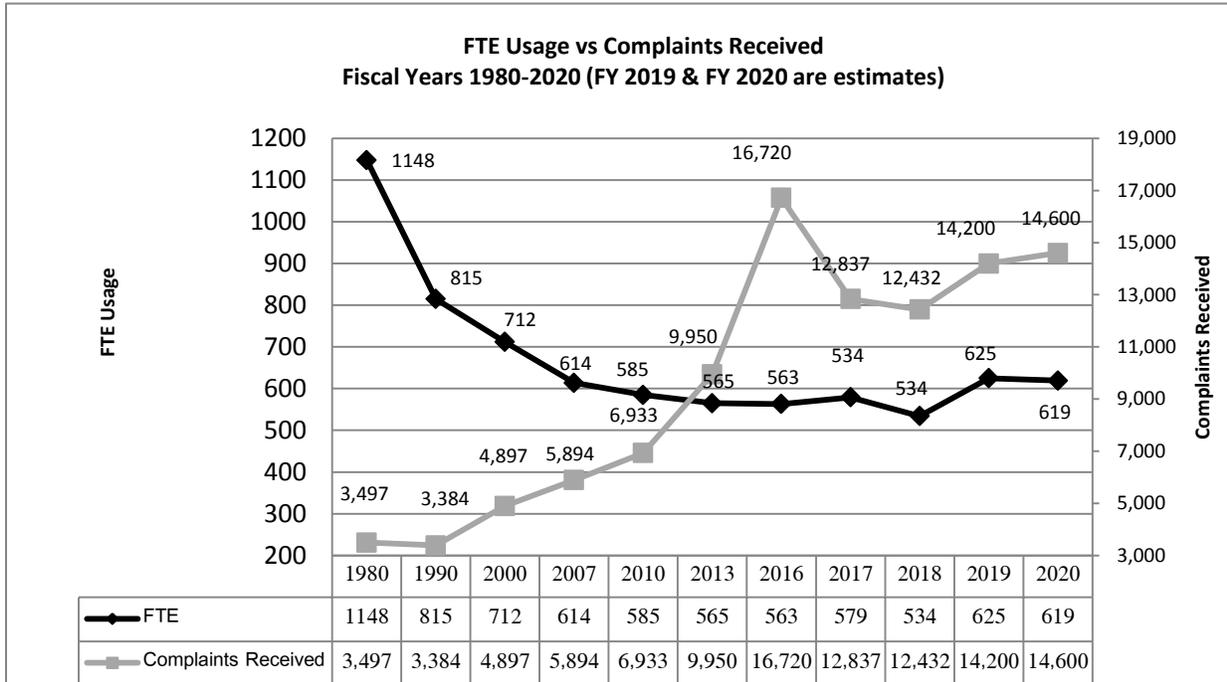
Personnel Compensation and Benefits (PC&B) Costs

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 laws and 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 largest component of OCR's budget as well as the key factor in OCR being able to accomplish its mission.

For fiscal year 2020, PC&B costs are 74.3 percent of the request, or \$93 million, \$583,000 less than the fiscal year 2019 appropriation. The 2020 request supports 619 FTE, 6 fewer than the level supported by the fiscal year 2019 appropriation.

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The *FTE Usage vs. Complaints Received* 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 fiscal year 2010 to \$100 million in fiscal year 2013). From fiscal year 2007 to fiscal year 2018, the number of complaints increased by 131 percent. OCR expects the upward trend in complaint volume to continue through fiscal year 2020.



The ratio of cases per enforcement staff is projected to be 30 to 1 in fiscal year 2019 and 29 to 1 in fiscal year 2020.

