

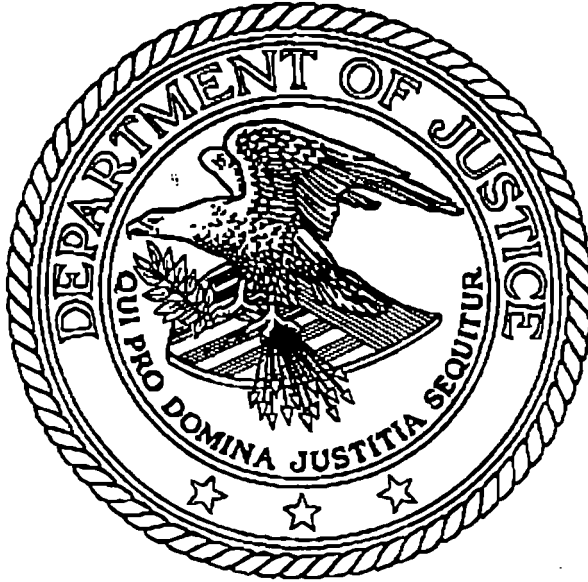
OTJ

November 24, 1998

Department of Justice
FY 2000 Budget Passback

Component	Item	Request	Passback
USA	56 positions (42 AUSAs, 14 support)	\$5,150,000	\$0
OJP	Indian Country Law Enforcement Block Grants 1/	\$54,000,000	\$0
OJP	Alcohol and substance abuse--criminal justice related initiatives	\$10,000,000	\$0
OJP	Tribal Courts	\$10,000,000	\$5,000,000
OJP	Title V, At Risk Children	\$20,000,000	\$20,000,000
OJP	State Correctional Grant program	\$52,000,000	\$34,000,000
OJP-BJS	Tribal criminal justice statistics	\$2,000,000	\$2,000,000
COPS	Indian Grants		\$45,000,000
OJP	Police Corps		\$5,000,000
TOTAL		\$153,150,000	\$111,000,000

1/ As requested, the OJP Indian Country Law Enforcement Block Grant program would continue where funding under the COPS program leaves off at the end of 1999, providing a longer-term institutionalized grant funding system for funding police officers, detention staff, and related support personnel and infrastructure, to maintain public safety in Indian communities.



**OFFICE OF TRIBAL JUSTICE
UNITED STATES DEPARTMENT OF JUSTICE**

Room 2229, 950 Penn. Avenue, N. W.
Washington, D. C. 20530

PHONE: (202) 514-8812 FAX: (202) 514-9078

DATE: 12/10

TO: JULIE
FERNANDEZ

FAX: 456-5581

FROM: Soo Song
Deputy Director

Total Pages (excluding cover):

Additional Message:

I will fax justifications separately
Thanks, *So*

DoJ

DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION
FY 2000 BUDGET INCREASE

NOT FOR
DISTRIBUTION

From FY 1995 to 1998, the Civil Rights Division's appropriation remained stagnant, at roughly \$64 million per year. During those years, the Division was required to absorb mandatory increases, at a detriment to its enforcement program. If the base increased over the past 4 years to reflect mandatory increases, the Division's current base level would be roughly \$74-76 million.

The FY 1999 anticipated appropriation is \$69 million. For FY 2000, the base funding request for the Division will be approximately \$74 million (including \$4.7 million in mandatory adjustments). To that base the Administration should propose the following additional programs in FY 2000.

An increase of \$8.2 million and 90 FTE for the new programs below for a total 2000 budget request of \$82.2 million (a \$13.2 million increase from the 1999 anticipated appropriation).

- **FIGHTING CRIME.** \$3,224,250 to eradicate egregious criminal activities (including continued funding to fight violence against abortion clinics). This increase complements the FBI's increased emphasis on civil rights cases and the creation of specialized task forces to address criminal civil rights matters, including the Worker Exploitation Task Force and the Task Force on Violence Against Health Care Providers. These resources would use criminal and civil laws to fight:
 - **Hate Crimes.** (add 6 attorneys, 2 paralegals, 2 secretaries)
 - **Violence Against Abortion Clinics.** (continue FY 99 funding at \$1.104 million, included in base funding for 2000)
 - **Slavery and Worker Exploitation.** (add 4 attorneys, 1 paralegal, 1 secretary)
 - **Misconduct by Law Enforcement.** (add 10 attorneys, 3 investigators, 3 secretaries)
- **FIGHTING HOUSING AND LENDING DISCRIMINATION.** \$1,863,540 to improve the battle against housing and lending discrimination. This increase complements increased resources provided to HUD that will result in additional cases coming to the Department of Justice. These resources would use fair housing and lending laws to:
 - Enhance the Division's small but very effective in-house **Fair Housing Testing Program.** The program uses paired testers to root out blatant discrimination based on race, color, sex, national origin, disability and familial status. These tests have resulted in over 50 filed cases, which

recovered about \$7.5 million in damages for victims of discrimination and civil penalties to the government. The program has begun to test for accessibility for persons with disabilities in newly constructed multifamily housing. Resources will be used to increase the number of tests (including tests for accessibility) and to bring new cases that result from the tests. (add 3 attorneys, 4 professionals, 1 paralegal, 2 secretaries, and operational monies)

