

Archived Information

OFFICE FOR CIVIL RIGHTS

| <p>Goal: To ensure equal access to education and promote educational excellence throughout the nation through the vigorous enforcement of civil rights.</p> <p>Legislation: The Office for Civil Rights' authority to enforce the following Federal civil rights laws is derived from the Department of Education Organization Act (20 U.S.C. § 3401 <i>et seq.</i>); Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d <i>et seq.</i>); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 <i>et seq.</i>); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); Age Discrimination Act of 1975 (42 U.S.C. § 6101 <i>et seq.</i>); and Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12134 <i>et seq.</i>). OCR also carries out civil rights compliance provisions for the Magnet Schools Assistance program (Title V, Part A of the Elementary and Secondary Education Act).</p> | Funding History (\$ in millions) | | | |
|--|--|---------------|------------------|---------------|
| | Fiscal Year | Appropriation | Fiscal Year | Appropriation |
| | 1985 | \$45 | 2000 | \$71 |
| | 1990 | \$45 | 2001 | \$76 |
| | 1995 | \$58 | 2002 (Requested) | \$80 |

Program Description

The Office for Civil Rights (OCR) enforces Federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability, and age in all programs and institutions that receive financial assistance from the Department of Education (ED). These laws extend to a wide range of Federal recipients, including: all state education agencies; approximately 15,000 local education agencies; over 6,000 postsecondary institutions, including proprietary schools and community colleges; 80 state rehabilitation agencies and their subrecipients; as well as other institutions that receive Federal financial assistance, such as correctional institutions. More than 66,000,000 people are beneficiaries of the financial assistance these institutions and agencies receive from the Federal government.

OCR works with recipients to resolve civil rights issues and to ensure that all students have equal access to a high quality education. OCR's activities include: complaint resolution; monitoring of agreements; developing policy documents and guidance materials, including self assessment tools; compliance initiatives, including collaborative efforts with state and local education agencies; and ensuring that civil rights considerations are reflected in all ED programs and activities. In the rare instance when alternatives to reach resolution have failed, OCR initiates formal administrative enforcement proceedings or refers the case to the Department of Justice for judicial enforcement. OCR stresses collaboration with recipients to identify barriers to equal educational opportunity, to eliminate or prevent discriminatory practices and to develop resolution approaches that are legally sound and consistent with the recipient's educational goals.

For more information, please visit the program Web site at: <http://www.ed.gov/offices/OCR/>

Program Performance

OBJECTIVE 1: TO ELIMINATE DISCRIMINATORY EDUCATIONAL PRACTICES WITHIN SCHOOLS.

| Targets and Performance Data | | | Assessment of Progress | Sources and Data Quality |
|--|--------------------|------------------------|---|---|
| Year | Actual Performance | Performance Targets | <p>Status: Target met.</p> <p>Explanation: In FY 1998, 1,378 recipients—consisting of approximately 1,013 school districts, 22 SEAs (with 2,936 school districts), 233 postsecondary institutions, and 2 state systems of higher education—changed policies, practices, and procedures to comply with Federal civil rights law.</p> <p>In FY 1999, 1,563 recipients—consisting of approximately 1,152 school districts, 5 SEAs (with 6,670 school districts), 403 postsecondary institutions, and 2 state systems of higher education (with 139 postsecondary institutions)—changed policies, practices, and procedures to comply with Federal civil rights laws.</p> <p>In FY 2000, 2,035 recipients—consisting of approximately 1,165 school districts, 9 SEAs (with 14,160 school districts), 852 postsecondary institutions, and 2 state systems of higher education (with 43 postsecondary institutions)—changed policies, practices, and procedures to comply with Federal civil rights laws.</p> | <p>Source: Annual data from OCR’s Case Information System, 1999. <i>Frequency:</i> Annually. <i>Next collection update:</i> 2001. <i>Date to be reported:</i> 2002.</p> <p>Validation Procedure: ED Data Quality Attestation Process and ED Standards for Evaluating Program Performance Indicators.</p> <p>Limitations of Data and Planned Improvements: <i>Limitations:</i> OCR chose to measure compliance at the point of case resolution rather than at the end of monitoring. In doing so, OCR recognizes that the extent of influence of the agreement to effect change is being measured, rather than the actual accomplished change. While this indicator places equal value on all recipients, it is important to note that changes to policies, procedures, and practices at the state or district-wide level have a more systemic impact than those made at a school-based level. <i>Planned Improvements:</i> Exploratory work completed on a new case management system that will replace CIS with a user-friendly and less labor-intensive system. When adequate funding for the project is secured, the new system will have the capacity to link CIS data to specific case files, which will improve the validity of the data. In addition, OCR will move CIS to a platform that is compatible with the Department’s information technology environment.</p> |
| FY 1998: | 1,378 | Baseline year | | |
| FY 1999: | 1,563 | Increase over 1,378* | | |
| FY 2000: | 2,035 | 1,563 * | | |
| FY 2001: | | Increase over 2,035 * | | |
| FY 2002: | | Increase over FY 2001* | | |
| <p>* Meeting the target is contingent on workload and funding.</p> | | | | |