Table A: Caseload per Staff in FY 2007, FY 2017, and FY 2018 (Actual)

	FY 2007	FY 2017	FY 2018
Number of Enforcement Staff	557	495	461
Complaints Received & Proactive Investigations Launched ¹	5,917	12,839	12,435
# of cases per staff	11	26	27
# of multi-jurisdiction cases	854	1,702	1,800
Monitoring Caseload	1,031	3,705	4,263

¹ OCR launched 23 proactive investigations in FY 2007, two in FY 2017, and three in FY 2018

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	FY 2007	FY 2017	FY 2018
# of monitoring cases per staff	1.9	7.5	9.2
Investigated Cases ¹	3,586	8,573	6,971
# of investigated cases per staff	6	17	15

Table B: Impact of FTE per Staff Based on 14,600 Complaint Receipts and 4,263 Monitoring Cases Projected in FY 2020

Number/Staff Level	2020 Request
Projected (through FY 2019) number of Enforcement Staff	538
Increased number of Attorneys/Equal Opportunity Specialists for FY 2019	0
Projected Total for FY 2020	538
# of cases per staff	27
# of monitoring cases per staff	8

Investing in Investigative and Administrative Staff

To address the high volume of complaints OCR receives, OCR is adding additional investigative staff in fiscal year 2019 and will continue to support these higher staffing levels in fiscal year 2020 subject to Congressional appropriation levels. 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; (3) supporting the Civil Rights Data Collection; and (4) responding to Freedom of Information Act (FOIA) requests.

Freedom Of Information Act (FOIA)

Over the past five years the volume of FOIA requests that OCR received increased by 164 percent from 1,151 in fiscal year 2014 to 3,041 in fiscal year 2018. The volume recently spiked 102 percent over a one year period from fiscal year 2017 to fiscal year 2018. OCR anticipates that this trend will continue through fiscal year 2020. Many of the FOIA requests that OCR receives are complex in nature. It is not unusual for OCR to receive FOIA requests for entire

¹ 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, Facilitated Resolution Between Parties, or change with or without a resolution agreement.

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enforcement case files which may contain thousands of records. In fiscal year 2019 OCR is adding administrative staff that is dedicated to FOIA processing. The fiscal year 2020 request will ensure the FOIA team remains adequately staffed.

FOIA Requests Received (FY 2014 - FY 2018)

FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
1,151	1,116	1,331	1,503	3,041

The fiscal year 2020 Request supports the core functions of the investigative and administrative staff above.

Awards and Overtime

The Administration is requesting \$630,000 for awards and \$63,000 for overtime for a total of \$693,000, \$37,000 less than the fiscal year 2019 appropriation. The request will cover mandated performance awards for the eligible Senior Executive Service staff and performance-based awards for general schedule employees.

Non-Personnel Costs – Non-Centralized Services

The total request for Non-Personnel activities in fiscal year 2020, excluding Departmental Centralized Services, is \$5.8 million, \$210,000 less than the fiscal year 2019 appropriation. 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. The fiscal year 2020 funds will also support the maintenance, monitoring and enhancement of OCR's database investments (CRDC, CAMS and Online Discrimination Complaint Form).

Information Technology (IT) Non-Personnel Costs

Civil Rights Data Collection (CRDC)

The Administration is requesting \$3.6 million for the CRDC, \$24,011 more than the fiscal year 2019 appropriation. The request will support analysis and reporting for 2017-18 CRDC data collection activities and review of data files 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. The \$24,011 increase will support the preparation of topic-specific reports on civil rights areas of interest that will incorporate increased visualization of data.

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. Beginning with the 2017-18 CRDC, data will be collected from Puerto Rico; unless the school district informs OCR that it will be unable to do so, in whole, or in part, due to the devastating impact of the 2017 hurricane season. Other

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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 2015-16 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) pre-collection, which includes Phases I and II; (2) collection activities, comprised of Phase III; and (3) post-collection, which 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 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 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 2018, OCR released data from the 2015-16 CRDC, which was the fourth universal collection. Previous universal collections were conducted for the 2000-01, 2011-12, and 2013-14 school years. The 2015-16 CRDC was released on April 24, 2018, and the report includes, for the first time, comprehensive data regarding incidents of criminal offenses in our nation's public schools. It also includes several new categories of data on Science, Technology, Engineering and Mathematics (STEM) course taking. The Department used CRDC data to produce topic-specific data briefs on two major topics STEM Course Taking and School Climate and Safety. The collection surveyed more than 17,300 school districts and 96,400 public schools representing more than 50 million students. The 2017 -2018 CRDC is a universal collection.

The Civil Rights Data Collection (CRDC) budget table on page Z-17 provides an estimated detailed account of the CRDC budget for fiscal years 2018-2020.