- Enhance the Division's fight against **discrimination in home mortgage lending** and, for the first time, in **business lending**. (add 5 attorneys, 2 professionals, 1 paralegal, 1 secretary)
- Bring **additional cases** resulting from increased HUD activity. (add 3 attorneys, 1 secretary)
- **FIGHTING DISCRIMINATION AGAINST PERSONS WITH DISABILITIES.** \$1,893,513 to continue and expand successful Americans with Disabilities Act initiatives, including a mediation program to resolve complaints effectively and efficiently, to provide technical assistance, including advice from architects, to assist small businesses in ADA compliance and housing providers in fair housing compliance, and to certify that state and local building codes meet ADA requirements. (add \$1.3 million to establish a national mediation program, add 2 attorneys, 4 professionals, 1 paralegal, and 1 secretary for certification, add 2 architects to support housing accessibility)
- **PREPARING FOR REDISTRICTING.** \$1,480,000 to prepare for the review, required by the Voting Rights Act, of numerous redistrictings that will follow the 2000 Census, and to obtain required technology improvements. (add 12 term positions: 2 clericals/legal techs, 9 analysts, 1 demographer, \$933,000 in technology improvements) need for more (?)
- **FIGHTING FOR FUNDAMENTAL OPPORTUNITIES.** \$859,511 to expand programs fighting for basic civil rights in priority areas. These improvements would:
 - **Improve educational opportunities** by attacking in-school segregation, insuring that desegregation has been achieved, promoting diversity, and insuring that non-English speaking students have access to an effective educational experience. (add 4 attorneys, 1 paralegal, 1 secretary)
 - **Attack abuse against society's most vulnerable** -- those in nursing homes and other institutions -- who are housed in intolerable and dangerous conditions. (add 2 attorneys, 2 investigators)
 - **Reach out to underserved immigrant communities** by fighting immigration fraud and informing them of their rights under the law. (add 1 victim witness coordinator, 1 attorney, and 1 paralegal)

Executive Office of the President
Office of Management and Budget

Housing, Treasury, and Finance Division

Facsimile Cover Sheet

OMB
CrossCut
FY2000

Date: December 9, 1998
To: Julia Fernandes 6-7028
From: Susan Carr
Subject: Civil Rights Crosscut Tables
Pages to follow: 6
Comments:
Per your request.

FROM:

Susan M. Carr
Policy Analyst
Office of Management and Budget
NEOB 9201
725 17th Street, NW
Washington, D.C. 20503

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fax: (202) 395-6889
e-mail: carr_s@a1.eop.gov

cc: Pat Romani

RACE / CIVIL RIGHTS CROSSCUT FUNDING SUMMARY
(BA in millions of dollars)

	1998 <u>Actual</u>	1998 <u>Enacted</u>	2000 <u>Recomm.</u>	2001 <u>Recomm.</u>	2002 <u>Recomm.</u>	2003 <u>Recomm.</u>	2004 <u>Recomm.</u>
<u>Civil Rights Enforcement:</u>							
FFOC.....	242	279	288	297	306	315	324
HUD-Fair Housing Activities.....	30	40	42	42	42	42	42
DOJ-Civil Rights Division.....	65	68	75	77	79	82	84
Labor-OFCCP.....	67	65	75	75	75	75	75
Education-Office for Civil Rights.....	62	66	69	69	69	69	69
HHS-Office of Civil Rights.....	20	21	22	22	22	22	22
Agriculture-Civil Rights Programs.....	17	21	23	23	23	23	23
U.S. Commission on Civil Rights.....	9	9	9	9	9	9	9
DOT-Office of Civil Rights.....	6	7	7	7	7	7	7
Labor-Civil Rights Center.....	5	5	6	6	6	6	6
EPA-Office of Civil Rights.....	2	2	2	2	2	2	2
<i>Subtotal, Civil Rights Enforcement.....</i>	<i>520</i>	<i>583</i>	<i>618</i>	<i>629</i>	<i>640</i>	<i>652</i>	<i>663</i>
<u>Documenting Discrimination:</u>							
Tier I - National Academy of Science Studies.....	---	---	0.5	---	---	---	---
Tier II - Employment Testers proposal.....	---	---	2	---	---	---	---
Tier III - HUD Fair Housing audits (non-add).....	---	[7.5]	[7.5]	---	---	---	---
<u>Economic Development/Urban Programs:</u>							
HUD: Urban Initiative.....	---	---	100	100	100	100	100
HUD: Empowerment Zones 1/.....	---	45	150	150	150	150	150
HUD: Brownfields	25	25	25	25			
EPA: Brownfields	88	91	91	91	41	41	41
HUD: Regional Opportunity Counseling.....	---	10	20	20	20	20	20
SBA: Minority Economic Development Prog:							
8(a) business development program.....	4.5	4.7	4.5	4.5	4.5	4.5	4.5
7(j) technical assistance program.....	2.6	2.6	5.0	5.0	6.0	6.0	6.0
SBA: New Market Ventures.....	---	---	17	26	26	26	26
Commerce: Minority Business Devel. Agency (MBDA).....	25	27	27	27	27	27	27
Transportation: Minority Business Resource Center.....	4.8	4.8	4.8	4.8	4.8	4.8	4.8
Environmental Protection Agency:							
Environmental Justice Programs (RMO estimate).....	2	2	3	3	3	3	3
Community Development Financial Institutions.....	80	95	100				

1/ Empowerment Zones are funded on the mandatory side starting in Year 2000.

RACE / CIVIL RIGHTS CROSSCUT FUNDING SUMMARY

(BA in millions of dollars)

	1998 <u>Actual</u>	1999 <u>Enacted</u>	2000 <u>Recomm.</u>	2001 <u>Recomm.</u>	2002 <u>Recomm.</u>	2003 <u>Recomm.</u>	2004 <u>Recomm.</u>
<u>Criminal Justice:</u>							
DOJ - Civil Rights Division (non-add).....	[65]	[66]	[75]	[77]	[79]	[82]	[84]
DOJ - Hate Crimes Initiatives - FBI.....	29	30	31	32	33	34	35
<u>Education:</u>							
Strengthening Historically Black Colleges & Universities	118	135	140	140	140	140	140
GEAR UP.....	---	120	200	328	396	413	427
Early Information/Awareness Campaign.....	---	---	15	15	15	15	15
Advanced Placement Test Prep.....	3	4	4	4	4	4	4
TRIO Programs.....	530	600	600	600	600	600	600
Postsecondary placeholder.....	---	---	100				
Title I LEA Grants.....	7,375	7,676	7,676	7,676	7,676	7,676	7,676
Migrant Education.....	305	355	355	355	355	355	355
Pell Grants (Program Level).....	7,345	7,704	8,009	8,009	8,009	8,009	8,009
Federal Work Study.....	830	870	934	934	934	934	934
America Reads/Reading Excellence.....	---	260	260	260	260	260	260
21st Century Community Learning Centers.....	40	200	250	250	250	250	250
Bilingual and Immigrant Education.....	354	380	380	380	380	380	380
Adult Education.....	361	385	385	385	385	385	385
Hispanic-Serving Institutions.....	12	28	28	28	28	28	28
Hispanic Initiative Placeholder.....	---	---	100				
Elementary/Secondary Education Placeholder.....	---	---	210				
<u>Other:</u>							
Justice: Community Relations Service.....	7	7	10	10	10	11	11
Commerce: Census - Improving Poverty Measurement.....	---	---	4.5	4.5	4.5	4.5	4.5
<u>Agriculture</u>							
Direct Farm Loans, Farm Service Agency (loans to disadvantaged farmers).....	6	8	19	19	19	19	19
Rural Development Farm Labor Housing Grants and Loans (including related rental assistance grants).....	24	30	45	45	45	45	45
Cooperative State Research, Education and Extension Service (Historically black land-							

