

## Equity and Civil Rights

1. **Purpose:**

ESSB 6052 Sec. 1501(1)(e) provides funding for staffing of OSPI's Equity and Civil Rights Office and implementation of chapter 28A.642 RCW, which prohibits discrimination in Washington public schools on the basis of race, creed, religion, color, national origin, sexual orientation, gender expression, gender identity, veteran or military status, disability, and the use of a trained dog guide or service animal by a person with a disability.<sup>1</sup>

The Equity and Civil Rights Office works to ensure that each student has equal access to public education without discrimination by raising awareness of rights and responsibilities under civil rights laws, developing tools and resources to facilitate equal access to all school programs and activities, and monitoring school district and public charter school compliance with state and federal civil rights laws.

2. **Description of services provided:**

The Equity and Civil Rights Office carries out the responsibilities required of OSPI under chapters 28A.640 and 28A.642 RCW and 392-190 WAC to monitor and enforce school district and public charter school compliance with civil rights laws and to eliminate discrimination in Washington public schools. Services include:

- Developing and implementing rules and guidelines for implementing civil rights protections in schools;
- Identifying and eliminating discriminatory policies, procedures, and practices within Washington public schools by conducting compliance reviews and investigating and resolving complaints;
- Providing clear and effective technical assistance, resources, tools, and support for parents, school districts, and other stakeholders regarding civil rights and discrimination;
- Informing families about their rights and facilitating effective resolutions to complaints; and
- Training school district staff and other stakeholders regarding rights and responsibilities under civil rights laws, complaint and investigation procedures, and OSPI services.

Common civil rights issues addressed by the Equity and Civil Rights Office include:

- Accommodations and services for students with disabilities
- Discriminatory harassment
- Sexual harassment
- Language assistance services for limited-English proficient students and families
- Sex equity in athletics
- Equity in student discipline
- Equal access to all school courses and programs

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<sup>1</sup> Chapters 28A.640 and 28A.642 RCW and 392-190 WAC. The Equity and Civil Rights Office also monitors school districts' and public charter schools' compliance with federal civil rights laws, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Boy Scouts of America Equal Access Act.

- Protections for transgender students
- Dispute resolution and investigation techniques

3. **Criteria for receiving services and/or grants:**

The services provided by the Equity and Civil Rights Office are available to anyone seeking information, technical assistance, or to file a complaint regarding civil rights or discrimination in Washington K–12 public schools, including students, families, school district employees, public charter school employees, and others.

OSPI's discrimination complaint procedure, provided under chapter 392-190 WAC, is available to anyone alleging that a school district or public charter school has engaged in discrimination based on sex, race, creed, religion, color, national origin, sexual orientation, gender expression, gender identity, veteran or military status, disability, or the use of a trained dog guide or service animal by a person with a disability.

**Beneficiaries in 2018-19 School Year:**

# of School Districts:	n/a
# of Schools:	n/a
# of Students:	n/a
Other:	n/a

# of OSPI staff associated with this funding (FTEs):	2.3
# of contractors/other staff associated with this funding:	0.0

FY 19 Funding:	State Appropriation:	\$502,000
	Federal Appropriation:	\$0.0
	Other fund sources:	\$0.0
	TOTAL (FY18)	\$502,000

4. **Are federal or other funds contingent on state funding? If yes, explain.**

No. However, all federal funding to the agency, as well as to individual school districts, is contingent on OSPI's and school districts' compliance with civil rights laws. The services provided by the Equity and Civil Rights Office are necessary for OSPI to continue receiving federal funding and avoid costly complaints and litigation.

5. **State funding history:**

<b>Fiscal Year</b>	<b>Amount Funded</b>	<b>Actual Expenditures</b>
FY19	\$502,000	\$362,716
FY18	\$266,000	\$266,000
FY17	\$266,000	\$257,916
FY16	\$266,000	\$259,100
FY15	\$266,000	\$243,755
FY14	\$133,000	\$132,102
FY13	\$133,000	\$105,51
FY12	\$133,000	\$100,365
FY11	\$133,000	\$29,467

6. **Programmatic changes since inception (if any):** N/A

7. **Evaluations of program/major findings:**

The Equity and Civil Rights Office has seen an overall reduction of noncompliant findings in its monitoring of school districts through Consolidated Program Review (CPR), which is likely attributable to increased technical assistance, training, and resources the Equity and Civil Rights office provides to districts being reviewed. The following table illustrates the percentage of school districts reviewed in CPR that were found noncompliant.

	<b>14–15</b>	<b>15–16</b>	<b>16–17</b>	<b>17–18</b>	<b>18–19</b>
<b>Complaint Procedures</b>	90.36	86.3	80.65	75	82.19
<b>Nondiscrimination Statement</b>	80.72	70.83	59.02	48.44	53.62
<b>Course and Program Enrollment</b>	81.69	62.5	66.67	42.59	63.49
<b>Interpretation and Translation Services</b>	62.5	34.72	33.93	28.13	30.43

The Equity and Civil Rights Office has also experienced an increase in technical assistance requests from school districts and families, as well as discrimination complaints, which are likely attributable to increasing awareness among families and district staff of civil rights responsibilities and OSPI services, as well as increasing attention on civil rights issues nationally.

8. **Major challenges faced by the program:**

OSPI continues to face limited staffing to effectively accomplish this work statewide, given the breadth of legal obligations under chapters 28A.640 and 28A.642 RCW. Since E2SHB 3026 was passed in 2010, the Equity and Civil Rights office has experienced a significant increase in workload, including increasing requests for technical assistance and trainings.

The need for these services continues to grow, which is likely attributable to increasing awareness among families and district staff of civil rights responsibilities and OSPI services, as well as increasing attention on civil rights issues nationally.

School districts and public charter schools could benefit from even more targeted and intensive technical assistance and training to support their equity and civil rights initiatives,

such as improving equity in access to courses and programs, protections and services for students with disabilities, safe and supportive school climates, and language access for limited-English proficient families. While this office already monitors compliance and provides professional development and technical assistance to schools, it does not have the capacity to provide all districts the level of support they need to implement effective strategies to eliminate discrimination and opportunity gaps.

9. **Future opportunities:**

The Equity and Civil Rights Office will continue to improve its guidelines, resources, and monitoring procedures to respond to new and challenging civil rights issues facing students and schools. As the Equity and Civil Rights Office continues this work, we will measure progress toward each of the following:

1. Increasing district compliance with civil rights requirements;
2. Improving resolutions to complaints;
3. Increasing proactive and systemic efforts within school districts for improving equity; and
4. Reducing disparities and opportunity gaps in all OSPI performance indicators, including in the use of suspensions and expulsions.

10. **Statutory and/or Budget language:**

Budget Proviso: ESSB 6032 Section 501(5) \$266,000 of the general fund--state appropriation for fiscal year 2018 and \$502,000 of the general fund--state appropriation for fiscal year 2019 are provided solely for implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

11. **Other relevant information:**

In 2018, OSPI received additional funding for the Equity and Civil Rights office in ESSB 6032 § 501(5), which OSPI had requested to support the agency's discipline equity initiatives. With this additional funding, OSPI developed a new position in the Center for the Improvement of Student Learning (CISL) that is focusing on providing targeted technical assistance to school districts for eliminating disparities in student discipline. OSPI is also adding additional staffing to the Equity and Civil Rights Office to increase its capacity to conduct discrimination complaint investigations, including related to alleged discrimination in student discipline.

12. **List of schools/districts receiving assistance:** See OSPI [website](#).

13. **Program Contact Information:** Sarah Albertson, Managing Attorney  
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