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School Year	Major Activity	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020
CRDC 2015-16 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.	186,189		
CRDC 2015-16	National & State Estimations	66,093		
CRDC 2015-16 Reporting	Development of topic-specific reports that incorporate data visualization.	15,406		
CRDC 2017-18	Phase III - Survey Submission Window: Begin data collection from LEAs, Partner Support Center for technical support for school districts' data submissions.	1,987,660		
CRDC 2017-18	Phase IV - Finalizing Data Files: Data quality review and editing, time series, privacy protection.	130,659	730,338	
CRDC 2017-18	Phase V – Data Upload Preparation: Prepare CRDC 2017–18 data for upload to the CRDC (Reporting) website; hosting and releasing the new data to the general public.	484,977	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 2017-18 Reporting	Development of informational reports with data visualization.			25,000
CRDC 2019-20	Phase I - Notification and Guidance: Notification to school districts, identifying primary point of contact, guidance (Q&A).		365,692	
CRDC 2019-20	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.		547,008	
CRDC 2019-20	Phase III - Survey Submission Window: Begin data collection from LEAs, Partner Support Center for technical support for school districts' data submissions			1,715,000
CRDC 2019-20	Phase IV - Finalizing Data Files: Data quality review and editing, time series, privacy protection.			780,000
CRDC Reporting Website	Fund the “Base Year” and 4 option years for the CRDC (Reporting) website’s operation and maintenance.	274,364	364,697	391,216
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.	1,161,524	920,066	570,000
CRDC Reporting Website	Risk Assessment	47,217		
Web Hosting	Web hosting under the EDUCATE/PIVOT contract.	83,784	83,784	83,784
Total CRDC		\$4,437,872	\$3,540,989	\$3,565,000

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Case Activity Management System (CAMS)

The Administration requests \$612,000 for the CAMS, \$297,000 more than the fiscal year 2019 appropriation. 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 and Matrix Logic add-on modules. 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

The Administration is requesting \$343,000, \$17,000 less than the fiscal year 2019 appropriation. Of this request, \$331,200 covers two subtasks in support of the maintenance and general web operations contracting task: (a) General O&M to support OCR's publically accessible website¹ and database; 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. The remaining \$12,000 will support website hosting.

- 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 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.

Non-IT Costs

Travel

The Administration requests a travel budget of \$684,000, the same as the fiscal year 2019 appropriation. 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

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

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leadership in the enforcement offices are able to receive critical training, civil rights updates, and management skills necessary to improve OCR operations. OCR often uses video teleconference technology to enable optimal video communications and conferencing between the enforcement offices and headquarters to reduce the need for costly travel.

Printing

The Administration is requesting \$12,000 for printing, the same as the fiscal year 2019 appropriation, to cover necessary printed items such as pamphlets highlighting OCR activities in various languages, reports, fact sheets, business cards, and letterhead.

Training

The Administration requests a training budget of \$150,000, the same as the fiscal year 2019 appropriation. 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 also utilize its professional and technical training online when appropriate and cost-effective.

Communications and Operations and Maintenance of Facilities

The Administration is requesting \$11,000 in fiscal year 2020 for communications and operations and maintenance of facilities, the same as fiscal year 2019 appropriation. These funds are needed for overnight shipping costs and maintenance of facilities.

Other Services

The Administration requests \$299,000, \$500,000 less than the fiscal year 2019 Appropriation. The request includes:

- Legal Research Services - \$175,000. This is the same as the fiscal year 2019 appropriation. 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. The increased funding will support enhanced content including analytical and litigation packages.
- Miscellaneous Services - \$124,000. This is a decrease of \$500,000 from the fiscal year 2019 Appropriation. The request supports the reimbursement of attorneys' bar dues - \$70,000; 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.

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Goods/Services from the Government

The fiscal year 2020 request includes \$38,000, the same as the fiscal year 2019 appropriation. This request supports Education publications (ED Pubs) totaling \$15,000, and General Services Administration-leased vehicles and equipment totaling \$23,000.