RACE / CIVIL RIGHTS CROSSCUT FUNDING SUMMARY

(BA in millions of dollars)

	1998	1999	2000	2001	2002	2003	2004
	<u>Actual</u>	<u>Enacted</u>	<u>Recomm.</u>	<u>Recomm.</u>	<u>Recomm.</u>	<u>Recomm.</u>	<u>Recomm.</u>
grant Institutions and Tuskegee University.....	53	56	53	53	53	53	53
Central Administration (outreach for socially disadvantaged farmers).....	3	3	6	9	9	9	9
<u>Labor:</u>							
Workforce Investment Act (WIA) adult programs.....	955	955	955	955	955	955	955
WIA formula grant youth programs.....	1,001	1,001	981	961	941	921	901
WIA Rewarding Achievement of Youth.....	---	---	20	40	60	80	100
WIA Youth Opportunity areas.....	---	250	240	240	240	240	240
Job Corps.....	1,246	1,308	1,336	1,367	1,398	1,343	1,373
<u>HHS:</u>							
Race and Health Initiative.....	---	65	64	64	64	64	64
Head Start 1/.....	4,347	4,660	5,428				
1/ The 2000 recommended level includes an advance appropriation of \$916 million.							
Total, Race / Civil Rights Crosscut.....	25,696	27,980	30,006				

RACE / CIVIL RIGHTS CROSSCUT FUNDING SUMMARY

(BA in millions of dollars)

	1993	1998	1999	1999	2000	2000	2000 Recom	
	Actual	Actual	Pres Bud.	Enacted	Passback	Appeal	BA	OL
<u>Civil Rights Enforcement:</u>								
EEOC.....	222	242	279	279	288	347	288	287
HUD-Fair Housing Activities.....	15	30	72	40	42	87	42	35
DOJ-Civil Rights Division.....	63	65	72	69	76	---	76	75
Labor-OFCCP.....	58	62	68	65	76	---	74	73
Education-Office for Civil Rights.....		62		66	69			
ILRIS-Office of Civil Rights.....	23	20	21	21	22	23	22	
Agriculture-Civil Rights Programs.....		17		21	23			
U.S. Commission on Civil Rights.....	8	9	11	9	11	16	11	11
DOT-Office of Civil Rights.....		6		7	7			
Labor-Civil Rights Center.....	5	6	5	5	6	---	6	6
EPA-Office of Civil Rights.....		2		2	2			
<i>Subtotal, Civil Rights Enforcement.....</i>	<i>382</i>	<i>620</i>	<i>520</i>	<i>584</i>	<i>620</i>	<i>453</i>	<i>519</i>	<i>487</i>
<u>Documenting Discrimination:</u>								
Tier I - National Academy of Science Studies.....		---		---	0.5			
Tier II - Employment Testers proposal.....		---		---	2			
Tier III - HUD Fair Housing audits (non-add).....	---	---	[7.5]	[7.5]	[7.5]	[10]	[7.5]	[5]
<u>Economic Development/Urban Programs:</u>								
HUD: Urban Initiative.....	---	---	---	---	100	---	100	2
HUD: Empowerment Zones 1/.....		---		45	160			
HUD: Brownfields.....		25		25	25			
EPA: Brownfields.....		88		91	91			
HUD: Regional Opportunity Counseling.....	---	---	20	10	20	20	20	???
SBA: Minority Economic Development Prog:								
8(a) business development program.....		4.5	4.9	4.9	4.5	5.2	4.9	
7(j) technical assistance program.....		2.6	10.0	2.6	5.0	10.0	5.0	
SBA: New Market Ventures.....		---		---	17	35	21	
Commerce: Minority Business Devel. Agency (MBDA)....	38	25	27	27	27	30	27	28
Transportation: Minority Business Resource Center.....		4.8		4.8	4.8			
Environmental Protection Agency:								
Environmental Justice Programs (RMO estimate).....		2		2	3			
Community Development Financial Institutions.....		80		95	100			
1/ Empowerment Zones are funded on the mandatory side starting in Year 2000.								
<u>Criminal Justice:</u>								
DOJ - Civil Rights Division (non-add).....	[63]	[85]	[72]	[69]	[75]	[none]	[76]	[75]
DOJ - Hate Crimes Initiatives - FBI.....		29		30	31			

RACE / CIVIL RIGHTS CROSSCUT FUNDING SUMMARY
(BA in millions of dollars)

