



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

DISCRIMINATION COMPLAINT FORM

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

<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

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

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

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

Page 2 of 11 – U.S. Department of Education, Office for Civil Rights Discrimination Complaint Form, Consent Form, and Complaint Processing Procedures

1. Name of person filing this complaint:

Last Name: (b)(6); (b)(7)(A); (b)(7)(C) First Name: (b)(6); (b)(7)(A); Address: (b)(6); (b)(7)(A); (b)(7)(C)
City: (b)(6); (b)(7)(A); (b)(7)(C) State: (b)(6); (b)(7)(C) Zip Code: (b)(6); (b)(7)(A); (b)(7)(C)
Primary number: (b)(6); (b)(7)(A); (b)(7)(C) Alternate number: _____
Email Address: (b)(6); (b)(7)(A); (b)(7)(C)

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

Last Name: (b)(6); (b)(7)(A); (b)(7)(C) First Name: (b)(6); (b)(7)(A); (b)(7)(C) Address: (b)(6); (b)(7)(A); (b)(7)(C)
City: (b)(6); (b)(7)(A); (b)(7)(C) State: (b)(6); (b)(7)(C) Zip Code: (b)(6); (b)(7)(A); (b)(7)(C)
Primary Phone: (b)(6); (b)(7)(A); (b)(7)(C) Alternative Phone: _____
Email Address: _____

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

Name of Institution: (b)(6); (b)(7)(A); (b)(7)(C)
Address: (b)(6); (b)(7)(A); (b)(7)(C)
City: (b)(6); (b)(7)(A); (b)(7)(C) State: (b)(6); (b)(7)(C) Zip Code: (b)(6); (b)(7)(A); (b)(7)(C)

Department/School: administraion

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

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

Page 3 of 11 – U.S. Department of Education, Office for Civil Rights Discrimination Complaint Form, Consent Form, and Complaint Processing Procedures

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

Please indicate the basis of your complaint:

Discrimination based on race (specify)

we are from

Discrimination based on color (specify)

Discrimination based on national origin (specify)

Discrimination based on sex (specify)

Discrimination based on disability (specify)

Discrimination based on age (specify)

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

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

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

First incident

Second incident

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

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

EMAILS COMMUNICATED TO SCHOOL

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

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

Date:

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

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

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

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

YES NO

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

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

participating in your school or institution's grievance procedures?

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

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

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

Agency or Court: N/A

Date Filed: _____

Case Number or Reference: _____

Results of Investigation/Findings by Agency or Court:

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

Last Name: N/A First Name: _____

Telephone: _____ Email: _____

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

Last Name: N/A First Name: _____

Telephone: _____ Email: _____

13. Option to Participate in OCR's Early Mediation Process

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

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

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

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

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

INVESTIGATION WITH THE PRINCIPLE (b)(6); (b)(7)(A); (b)(7)(C)

Page 8 of 11 – U.S. Department of Education, Office for Civil Rights Discrimination
Complaint Form, Consent Form, and Complaint Processing Procedures

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

11/14/2022

(Date)

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

(Signature)

(Date)

(Signature of person in Item 2)

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



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS
230 SOUTH DEARBORN ST., 37TH FLOOR
CHICAGO, IL 60604

REGION V
ILLINOIS
INDIANA
IOWA
MINNESOTA
NORTH DAKOTA
WISCONSIN

December 18, 2023

Jennifer E. Gill
Superintendent
Springfield Public School District #186
Sent by email only to district@sps186.org

Re: OCR Docket #05-23-1026

Dear Superintendent Gill:

On November 15, 2022, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint filed against the Springfield School District 186 (District) alleging that the District discriminated against the Complainant's son (Student A) on the basis of sex by failing to respond to harassment by Student B in (b)(6); (b)(7)(A); and by failing to respond to harassment by Student C on the basis of national origin (b)(6); and shared (b)(6); ancestry in the (b)(6); (b)(7)(A);

OCR enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any educational program or activity operated by a recipient of federal financial assistance from the Department. OCR also enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d – 2000d-7, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination based on race, color, or national origin by recipients of federal financial assistance from the Department. As a recipient of federal financial assistance, the District is subject to these laws. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

OCR will investigate the following legal issues:

- Whether the District failed to respond to alleged harassment of the Student in a manner consistent with the requirements of Title IX; and
- Whether the District failed to respond to alleged harassment of the Student in a manner consistent with the requirements of Title VI.

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

Please understand that opening an investigation does not mean that OCR has made a decision about the complaint. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs in order to make a decision about the complaint.

OCR offers, when appropriate, a mediation process to facilitate the voluntary resolution of complaints by providing an early opportunity for the parties involved to resolve the allegation(s). Some information about the mediation process is in the enclosure to this letter.

When appropriate, a complaint may be resolved before the conclusion of an investigation after a recipient expresses an interest in resolving the complaint. In such cases, a resolution agreement signed by the recipient and submitted to OCR must address all of the allegations that OCR determines are appropriate to resolve before the conclusion of an investigation. Information about this kind of resolution is in the enclosure to this letter.

