



# Washington Office of Superintendent of **PUBLIC INSTRUCTION**

## *Office of Equity & Civil Rights*

### 1. **Purpose:**

OSPI's Equity and Civil Rights Office implements 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.

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.<sup>1</sup>

### 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 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:

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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.



# Washington Office of Superintendent of **PUBLIC INSTRUCTION**

- Accommodations and services for students with disabilities
- Discriminatory harassment
- Sexual harassment
- Language assistance services for limited-English proficient students and families
- Gender-inclusive schools and protections for transgender students
- Sex equity in athletics
- Equity in student discipline
- Equity in course and program enrollment, and equal access to all school courses and programs
- Dispute resolution and discrimination investigation technique

### **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 in 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 the 2022-23 School Year:**

<b>Number of School Districts:</b>	N/A
<b>Number of Schools:</b>	N/A
<b>Number of Students:</b>	N/A
<b>Number of Educators:</b>	N/A
<b>Other:</b>	N/A

### **4. Are federal or other funds contingent on state funding?**

No



# Washington Office of Superintendent of **PUBLIC INSTRUCTION**

## 5. State funding history:

Fiscal Year	Amount Funded	Actual Expenditures
2023	\$494,000	\$386,190
2022	\$494,000	\$450,332
2021	\$494,000	\$488,000
2020	\$494,000	\$493,996

## 6. Number of beneficiaries (e.g., school districts, schools, students, educators, other) history:

Fiscal Year	Number of Schools
2022	0
2021	0
2020	0
2019	0

## 7. Programmatic changes since inception (if any):

During the last fiscal year, the Equity and Civil Rights Office saw an increase in the number of discrimination complaints filed with our office.

During FY 2022, there were periods of understaffing in the Equity and Civil Rights Office, as well as the Student Discipline position that this Proviso supports.

## 8. Program evaluation or evaluation of major findings:

The Equity and Civil Rights Office has seen an increase in school district noncompliance in Consolidated Program Review school district monitoring, which is likely attributable to pandemic and post-pandemic challenges, including limited staffing and staff turnover at the local level. Further, the Program Monitor tool that houses the monitoring failed mid-review, which led to significant challenges in school district participation in the monitoring. Understanding that additional supports are needed to bring school districts into compliance, the Equity and Civil Rights Office is participating in the Program Review and Support overhaul of monitoring, including by developing new tools and resources to assist school districts in understanding and implementing civil rights requirements. Additionally, the Equity and Civil Rights Office is shifting some staffing capacity to focus more on training and outreach for Civil Rights Coordinators.

Additionally, the Equity and Civil Rights Office saw a significant increase in the number of discrimination complaints filed with our office, which could be contributed to an increase in public awareness of the discrimination complaint process.



# Washington Office of Superintendent of **PUBLIC INSTRUCTION**

## **9. 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 increased number of complaints, increased requests for technical assistance and trainings with school districts, and increased requests for engagement and training with community-based organizations.

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, gender-inclusive schools, 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.

## **10. 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 timely resolutions to complaints and implementation of corrective measures in districts;
- 3) Increasing proactive and systemic efforts within school districts for improving equity; nondiscrimination; and safe, welcoming schools; and
- 4) Reducing disparities and opportunity gaps in all OSPI performance indicators, including in the use of suspensions and expulsions, and access to dual credit opportunities.

## **11. Statutory and/or budget language:**

\$494,000 of the general fund—state appropriation for fiscal year 2022 and \$494,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.



# Washington Office of Superintendent of **PUBLIC INSTRUCTION**

## 12. **Other relevant information:**

While federal or other funds are not contingent on state funding related to this program, 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.

As of FY23, a portion of the Equity and Civil Rights Office's proviso funds the Associate Director for Restorative Practices & Student Discipline position in Student Engagement & Support.

## 13. **Schools/districts receiving assistance:**

[preliminaryfy23state-fundedprovisograntawardsupdated-42823.xlsx \(live.com\)](#)

## 14. **Program Contact Information:**

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