	<u>1993</u>	<u>1998</u>	<u>1999</u>	<u>1999</u>	<u>2000</u>	<u>2000</u>	<u>2000 Recom</u>	
	<u>Actual</u>	<u>Actual</u>	<u>Pres Bud</u>	<u>Enacted</u>	<u>Passback</u>	<u>Appeal</u>	<u>BA</u>	<u>OL</u>
<u>Education:</u>								
Strengthening Historically Black Colleges & Universities	110	118	160	165	140	172	172	
GEAR UP.....	N/A	---	---	120	200	240	240	
Early Information/Awareness Campaign.....	N/A	---	---	---	15	---	15	
Advanced Placement Test Prep.....	---	3	3	4	4	104	54	
TRIO Programs.....	388	530	683	600	600	650	650	
Postsecondary placeholder.....		---		---	100			
Title I IFA Grants.....	6,126	7,375	7,767	7,676	7,676	8,078	7,676	
Migrant Education.....	303	305	355	355	355	380	380	
Pell Grants (Program Level).....	6,088	7,345	7,594	7,704	8,009	8,409	7,738	
Federal Work Study.....	617	830	900	870	934	---	934	
America Reads/Reading Excellence.....	N/A	---	260	260	280	380	260	
21st Century Community Learning Centers.....	N/A	40	200	200	250	400	350	
Bilingual and Immigrant Education.....	226	354	387	380	380	415	415	
Adult Education.....	305	361	395	385	385	420	405	
Hispanic-Serving Institutions.....		12		28	28			
Hispanic Initiative Placeholder.....		---		---	100			
Elementary/Secondary Education Placeholder.....		---		---	210			
<u>Other:</u>								
Justice: Community Relations Service.....	26	7	9	7	10	---	10	9
Commerce: Census - Improving Poverty Measurement.....	---	---	---	---	4.5	---	5	3
<u>Agriculture</u>								
Direct Farm Loans, Farm Service Agency (loans to disadvantaged farmers).....		6		8	18			
Rural Development Farm Labor Housing Grants and Loans (including related rental assistance grants).....		24		30	45			
Cooperative State Research, Education and Extension Service (Historically black land- grant institutions and Tuskegee University).....		53		56	53			
Central Administration (outreach for socially disadvantaged farmers).....		3		3	6			
<u>Labor:</u>								
Workforce Investment Act (WIA) adult programs.....	1,015	955	1,000	955	955	---	955	950
WIA formula grant youth programs.....	1,528	1,001	1,001	1,001	981	1,201	981	895
WIA Rewarding Achievement of Youth.....	---	---	---	---	20	---	20	10
WIA Youth Opportunity areas.....	---	---		250	250	---	240	161
Job Corps.....	986	1,248		1,308	1,308	1,384	1,334	1,298

RACE / CIVIL RIGHTS CROSSCUT FUNDING SUMMARY

(BA in millions of dollars)

	1993 <u>Actual</u>	1998 <u>Actual</u>	1999 <u>Pres Bud.</u>	1999 <u>Enacted</u>	2000 <u>Passback</u>	2000 <u>Appeal</u>	2000 Recom <u>BA</u>	<u>OL</u>
<u>HHS:</u>								
Race and Health Initiative.....	---	---	80	65	64	108	85	27
Head Start 1/.....		4,347		4,660	5,428			
1/ The 2000 recommended level includes an advance appropriation of \$918 million.								
Total, Race / Civil Rights Crosscut.....		25,696		28,011	29,980			

MEMORANDUM

UNITED STATES DEPARTMENT OF EDUCATION

WASHINGTON, D.C. 20202-_____

DoEd

November 30, 1998

TO: Thomas P. Skelly
Director, Budget Service
Office of the Under Secretary

FROM: Norma V. Cantú *Norma V. Cantú*
Assistant Secretary
for Civil Rights

SUBJECT: Appeal of the Office for Civil Rights Proposed Budget for FY 2000

I am requesting that the Department appeal the Office of Management and Budget passback of \$71,262,000 for the Office for Civil Rights (OCR) and seek full funding in the amount of \$73,262,000. OCR is serving approximately 66,000,000 American children. At a full funding level of \$73,262,000, we are asking just over \$1.00 per child to implement our civil rights enforcement program and assure children's equity rights in the next century. Anything short of this amount will return OCR to a funding level equivalent to that of the mid-1990s. During that time, underfunding caused OCR to detrimentally curtail information dissemination, technology-related strategies (including services to stakeholders), and enforcement activities. At the beginning of the millennium, when race and education are among the President's highest priorities, this budget fails to live up to the promise and vision offered by this Administration.

OCR's FY 2000 budget request was a conservative one. Except for a comprehensive demographic survey of the universe of elementary and secondary public school districts (comprehensive survey), all object classes in the request were level-funded or increased only for inflation. Nothing was included in the budget that was not judged to be essential to the effectiveness of the program.

OCR's civil rights enforcement program is labor-intensive. A sufficient staff of qualified investigators and attorneys is essential to ensure OCR's effectiveness. Given OCR's average complaint workload per year of 5,000, our most effective staffing level is 724 FTE or above. When staffing is below 724 FTE, OCR's ability to be effective and efficient is compromised, as witnessed in the mid-1990s. In addition to having an adequate number, OCR staff must be well trained in issues of educational equity, able to mediate and facilitate interactions between diverse stakeholders to resolve or prevent civil rights violations, and proficient at utilizing available technology resources.

Recent History

In the last decade, OCR has endured many austere budget years. During FYs 1995-97, OCR was severely underfunded. Staff declined to approximately 600 FTE. Non-personnel related activities fundamental to OCR's civil rights enforcement program, such

as travel, were funded with personnel and benefits savings resulting from attrition and buyouts. During this period, the number of pending cases increased, monitoring activities were delayed and staff training and investment in technology resources lagged.

In FY 1998, OCR was fully funded with an appropriation of \$61,500,000. This enabled OCR to hire up to the 724 FTE level, move aggressively to replace outmoded technology, become Y2K compliant, fully utilize a wide range of educational experts to help us to resolve several old cases and invest \$450,000 in staff training as compared to \$5,200 the previous fiscal year.

In FY 1999, OCR was once again denied full funding, receiving \$2,000,000 less than requested. All other Departmental components received full funding and, in many cases, funding above the requested level for FY 1999. Once again, because of this shortfall, OCR will need to curtail some activities, delay critical investment in technology, and fill only a limited number of the essential staff positions that become vacant.

Impact of Passback on FY 2000 Activities

Effective civil rights enforcement is OCR's highest priority. The most effective civil rights enforcement requires sufficient staffing levels to ensure that the resolution of civil rights issues is accomplished through an interactive process, that there is ample staff time and resources to meet with and get input from recipients, to seek out and actively involve educational experts, and to encourage and foster opportunities for parental involvement. Only then, can OCR effectively pursue its dual goals of equity and educational excellence in the resolution of civil rights concerns. If OCR is funded at \$71,262,000 in FY 2000, \$2,000,000 less than we requested for the second year in a row, we will be severely circumscribed in our ability to ensure effective civil rights enforcement. OCR will be forced to choose (as we have in the past) between adequate investment in staff, including staff training and development, and technology. Without the ability to invest in both, simultaneously, OCR will never be able to effectively use or leverage its available fiscal, human and technology resources.