Please read the enclosed document entitled “OCR Complaint Processing Procedures,” which includes information about:

- OCR’s complaint processing procedures;
- Regulatory prohibitions against retaliation and intimidation of persons who file complaints with OCR or participate in an OCR investigation; and
- Application of the Freedom of Information Act and the Privacy Act to OCR investigations.

OCR intends to conduct a prompt investigation of this complaint. The regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6(b) and (c), requires that a recipient of federal financial assistance make available to OCR information that may be pertinent to a compliance determination. This requirement is incorporated by reference in the Title IX regulation at 34 C.F.R. § 106.81. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii) of the regulation implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality.

Accordingly, OCR is requesting that you provide the following information to us within fifteen (15) calendar days. Wherever possible, please provide the requested information in native electronic format. If responsive data are available through the Internet, please provide the link to the data. Please do not provide OCR documentation or electronic information containing social security numbers (SSN); if SSN appear on a document or file that is otherwise responsive to OCR’s request, please redact the SSN before producing to OCR. Further, it would be helpful if the pages in your response are numbered.

1. The name, title, and contact information for District staff responsible for ensuring the District’s compliance with Title IX and Title VI during the (b)(6); (b)(7)(A); (b)(7)(C) school year, including staff responsible for responding to complaints or reports alleging actions prohibited by Title IX and Title VI.

2. A copy of the District's notice of nondiscrimination. In addition, provide all existing internet links to any notice or policies of nondiscrimination referenced in response to this item. Please also provide an explanation of where and how such notices and policies are otherwise publicized or disseminated to students, faculty, staff, administrators, and others.
3. A copy of the District's policies prohibiting discrimination and/or harassment based on sex, race, color, or national origin (including shared ancestry) in effect for the (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A) school years. State how the District makes these policies available to District students, parents/guardians, staff, and others, including where such policies are published, if applicable.
4. If not included in item 3 above, a copy of the District's grievance procedure(s) for handling complaints of discrimination and/or harassment based on sex, race, color, or national origin (including shared ancestry) in effect for the (b)(6); (b)(7)(A); (b)(7)(C) and the (b)(6); (b)(7)(A); (b)(7)(C) school years. State how the District makes the procedure(s) available to students, parents/guardians, staff, and others, including where such policies are published, if applicable.
5. A list of all training and/or professional development offered to District staff during the (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) school years regarding the District's policies related to discrimination and/or harassment based on sex, race, color, or national origin (including shared ancestry), including a description of the topics covered during the training(s) and the date of the training(s).
6. A copy of the District's handbook or code of conduct for the School in effect for the (b)(6); (b)(7)(A); (b)(7)(C) school year. Explain how and when the handbook or code of conduct is distributed to school staff.
7. A copy of Student A's complete, unredacted records for the (b)(6); (b)(7)(A); (b)(7)(C) school year, including academic records, disciplinary records, investigative notes and/or summaries, witness statements, investigative dispositions, internal correspondence between District personnel, and correspondence between the Complainant and District personnel of any kind, including, but not limited to text messages, emails, and records of phone contact.
8. A copy of all notes, minutes, transcriptions, and other documentation of meetings, discussions, and telephone conversations between District personnel and the Complainant regarding any incidents of discrimination or harassment based on sex, race, color, or national origin (including shared (b)(6); (b)(7)(A); (b)(7)(C) ancestry) involving Student A (including the incident that occurred on (b)(6); (b)(7)(A); (b)(7)(C) and the incident in (b)(6); (b)(7)(A) class on (b)(6); (b)(7)(A); (b)(7)(C)).
9. For the (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) school years, a copy of all written complaints and a detailed description of all verbal complaints or reports of sex, race, color, or national origin (including shared ancestry) discrimination or harassment the District received on behalf of students. For each complaint/report, provide:

- a. description of the steps taken by the District to investigate the complaint/report, including any measures the district took during the pendency of the investigation;
- b. the District's final determination regarding the complaint/report;
- c. a description of any steps the District took designed to remedy the discrimination or harassment and prevent its recurrence;
- d. a copy of any written materials relating to the complaint/report, including but not limited to letters, notes, e-mails, logs, witness statements, incident reports, and discipline records;
- e. the timeline for completion of the investigation; and
- f. the name(s) and title(s) of district staff involved in the investigation.

10. The District's written response to the issues opened for investigation, and any additional information the District would like OCR to consider.

Thank you for your cooperation in this matter. In addition to the information requested above, OCR may need to request additional information and interview relevant personnel. If an on-site visit is necessary, we will work to schedule a mutually convenient time for the visit.

Please notify OCR of the name, email address, and telephone number of the person who will serve as the District's contact person during the processing of this complaint. We would like to talk with this person as soon as possible to discuss the processing of this complaint.

OCR is committed to prompt and effective service. If you have questions about this letter, you may contact Aaron Chait, Civil Rights Attorney, at (312) 730-1725 or by email at aaron.chait@ed.gov.

Sincerely,

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

Melissa Howard
Supervisory Attorney

Enclosure