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Idaho K-12 Title IX PLC #6

OCR Investigations

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What is OCR?

- Office for Civil Rights (U.S. Department of Education)
- Enforces federal civil rights laws including:
  - - Title VI (race, color, national origin)
  - - Title IX (sex discrimination)
  - - Section 504 (disability)
  - - ADA Title II

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How Complaints are filed

- Anyone can file a complaint
  - does not have to be the victim - witness, bystander, parent, or third party. Anyone can file a complaint on behalf of another person or group.
- Must generally be filed within 180 days
- Filed online, by mail, or email

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Initial Evaluation

- OCR determines:
  - Jurisdiction
  - Timeliness
  - Whether allegations state a potential violation
  - Whether to open investigation or dismiss

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Opening an Investigation

- OCR notifies the school
- Requests data and documents
  - Expect a short timeframe
  - Exhaustive production
  - Identify single contact
- Identifies issues under investigation…BUT

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Investigation Process

- OCR gathers evidence through:
  - Document review
  - Interviews (staff and complaining party)
  - Site visits (sometimes)
- Focus: whether school complied with civil rights laws in general - it is not limited to the initial complaint

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Possible Findings

- OCR may find:
  - No violation
  - Insufficient evidence
  - Violation of civil rights laws

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What do you have to produce?

1. **Policies & Procedures:** current and prior versions (often 2–3 years back)

2. **Information About the Specific Complaint:**everything that was done.

3. **Communications:** parties, staff, everyone

4. **Timeline / Chronology**

5. **Training & Designation of Personnel**

6. **Prior Similar Complaints / Pattern Evidence**

7. **Student & Discipline Records (Redacted)**

8. **Supportive Measures & Remedies**

9. **Notice of Nondiscrimination**

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Resolution Options

- Early Complaint Resolution (ECR)
- Voluntary Resolution Agreement
- Formal findings and required remedies

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Early Complaint Resolution

- Voluntary agreement between parties
- Facilitated by OCR
- Ends investigation if resolved

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Voluntary Resolution Agreement

- School agrees to corrective actions
  - Audit
  - Continued oversight
  - Punch list
- No formal violation finding required
- OCR monitors compliance

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Remedies and Corrective Actions

- Policy revisions
- Training for staff
- Student-specific remedies
- Climate surveys

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Monitoring and Compliance

- OCR monitors implementation
- Requires reporting and documentation
- Can last months or years

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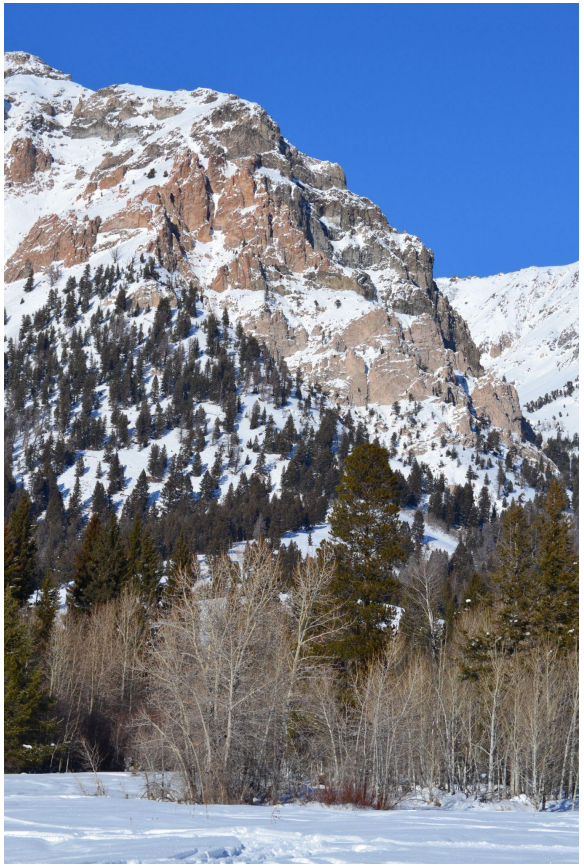
Failure to Comply

- OCR may initiate enforcement:
  - Administrative proceedings
  - Referral to Department of Justice
  - Potential loss of federal funding



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How to Succeed

- Maintain clear policies
- Train staff
- Respond promptly to complaints
- Title IX Coordinator
- Document everything

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Takeaways

- OCR investigations are serious but manageable
- Focus on compliance, documentation, and proactive response
- Engage the process

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Questions?

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Next Training:

? - May 12, 2026