

# CLAIM YOUR RIGHTS

Bullying, Harassment, & Discrimination of LGBT Students Should be Reported!



## Have you or someone you know experienced LGBT based bullying, harassment, or discrimination in school?

**You are not alone.** Approximately 85% of LGBT high school students report being harassed in school because of their real or perceived sexual orientation, 64% of students because of their real or perceived gender identity, and 31% of students report being harassed for being too masculine or feminine. Only 18% of LGBT students report that their schools have policies which offer comprehensive protections. Without adequate statewide protections, what can we — as members of school communities — do to protect the rights of LGBT students?

### TAKE ACTION

If you have experienced school-based bullying, harassment, or discrimination, file a complaint with the Office for Civil Rights (OCR) at the U.S. Department of Education and/or the U.S. Department of Justice, Civil Rights Division (DOJ) today.

#### How to file a complaint with OCR:

- Go to <http://www.ed.gov/about/offices/list/ocr/complaintintro.html> to file online.
- Read the instructions and click **Continue to Complaint Form** at the bottom of the page to get started. You may, in addition, share your complaints with the main office by emailing [ocr@ed.gov](mailto:ocr@ed.gov). **You must complete the entire form in order for the report to be counted.** Incomplete information will result in a dismissal of your complaint.

#### How to file a complaint with DOJ:

- Call (877) 292-3804 (toll-free) or email [education@usdoj.gov](mailto:education@usdoj.gov).
- There is no complaint form but please provide as much information as possible. Additional information on how to file a complaint can be found here: <http://www.justice.gov/crt/complaint/#three>.

#### Things to know about filing a complaint:

- **You are entitled to file a claim.** Nearly every public school receives some level of federal funds, which entitles you to file a claim with both departments. Fortunately, a provision in the federal law called Title IX, applies to almost every school and prohibits gender discrimination which can overlap with the types of discrimination faced by LGBT students.

- **Time is of the essence.** A complaint with OCR must be filed within 180 days of when the bullying, harassment, or discrimination incident occurred. There is no time limit to file a complaint with DOJ, but DOJ **does not** investigate all claims.
- **Your confidentiality is assured.** Every claim remains confidential and will not be shared without permission.
- **A third party may file a claim on behalf of another.** In other words, the person making the complaint doesn't have to be the one who experienced the harassment. A friend, family member, or school faculty can file the complaint.
- **It's safe.** The school cannot retaliate against you or anyone who has made a complaint, testified, assisted, or participated in the investigation.

### CONTACT US

If you have any questions on how to take action, please don't hesitate to contact us. We can help guide you through the complaint process to ensure that you take action soon after an incidence of bullying, harassment, or discrimination occurs.

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