| Indicator 1.2 Number of students affected: The estimated number of students positively affected by OCR's work will increase. | | | |
|---|--------------------|--------------------------|---|
| Targets and Performance Data | | Assessment of Progress | Sources and Data Quality |
| Year | Actual Performance | Performance Targets | |
| FY 1998: | 5,900,000 | Baseline year | <p>Status: Target met.</p> <p>Explanation: This indicator expands on the results of Indicator 1.1. It demonstrates the number of students positively affected by improved access to equal educational opportunity when recipients change policies, practices, and procedures to eliminate or prevent civil rights problems.</p> <p>OCR counts student impact at the point of case resolution rather than at the end of monitoring because case resolution is the point in case processing that provides the most reliable, available, and contemporaneous information for making meaningful program management decisions within the budget cycle. In doing so, OCR recognizes the extent of influence of the agreement to effect change is being measured, rather than the actual accomplished change. OCR is careful to count only the students who are expected to directly experience change through the implementation of a resolution agreement. In some instances, the numbers are small, such as the resolution of a gifted and talented case or one that involves only English-language learners. The resolution of a disability complaint often affects one student. Alternatively, the numbers can be large, such as with the resolution of a sexual harassment case that involves training all staff and students on the implementation of a new policy.</p> |
| FY 1999: | 6,571,725 | Increase over 5,900,000* | |
| FY 2000: | 7,695,025 | 6,571,725* | |
| FY 2001: | | Increase over 7,695,025* | |
| FY 2002: | | Increase over FY 2001* | |
| <p>* Meeting the target is contingent on workload and funding.</p> | | | <p>Source: Annual data from OCR's Case Information System, 1999. <i>Frequency:</i> Annually. <i>Next collection update:</i> 2001. <i>Date to be reported:</i> 2002.</p> <p>Validation Procedure: ED Data Quality Attestation Process and ED <u>Standards for Evaluating Program Performance Indicators</u>.</p> <p>Limitations of Data and Planned Improvements: <i>Limitations:</i> Student enrollment data used by OCR to calculate student impact is the most current data available to the recipient. <i>Planned Improvements:</i> Exploratory work completed on a new case management system that will replace CIS with a user-friendly and less labor-intensive system. When adequate funding for the project is secured, the new system will have the capacity to link CIS data to specific case files, which will improve the validity of the data. In addition, OCR will move CIS to a platform that is compatible with the Department's IT environment.</p> |

OBJECTIVE 2: TO TEACH PARENTS AND STUDENTS HOW TO RESOLVE PROBLEMS OF SECURING EQUAL ACCESS TO HIGH-QUALITY EDUCATION.