Because OCR's program is labor-intensive, maintaining a staffing level of 724 is OCR's highest priority, followed closely by much-needed staff training. Without full funding, we will be unable to fulfill the Department's vision of becoming a high performance service and learning organization. OCR must be able to maximize the effectiveness of its human resources while employing adequate technical resources to ensure the vigorous enforcement of federal civil rights laws.

As a result of the \$2,000,000 reduction in FY 1999, OCR's technological initiatives were deferred to FY 2000 or eliminated. With the proposed passback level for FY 2000, the FY 1999 deferred initiatives will be eliminated as well as those planned for FY 2000. This two-year reduction of \$4,000,000 returns OCR to its FY 1996 status when it was technologically years behind the rest of the Department and used hardware handed down from other components.

In FY 1999, OCR requested \$1,162,000 for technology to enhance the Electronic Library (EL), an automated research library containing all of OCR's regulations, policies, and significant case-related documents. The EL resides on OCR's Wide Area Network. OCR had planned to give customers access to the EL through the World Wide Web, but because of the FY 1999 shortfall, the project will take several years to complete. In addition, OCR will be unable to replace one-third of its computer inventory, many of which are already malfunctioning because they have been in use several years beyond reasonable life expectancy.

OCR requested \$1,162,000 for technology in FY 2000, the same level requested for FY 1999. If OCR has a shortfall of \$2,000,000, the following technology initiatives will go unfunded:

- Replacing two-thirds of OCR's personal computers (those on both the FY 1999 and FY 2000 schedules) that have already exceeded their life expectancies and are beginning to malfunction;
- Establishing Internet and Intranet capabilities to ensure that OCR's external and internal customers have shared access to current information;
- Enhancing a computer-based electronic document management system that would exponentially improve OCR's ability to provide timely and accurate responses to its stakeholders, constituent groups, and Congress; and
- Piloting video-conferencing as a cost reduction tool that would enable OCR staff to communicate directly with colleagues nationwide without incurring travel costs.

The cumulative effect of insufficient technology funding will be that OCR is unable to build the technology infrastructure necessary to keep pace with increased customer and stakeholder expectations for information and involvement in civil rights problem solving. OCR will also be unable to use technology effectively to enhance staff development.

At the proposed funding level of \$71,262,000, the FY 2000 comprehensive survey will be delayed. The survey would be the first in over 25 years to provide a comprehensive demographic picture of the nation's at-risk students. Data from the survey will provide information on civil rights trends to Department components (i.e., OCR, OSERS, OBEMLA), federal agencies (i.e., DOJ, HHS) and other stakeholders (i.e., public school officials, advocacy groups, and research organizations.) Without current data, many instances of civil rights violations and potential noncompliance will go undetected. The comprehensive survey would be a significant help in pinpointing trends in civil rights noncompliance and addressing them proactively. Moreover, many believe the survey has a deterrent effect and furthers compliance because it encourages schools and colleges to recognize their own civil rights issues.

In most cases, when OCR engages proactively in situations of potential noncompliance, we are able to educate stakeholders and open channels of communication so that recipients gain the ability to effectively resolve civil rights issues without intensive federal intervention. Not only will current trend data be useful for OCR's program, but it will also provide a baseline for evaluating progress in equal opportunity for protected classes in public education by a wide range of public and private human resource and education research entities.

Conclusion

To be an effective civil rights enforcement agency, OCR should be fully funded in FY 2000. The President has implemented a race initiative that will take America's students into the next millennium. With a sufficient number of well-trained staff able to access current technology, OCR can be a leader in that initiative.

Table of Contents

A	FY 2000 BUDGET SUMMARY
B	FY 2000 BUDGET INCREASES
C	OMB ISSUE - BUDGET REQUEST
D	OMB ISSUE - PRIORITY ISSUES, WORKLOAD, FTE
E	OMB ISSUE - PERFORMANCE MEASURES
F	CHARTS
G	OCR BUDGET REQUEST TO OMB
H	
I	
J	
K	
L	
M	
N	
O	
P	
Q	
R	
S	
T	
U	
V	
W	
X	
Y	
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OFFICE FOR CIVIL RIGHTS FY 2000 BUDGET JUSTIFICATION SUMMARY

The Office for Civil Rights (OCR) enforces Federal civil rights laws and implements regulations that prohibit discrimination on the basis of race, color, national origin, sex, disability, and age in all programs and institutions that receive funds from the Department.

OCR is also charged with carrying out civil rights provisions in Title V, Part A, of the Elementary and Secondary Education Act (the Magnet Schools Assistance program), and providing technical assistance to Federal award recipients and beneficiaries, the public, and other organizations to obtain voluntary compliance with civil rights laws.

OCR's mission is: "To ensure equal access to education for all students through the vigorous enforcement of civil rights."

To accomplish its mission and performance goals, OCR is requesting the following FY 2000 Budget:

- OCR is requesting a budget level of \$73,262,000 for FY 2000, an increase of \$5,262,000 or 7.7% above the FY 1999 Revised Budget of \$68,000,000.
- Sufficient Personnel funding is required. Staffing is OCR's primary resource for conducting its program responsibilities that includes: investigating complaints; conducting compliance reviews, actively monitoring complaint resolution agreements, conducting numerous workshops, town meetings, and national conferences on proactive civil rights issues.
- OCR is requesting \$53,172,000 for Personnel Compensation and Benefits (PC&B) an increase of \$2,337,000 or 3.4% above the FY 1999 Revised Budget. This amount will support a staffing level of 724 FTE. With this staffing level, OCR will be able to process its increasing complaint workload, and dedicate 40 percent of its staff resources to proactive activities that involve educating the public and conducting compliance reviews to prevent and stop discrimination.
- The PC&B request level also includes a proposed 4.4% Government-wide 2000 pay raise, and increases in employee benefits, and \$292,000 for OCR's Common Support share of worker's compensation, retirement, health, and other benefits.
- The non-personnel request of \$20,090,000 an increase of \$2,925,000 or 4.3% above the FY 1999 Revised Budget will cover OCR's Common Support and fiscal operations which are sufficient resources necessary to support OCR's viable civil rights compliance and enforcement program. Each requested object classification code will be summarized.

