

EDUCATION COMPLAINT

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Recognizing education discrimination

It's illegal for someone to discriminate against you based on your race, color, religion, marital status, disability, genetic information, military status, familial status, national origin, sex, age, ancestry, sexual orientation, source of income, gender identity, or gender expression. These are called protected classes under the law.

Examples of education discrimination include:

Being denied admission to a school, college, university, or other educational institution because of who you are	Not getting the support you need to fully participate in classes or campus housing when you have a disability	Being punished or disciplined more harshly than other students because of who you are
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What to do if you experience education discrimination

You can file a complaint with one of these agencies:

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<p>The Massachusetts Commission Against Discrimination (MCAD) enforces anti-discrimination laws. These laws, including M.G.L. c. 151B and M.G.L. c. 151C, make it illegal to discriminate in admissions to an educational institution, such as a college or university. Filing a complaint with MCAD pursues relief under state law and provides you the ability to reach a settlement, impose civil penalties, and preserve your right to sue later.</p>		<p>The Problem Resolution System (PRS) Office of the Massachusetts Department of Elementary and Secondary Education (DESE) enforces the federal Individuals with Disabilities Education Act (IDEA), as well as Massachusetts state laws and regulations, including special education regulations. Filing a complaint with PRS is best when you want to challenge an elementary or secondary school for violating federal or state education laws.</p>	
<p>How to file a complaint with MCAD: You have six months after the most recent discriminatory incident to file an MCAD complaint. It's best to file a complaint as soon as possible. You can file your MCAD complaint in person or by mail.</p>		<p>How to file a complaint with PRS Office of DESE: You have one year after the most recent discriminatory incident to file a complaint with PRS.</p>	
<p>In person: You can file an MCAD complaint in person at an MCAD office</p>	<p>Intake services are first-come, first-served, Monday through Friday (9:15 AM to 2:45 PM)</p>	<p>Online:</p>	<p>https://massgov.service-now.com/pqa?id=eo_e_item_form&sys_id=7a7dcfe6dbad7b00d272f12cbf96199d</p>
	<p>1 Ashburton Place, Suite 601, Boston, MA 02108 Phone: (617) 994-6000</p>		<p>You can also download and print the form to send it via email at DESECompliance@mass.gov</p>
	<p>18 Chestnut St., Room 520, Worcester, MA 01608 Phone: (508) 453-9630</p> <p>436 Dwight St., Room 220, Springfield, MA 01103 Phone: (413) 739-2145</p>		<p>By mail: You can file your complaint by mail, sending it to: Problem Resolution System Office, Massachusetts Department of Elementary and Secondary Education, 135 Santilli Highway, Everett, MA 02149</p>
<p>By mail: You can also file a complaint by mail</p>	<p>Address: 1 Ashburton Place, Suite 601, Boston, MA 02108</p> <p>Detailed instructions for filing by mail: https://www.mass.gov/doc/instructions-for-filing-a-mailed-complaint-of-discrimination-to-the-mcad/download</p>	<p>For forms in other languages, call (781) 338-3700 or email DESECompliance@mass.gov</p>	

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<p>The Massachusetts Department of Higher Education (DHE) enforces public education laws and higher education regulations, including M.G.L. c. 15A, and M.G.L. c. 69. Filing a complaint with DHE is appropriate if you are challenging the actions of a college or university. To file with DHE, you must have already filed a grievance or appeal with the college or university and either received a final decision or no response.</p>		<p>The Massachusetts Attorney General’s Office (AGO) Civil Rights Division enforces the Massachusetts Civil Rights Act (MCRA) and public accommodations and anti-discrimination statutes. You may want to file a complaint with the AGO if you are reporting a pattern of discrimination, if the civil rights violation involves criminal behavior, or if MCAD and DESE have not enforced the law adequately.</p>	
<p>How to file with MA Department of Higher Education: There is no statute of limitations to file complaints with DHE. However, you must first go through the school’s grievance process before filing your complaint with DHE. You should then file as soon as possible with DHE.</p>		<p>How to file with MA AGO Civil Rights Division: There is no filing deadline to file a complaint with the Massachusetts AGO. You should keep in mind the deadlines for filing with MCAD (6 months) and civil lawsuits (3-year statute of limitations), if you are planning on filing in other venues as well.</p>	
<p>Online:</p>	<p>https://www.mass.edu/forstufam/complaints/complaintform.asp</p>	<p>Online:</p>	<p>https://www.mass.gov/how-to/file-a-civil-rights-complaint</p>
<p>By mail or fax:</p>	<p>Download the form linked here https://www.mass.edu/forstufam/documents/complaint_inquiry.pdf</p> <p>Address: 1 Ashburton Place, Suite 601, Boston, MA 02108</p> <p>Or return via fax to: (617) 727-0955</p>	<p>Please note that not all complaints lead to an investigation or enforcement by the AGO.</p>	

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Tips to make your complaint stronger

<p>Who</p>	<p>Include as much information as possible about who discriminated against you (this is the opposing party). For example, was it a teacher, principal, admissions office employee, multiple people, the district, or the school?</p>	<p>Where</p>	<p>Where did this all take place? Include information about the physical location. For example, was it in the principal’s office, at the bus stop, in the hallway, etc.</p>
	<p>Describe the nature of your relationship with the opposing party. How long have you known them?</p>		<p>If the discrimination occurred online, do you have any emails or messages?</p>
	<p>Is there anyone who could support your complaint as a witness? If so, include their name, information, and what they know.</p>		<p>Did you take notes about the incident or message someone about it?</p>
<p>When</p>	<p>When did the discrimination occur? Include as many dates of specific incidents as possible, and a sequence of events or timeline if the discrimination occurred over a longer period.</p>	<p>What</p>	<p>Include as much detail as possible about what happened. How were you discriminated against? What did the opposing party do? Did they say something to you? Did they create, enforce, or violate a policy? What action did they take against you?</p>
	<p>Remember the deadlines for filing.</p>		<p>How did you respond?</p>
<p>Why</p>	<p>Did the opposing party give you an explanation for the action they took?</p>	<p>What was the outcome of the opposing party’s conduct? For example, were you denied admission, given unfair discipline, denied reasonable accommodations, excluded from activities? Also note whether you experienced harassment or retaliation.</p>	<p>What did the opposing party do in reaction to your response?</p>
	<p>Did the opposing party make any remarks about your protected class?</p>		<p>Did you experience emotional distress?</p>
	<p>Did they treat you differently after learning certain information about you?</p>		<p>Do you have a copy of relevant documents, such as a school handbook/ code of conduct, accommodation requests, disciplinary notices, academic warnings, IEP or 504, etc.?</p>
	<p>Do you know anyone else who was treated unfairly in a similar way?</p>		<p>Did you report the conduct internally to the Title IX office, school disability services, or someone else?</p>
	<p>Do you know anyone who was treated better in the same situation— especially someone who doesn’t share your identity, background, or protected class?</p>		

What is your ideal outcome or remedy? Examples include but are not limited to policy changes, academic relief, financial compensation, formal findings, or corrective action.