| Indicator 2.1 Successful partnerships: The number of partnerships with parents that lead to civil rights compliance will increase. | | | |
|--|--------------------|--------------------------|--|
| Targets and Performance Data | | Assessment of Progress | Sources and Data Quality |
| Year | Actual Performance | Performance Targets | |
| FY 1999: | 18 | Baseline year | <p>Status: Baseline established.</p> <p>Explanation: A parental partnership is established when OCR, as a result of a case resolution or other activity, facilitates a collaboration between parents and schools to achieve ongoing civil rights compliance without OCR's continued involvement.</p> <p>Source: Annual data from OCR's Case Information System, 1999. <i>Frequency:</i> Annually. <i>Next collection update:</i> 2001. <i>Date to be reported:</i> 2002.</p> <p>Validation Procedure: ED Data Quality Attestation Process and ED <u>Standards for Evaluating Program Performance Indicators</u>.</p> <p>Limitations of Data and Planned Improvements: <i>Limitations:</i> OCR's conservative approach to measuring parent partnerships generated by OCR's activities results in an undercount of potential benefits to students. We count a parent partnership when OCR, as a result of a case resolution or other activity, facilitates collaboration between parents and schools to achieve ongoing civil rights compliance without OCR's continued involvement. <i>Planned Improvements:</i> Exploratory work completed on a new case management system that will replace CIS with a user-friendly and less labor-intensive system. When adequate funding for the project is secured, the new system will have the capacity to link CIS data to specific case files, which will improve the validity of the data. In addition, OCR will move CIS to a platform that is compatible with the Department's information technology environment.</p> |
| FY 2000: | 38 | Increase over 18* | |
| FY 2001: | | Increase over 38* | |
| FY 2002: | | Increase over FY 2001* | |
| * Meeting the target is contingent on workload and funding. | | | |

OBJECTIVE 3: TO OBTAIN RESULTS BY THE EFFICIENT MANAGEMENT OF CIVIL RIGHTS COMPLIANCE ACTIVITIES.

| Indicator 3.1 Resolution of complaints: Eighty percent of the complaints are resolved within 180 days of receipt. | | | |
|--|--------------------|------------------------|---|
| Targets and Performance Data | | Assessment of Progress | Sources and Data Quality |
| Year | Actual Performance | Performance Targets | |
| 1997: | 80% | | <p>Status: Target met.</p> <p>Explanation: A key factor contributing to OCR's success in prompt complaint resolution is the ability to establish a target date for resolving each case on its own merit in an appropriate and timely way. Informed by experience in case resolution and given adequate funding, OCR determined that approximately 80 percent of its cases could be resolved in 180 days or less. Twenty percent of OCR's cases are so large in scope and complexity that the time needed to resolve these cases exceeds 180 days. These circumstances are not expected to change in the foreseeable future. Consequently, OCR does not anticipate changing its performance targets.</p> <p>The actual performance in FY 2000, 78 percent, is an anomaly and not indicative of a trend. Timely and effective attention in FY 2000 to an increasing number of cases pending over 180 days resulted in significantly more cases resolved than prior fiscal years and a significant decrease in the inventory of pending cases over 180 days.</p> <p>Source: Annual data from OCR's Case Information System and analysis of complaint workload, 1999. Frequency: Annually. Next collection update: 2001. Date to be reported: 2002.</p> <p>Validation Procedure: ED Data Quality Attestation Process and ED <u>Standards for Evaluating Program Performance Indicators</u>.</p> <p>Limitations of Data and Planned Improvements: <i>Planned Improvements:</i> Exploratory work completed on a new case management system that will replace CIS with a user-friendly and less labor-intensive system. When adequate funding for the project is secured, the new system will have the capacity to link CIS data to specific case files, which will improve the validity of the data. In addition, OCR will move CIS to a platform that is compatible with the Department's information technology environment.</p> |
| 1998: | 81% | | |
| 1999: | 80% | 80% | |
| 2000: | 78% | 80% | |
| 2001: | | 80% | |
| 2002: | | 80% | |