Supplies

The Administration is requesting \$100,000, the same as the 2019 Appropriation. 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 – Non-Personnel Costs

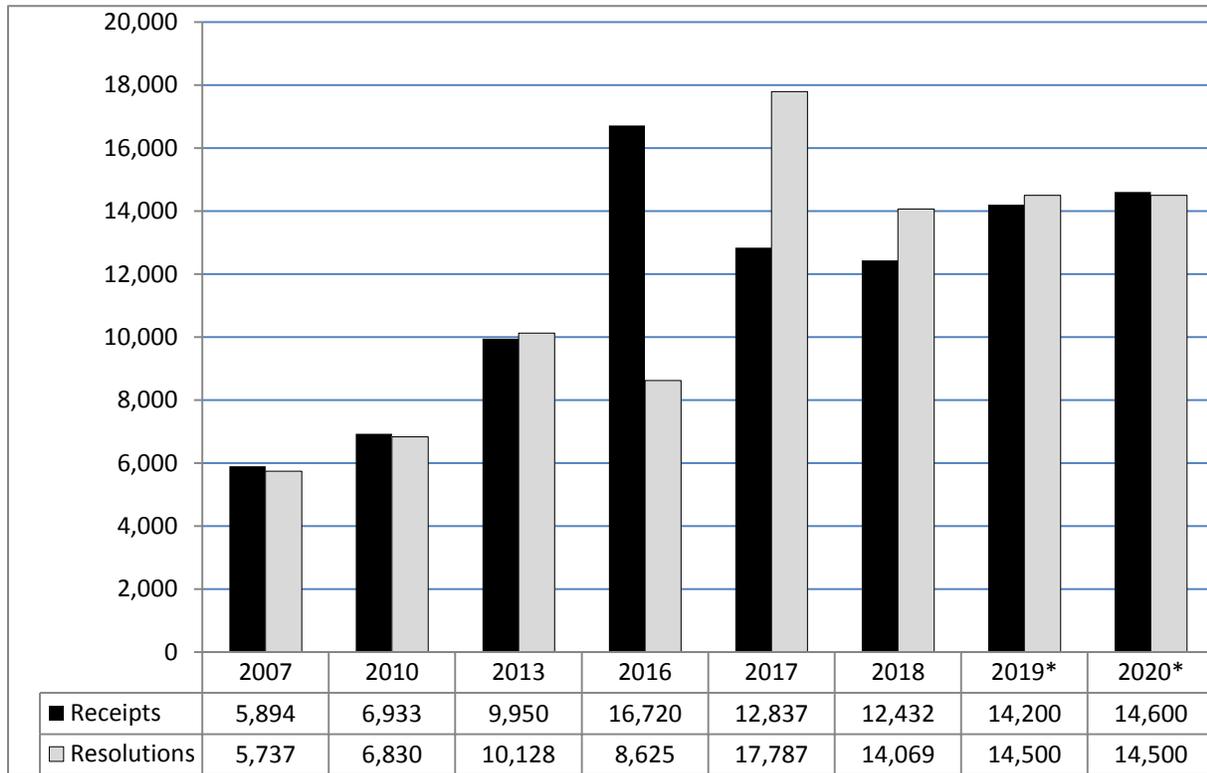
Approximately 82 percent of the total Non-Personnel budget request is to cover OCR's share of the Department's centralized services. The request provides \$26 million for centralized services, \$793,000 more than the fiscal year 2019 appropriation. The 2020 request will cover the costs of services such as rent; departmental training; personnel 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.

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PROGRAM OUTPUT MEASURES

The following chart shows the number of OCR’s complaint receipts and resolutions since fiscal year 2007. Actual data are shown for fiscal years 2007-2018 and estimates are shown for fiscal years 2019-2020.

