



## Filing a Complaint with the U.S. Department of Education

Filing a complaint should not be your first step. If you are being harassed or discriminated against at school then first talk to your school principal. If that does not work, contact officials at your school district. Remember, it is important to write down all the details of what happened right after it happens (Click [here](#) for instructions on how to record an incident). If you feel like these talks are going nowhere, or if you feel like you might be further targeted, then filing a formal complaint is one major step you can take.

### How do I file a complaint?

You can file a complaint with Office for Civil Rights (OCR) by filling out a complaint form online at:

<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>. You can also download a complaint form to submit by mail or email here: <http://www2.ed.gov/about/offices/list/ocr/complaintform.pdf>.

### Here are some tips when filing a complaint:

**File as soon as possible.** A complaint must be filed within 180 days of when the discrimination or bullying and harassment happened. If you do not file on time, you will need to explain why and request a waiver of the deadline.

**Report it as “sex discrimination.”** Bullying, harassment, or discrimination against gender-expansive students is covered by Title IX, a federal law that prohibits sex discrimination in schools. In order for the claim to be covered under Title IX, it is important to report “sex” as the basis of the discrimination.

**Complete the entire form.** Incomplete complaints won’t be investigated. If more information is needed to process the complaint, you may be contacted. You will have 20 calendar days to respond to OCR’s request for information.

**Provide details.** Include as many details as you can regarding the people and events involved, and when and where events took place.

**Complaints are confidential.** Information about your complaint will not be shared without permission.

**Family, friends, or other supporters can file a complaint.** Anyone, including friends, family, and school staff, can file the complaint. Complaints do not need to be filed by the person(s) experiencing the bullying, harassment or discrimination.

**The school can’t punish you.** It is illegal for a school to retaliate in any way just because a person made a complaint, testified, assisted, or participated in any manner in a complaint under Title IX.

### **What happens after I file a complaint?**

There will be an investigation. If OCR determines that there has been discrimination based on sex, it will work with the school to develop an agreement to resolve the problem.

These agreements might involve:

- (a) Adopting anti-bullying policies,
- (b) Training for staff and students, and/or
- (c) Specific actions to address the specific incident(s) that occurred and help the student(s) affected.

The information above was adapted from the National Center for Transgender Equality:

[http://transequality.org/Resources/KnowYourRightsSchools\\_April2014.pdf](http://transequality.org/Resources/KnowYourRightsSchools_April2014.pdf)