- During FY 1998, OCR hired more than 90 new employees, primarily in the enforcement offices. Continuing the training and development of these new employees and enhancing the skills of other staff to enable them to better meet the challenges of resolving complex enforcement issues will be a priority in FY 1999 and FY 2000.
- OCR has made administrative, investigative, technological, and programmatic changes to accommodate a streamlined FTE level. OCR's improvements have enabled the agency to conduct an effective enforcement program affecting more than 5,000,000 students during FY 1998.
- Funding at the budget request level of \$73,262,000 will allow OCR to meet its enforcement responsibilities and be responsive to requests from recipients for on-site technical assistance. Technical assistance and other proactive activities often correct systemic problems before complaints occur and are usually more cost-effective than complaint investigations. For example, during FY 1998, OCR conducted or co-sponsored a number of conferences (Test Use and Civil Rights; English Language Learners and Disabilities, etc.) focusing on OCR's priority areas. These conferences were attended by representatives from State Education Agencies; advocacy/special interest groups; federal agencies; teachers; students; etc. The goals of the conferences varied, but the overarching goal was to collaborate with and provide information and assistance to groups and individuals about their rights and responsibilities, as well as identify areas of concern and common interest.

Priorities/Workload

- Targeted activities such as compliance reviews maximize the impact of OCR's limited resources and ensure an appropriate balance of OCR's enforcement program under all of the federal laws that OCR enforces. In FY 1998, resolution of 92 agency-initiated reviews resulted in equal access to education for millions of students facing discrimination.
- Identification of compliance problems is an on-going process, and OCR will target acute or emerging problems as they occur. For example, OCR is implementing an urban education initiative in FY 1999 to improve access to education for minority students enrolled in urban school districts. OCR will seek to resolve civil rights issues in a systemic way by looking at a variety of issues affecting urban schools, such as poverty, crime, inadequate fiscal resources, teacher quality, drugs, etc. In FY 1999, OCR will initiate 150 reviews in more than 37 states. In FY 2000, OCR plans to initiate 150 compliance reviews in the areas of greatest need, as established through strategic targeting efforts. Compliance reviews are broad-based investigations designed to address the most severe and pervasive instances of discrimination.
- During FY 1998, OCR resolved over 4,706 complaints and received approximately 4,827 complaints. In addition, OCR initiated approximately 99 compliance reviews and closed approximately 92 reviews.

- During FY 1999, assuming a 5 percent increase, OCR projects that it will receive 5,068 complaints and expects to continue to initiate proactive enforcement activities in the areas of greatest need. However, OCR's ability to successfully conduct its work depends upon adequate funds; inadequate funding in FY 1999 could result in a decrease in staffing (through attrition) which would have a negative impact upon FY 2000 enforcement activities.

**DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
FY 2000 BUDGET**

FY 2000 Budget Submission: \$73,262,000

Increase of \$5,262,000 or 7.7% over the FY 1999 Revised President's Budget level of \$68,000,000

- **Personnel Compensation and Benefits: \$53,172,000**

Increase of \$2,337,000 or 3.4% over the FY 1999 Revised President's Budget level of \$68,000,000

- **Non-Personnel Costs: \$20,090,000**

Increase of \$2,925,000 or 4.3% over the FY 1999 Revised President's Budget level of \$68,000,000

Non-Personnel Costs for Centralized Services (Common Support): \$13,194,000

Increase of \$1,834,000 or 2.7% over the FY 1999 Revised President's Budget level of \$68,000,000

Non-Personnel Costs for OCR Fiscal Operation: \$6,896,000

Increase of \$1,091,000 or 1.6% over the FY 1999 Revised President's Budget level of \$68,000,000

Summary of Non-Personnel Costs: \$20,090,000
(An increase of \$2,925,000)

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Non-Personnel Costs for Common Support: \$13,194,000

Includes an increase of \$1,834,000 in the following areas:

Communications	\$ 168,000
Other Services	\$ 113,000
ADP (Technology) Services and Contracts	\$1,189,000
ADP Equipment and Software	\$ 41,000
Other Equipment	\$ 277,000
Building Alterations	\$ 28,000
Other Small increases and decreases	\$ 18,000

Total (Non-Personnel for Common Support): \$1,834,000

+

Non-Personnel Costs for OCR Fiscal Operation: \$6,896,000

Includes an increase of \$1,091,000 in the following areas:

ADP SRVS. & Contracts (Universal Surveys)	\$1,072,000
Printing	\$ 25,000
Less: Travel (small decrease)	(\$ 6,000)

Total (Non-Personnel for OCR Fiscal Operation):\$1,091,000

PLEASE NOTE: ALL OTHER OBJECT CLASSIFICATION CODES NOT REPORTED ARE LEVEL
FUNDED TO FY 1999 REVISED BUDGET.

EDUCATION DEPARTMENT
FY 2000 BUDGET
OFFICE FOR CIVIL RIGHTS

Tuesday, October 20, 1998
10:00 a.m. – 11:00 a.m.

- I. OMB Opening Remarks
- II. ED Opening Remarks
- III. Issues for Discussion:
 1. Please discuss OCR's FY 2000 budget request, explaining any increases over FY 1999 levels.
 2. Where does OCR plan to direct its efforts for compliance reviews in FY 2000? Please also discuss the complaint case load – types and volumes of cases – and OCR's ability to keep up with it in light of the additional FTE hired in the past year.
 3. Do you see a role for OCR in the recommendations that have come out of the President's Initiative on Race? Please discuss the OCR and DOJ joint affirmative action task force.
 4. Please discuss the baselines being used in OCR's performance measures. How is "positive change" defined and how will improved access to high quality education be measured?