Complaint Receipts and Resolutions (FY 2007 – FY 2020)



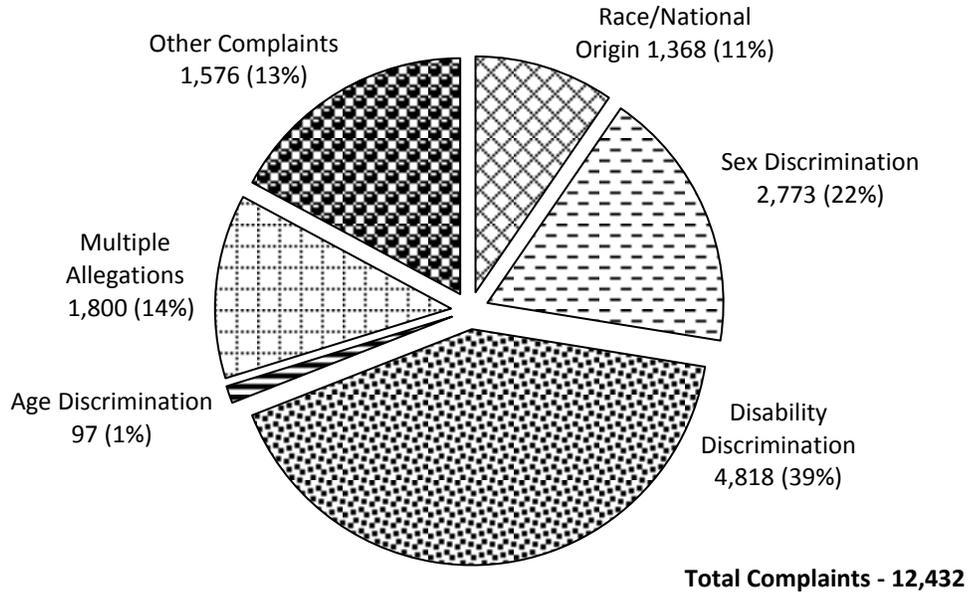
*estimate

In fiscal year 2018, total complaint receipts decreased by 405 compared to the previous year. However, complaint receipts are projected to increase through FY 2020.

The *FY 2018 Complaint Caseload by Jurisdiction* pie chart on page Z-22 displays the fiscal year 2018 complaint caseload by jurisdiction. OCR disability discrimination complaints made up the largest percentage of filed complaints, followed by sex complaints. In general, disability discrimination has historically constituted the greatest share of OCR’s complaint caseload.

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FY 2018 Complaint Caseload by Jurisdiction (October 1, 2017 – September 30, 2018)



The following table provides the number of cases received by jurisdiction during the past 12 years, fiscal years 2007 through 2018.

**Complaint Caseload by Jurisdiction
(Fiscal Years 2007– 2018)**

Jurisdiction	FY 2007	FY 2010	FY 2013	FY 2016*	FY 2017	FY 2018**
Race	933	1,056	1,192	1,294	1,280	1,368
Sex	326	391	2,242	7,068*	2,249	2,773
Disability	3,013	3,405	4,272	5,063	5,567	4,818
Age	97	131	125	108	156	97
Multiple	848	1,037	1,333	1,655	1,702	1,800
Other	677	913	786	1,532	1,883	1,576
TOTAL	5,894	6,933	9,950	16,720	12,837	12,432

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

** FY 2018, data is as of June 30, 2018.

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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 2019 and 2020 due to the revisions to the Case Processing Manual that are intended to help decrease case processing times. Maintaining a higher number of investigative staff through fiscal year 2020 should also have a positive impact on performance.

Current performance measures for complaint workload:

Measure: Percentage of complaints resolved within 180 days.

Year	Target	Actual
2015	80%	86%
2016	80	78
2017	80	81
2018	80	84
2019	80	
2020	80	

Measure: Percentage of complaints pending over 180 days.

Year	Target	Actual
2015	< 25%	34%
2016	< 25	23
2017	< 25	58
2018	< 25	62
2019	< 25	
2020	< 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 84 percent). OCR failed to keep the percentage of complaints pending over 180 days 25 percent or less (target <25 percent, actual 62 percent). Regional offices now have flexibility to determine the appropriate layers of review. Furthermore, there has been a reduction in the types of cases requiring headquarters' review. OCR continues to ensure quality, while upholding

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its mission to vigorously enforce civil rights laws. For fiscal year 2018, the total number of complaint cases pending for more than 180 days as of September 30, 2018 was 3,384.

Measure: Mean score of customer satisfaction survey.

Year	Target	Actual
2015	3.66	3.69
2016	3.66	3.73
2017	3.66	3.75
2018	3.66	3.78
2019	3.66	
2020	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 a target baseline at 3.66 (on a scale of 1 through 5).