OFFICE FOR CIVIL RIGHTS FY 2000 BUDGET

1. FY 2000 Budget Request

Please discuss OCR's FY 2000 Budget Request, explaining any increases over FY 1999 levels.

- OCR's FY 2000 Budget Request: \$73,262,000
This is an increase of \$5,262,000 over the FY 1999 budget request.

NON-PERSONNEL COSTS

- OCR's FY 2000 Budget Request includes \$20.1 million for non-personnel costs, an increase of \$2.9 million over the 1999 revised budget.
- The majority of the non-personnel funds requested, \$13.2 million, or 66 percent of the \$20.1 million, is limited to overhead costs for services such as increases in communications, other services, ADP technology services contracts, ADP Equipment and software, other equipment, building alterations and other small increases that are OCR's share of Departmental overhead costs for administrative services provided by other Federal agencies.
- The FY 2000 Budget provides increases in the following non-personnel areas:

ADP Services/Contracts

- OCR is requesting \$1,919,000, an increase of \$1.1 million over the FY 1999 revised budget to support on-going surveys and data collection projects, primarily the Elementary and Secondary (E&S) Education School Survey (1.772 million). In the Fall of 2000, OCR plans to conduct a universe survey of public school districts. The last universe E&S survey was conducted in 1976, almost 25 years prior to this proposed survey. In the intervening years, OCR has randomly sampled approximately one-third of the Nation's school districts every two years, resulting in some school districts having not been surveyed in several survey cycles.

Data from the E&S survey are requested and used extensively by OCR, other parts of the Department, other Federal agencies, advocacy groups, educational institutions, and researchers for a variety of purposes, such as identifying trends and targeting civil rights problems. OCR's survey data are nationally recognized for their reliability, and in many instances, OCR is the only source for these data.

Page 2 of Question 1**Printing**

- OCR is requesting \$354,000, an increase of \$25,000 over the FY 1999 revised request. Funds will be used for printing technical assistance material and duplicating pamphlets in alternate formats for disabled individuals and translating several pamphlets into foreign languages for students and parents whose home language is other than English.

For the visually impaired, several pamphlets will be prepared in audiocassette format and in large print format. Printing in these alternate formats and languages other than English will provide OCR's customers with information about their rights to equal access to educational opportunities and the responsibilities of this agency.

LEVEL FUNDED TO FY 1999 President's Revised Budget**Advisory and Assistance Services**

- **\$250,000** for Advisory and Assistance Services to hire experts such as statisticians and educational experts to assist in OCR's growing body of complex cases.

Training

- **\$546,000** is for staff training. OCR's strategic goal "Investment in People". OCR must invest in staff development because staff duties and responsibilities have changed dramatically over the last five years. OCR is emphasizing mediation and negotiation in its complaint resolutions, which necessitates significantly different skills than required by traditional investigation activities. OCR is setting higher standards for its staff in the creation of legally and educationally sound case resolutions, which will require additional program training. OCR's staff also needs to be trained to take greater advantage of technological advances. In some instances, OCR needs to go beyond Government-sponsored training and look into college and university courses to enhance educational levels as well as energize staff.

Communication/Copier Rentals and Operations and Maintenance of Equipment

- **\$322,000** of the total requested, \$193,000 is for copier rentals and operations and maintenance of equipment. Renting equipment is advantageous because it allows OCR to remain up-to-date on copier machine technology, including speed time of copying cases and other related materials. For machines and equipment owned by OCR, equipment maintenance agreements are generated to repair and maintain operation of such equipment. The majority of all processed complaints are related to caseload and require

Page 3 of Question 1

some form of copying and faxing to keep the original complaint intact in OCR's official files.

Supplies and Other Related Non-Personnel Costs

- **\$444,000** for office supplies and other related non-personnel costs. OCR is requesting 268,000 for office supplies to support a staff level of 724 FTE in routine operations; the majority is used on copier paper and toner cartridges for copier machines and printers. Other related non-personnel costs, totaling \$176,000 include: transportation of official files to be archived at the National Records Center; interagency payment to GSA for overtime heating and air conditioning; and other service contracts for conference space rentals and security guard services for two enforcement offices (Kansas City and DC).

Equipment/Furniture

- **\$499,000** for office furniture. OCR will invest in ergonomic furniture for field offices mandated to move by GSA, which will improve working conditions. Ergonomic furniture is a health investment in OCR's staff as most staff sit at workstations the majority of the day to conduct case-related activities.

ADP Equipment and Software

- **\$1,162,000** for ADP equipment and software. OCR will increase efficiency and improve overall effectiveness by developing technology intervention to implement and manage computerized systems. OCR will purchase better computers for storage, retrieval, archiving and networking of information within and outside of the agency. In addition, OCR will use these funds to invest in affordable videoconference equipment.

**Department of Education
Office for Civil Rights
FY 2000 Budget**

2. FY 2000 Compliance Review and Current Case Load

Where does OCR plan to direct its efforts for compliance reviews in FY 2000? Please also discuss the complaint case load – types and volumes of cases – and OCR's ability to keep up with it in light of the additional FTE hired in the past year.

Proactive Enforcement

- We expect to continue to devote a significant portion of our proactive resources in the areas identified below:
 - discrimination against minorities in special education and remedial courses;
 - discrimination against minorities in math and science and other advanced placement courses;
 - access to programs for limited English proficient (LEP) students;
 - racial and sexual harassment;
 - discrimination in the use of tests and assessments;
 - discrimination in higher education admissions and the appropriate use of affirmative action;
 - discrimination on the basis of sex in athletics; and
 - desegregation in higher education and elementary and secondary school systems.
- While OCR does not expect our proactive activities to change significantly in the next few years, we are prepared to target acute or emerging problems as they occur.

Workload

- During FY 1998, OCR received approximately 4,827 complaints and resolved approximately 4,706 complaints. During the same period, OCR initiated approximately 99 compliance reviews and closed 92. Many complaints and a number of compliance reviews resulted in state-wide remedies affecting large numbers of students.
- In approximately 54 percent of the complaints determined appropriate for OCR intervention in FY 1998, OCR facilitated a resolution that resulted in changes for students. Approximately 98 percent of the compliance reviews resolved during FY 1998 resulted in a resolution that facilitated change for students.

Question 2 – Page 2

- OCR's enforcement activities during FY 1998 affected more than 5,000,000 students.
- During FY 1998, OCR's increased focus on technical assistance and creating partnerships with recipients, parents, and students etc., may have contributed to a decrease in the complaint receipts.
- During FY 1998, OCR was monitoring 2,201 resolution agreements (1,678 complaint; 523 reviews). [Note: Resolution of a case does not mean that it is closed; often monitoring is required to ensure that the resolution agreement is implemented. In many cases, monitoring can take more than a year. OCR's nationwide monitoring activities require significant staff resources.]
- OCR has been receiving more complex cases, e.g., multi-issue cases that allege that a school district has discriminated against minority students in placement decisions (i.e., special education, ability grouping, and gifted and talented), discipline, resource comparability, and *Lau* issues. Each one of these cases requires significant staff resources.

Additional FTE have allowed us to process our complaints more efficiently. In the past year, our average case processing time decreased. We are committed to meeting our performance indicator of 80 percent of case resolution occurring within 180 days.

Additionally, new staff will assist in OCR's monitoring efforts to ensure that the resolutions we have achieved have the results anticipated. The deployment of additional staff will ensure that our other performance indicator, impact on students, is actually realized.

FY 1998 estimated complaint receipts by basis:

	Total	
VI -	881	(18%)
IX -	341	(7%)
504 -	2,511	(52%)
Age -	73	(2%)
Multiple-	396	(8%)
*Other -	625	(13%)

Total 4,827

See attached charts for caseload and FTE usage information.

*Complaints alleging a basis or jurisdiction over which OCR does not have authority.

4. **Please discuss the baselines being used in OCR's performance measures. How is "positive change" defined and how will improved access to high quality education be measured?**

Baselines in Performance Measures:

OCR has 5 performance indicators within 3 objectives. [See attachments: 1) OCR Key Program Performance Information excerpt from FY 1999 Budget Justification; and 2) OCR's Annual Program Plan as amended in 8/98.] The baseline data we are using for each of the indicators is explained below.

OCR is using FY 1998 data in our automated Case Information System [CIS], to determine the baseline figures for the following performance indicators in our Annual Program Plan:

- **Number of students affected.** The estimated number of students positively affected by OCRs casework increases.

Depending on the civil rights issue being resolved, this figure may represent the total number of students directly affected by OCR's resolution and/or as the entire student population in a school and/or school district or state.

- **Increased compliance.** The number of recipients that change policies, procedures, or practices to comply with Federal civil rights law increases.

The FY 1998 figure will reflect the number of proactive cases and complaints with agreements entered into during the FY.

- **Complaints are resolved efficiently.** Eighty percent [80%] of the complaints are resolved within 180 days of receipt.

This figure represents the proportion of complaints resolved during the FY that were resolved within 180 days or less.

In future FYs, we will be obtaining data related to successful partnerships from CIS which will be modified to generate this data electronically. For results in FY 1998 only, data from OCR files is being utilized to formulate the baseline data for the successful partnership indicator as set forth below:

- **Successful partnerships.** The estimated number of stakeholder partnerships that lead to civil rights compliance increases.

OCR's definition of "partnerships" in this context is the following: A case or outreach initiative that involves collaboration with recipients to create solutions to civil rights problems or prevent the occurrence of civil rights problems, and that achieves legally and educationally appropriate civil rights

Question 4 – Page 2

results. A successful partnership exists if: 1) Partnership was an effective way to achieve civil rights compliance; 2) Strong remedies were obtained; and 3) Stakeholders involved in the partnership were satisfied with the result. Accordingly, the baseline data will include cases where OCR has been a catalyst for change.

OCR also contributes to the Department's broad public policy objective of equal access to education and the promotion of educational excellence by working with education stakeholders to eliminate and prevent barriers to equal educational opportunity based on race, national origin, color, gender, disability, and age.

- **Access.** The estimated number of students with access to high quality education increases.

We intend to use ED trend data as yet to be determined.

Definition of "positive change":

It is impossible to quantify precisely the positive impact on students as a result of our work. AS a result of information indicating a civil rights problem, OCR obtains a resolution that may involve a single student in a complaint or a targeted student population in a complaint or proactive case. The resolution can involve changes in policies, procedures, and practices that improve the educational environment of far more students than originally the subject of the complaint or proactive case or it may be limited to the targeted group.

Measurement of Improved Access to High Quality Education:

See above: OCR contributes to the Department's broad public policy objective of equal access to education and the promotion of educational excellence by working with education stakeholders to eliminate and prevent barriers to equal educational opportunity based on race, national origin, color, gender, disability, and age.

- **Access.** The estimated number of students with access to high quality education increases.

Our working definition of "high quality education" is as follows:

- The standard of education for all students in a state based on state standards that comply with civil rights laws, education appropriate to meet a student's individual needs, and education that maximizes a student's ability to meet the expectations of challenging curriculum and programs.

We intend to use ED trend data as yet to be determined.

Question 4 – Page 3

Attachments:

- OCR Key Program Performance Information excerpt from FY 1999 Budget Justification
- OCR Annual Program Plan as amended 8/98

DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

FY 2000 Budget

**Department of Education
Office for Civil Rights
FY 2000 Budget Report**

Number	Chart
1	Performance Indicators
2	Distribution of Costs
3	Appropriations/FTE/Workload
4	FY 1998 Attorney/EOS Hires
5	Budget Appropriations/Requests: FY 1993 - FY 2000
6	FTE and Complaints Pending
7	Complaint Receipt & Resolutions: FY 1993 - FY 1998
8	Complaint Receipts by Basis: FY 1998
9	Compliance Review Initiations & Resolutions: FY 1993 - FY 1998
10	Resolution Agreements Monitored
11	Cases Resolved Within 180 Days

OCR KEY PROGRAM PERFORMANCE INFORMATION

This section presents information on performance goals and objectives and key performance indicators and strategies for measuring the progress made toward achieving program results. Desired interim and end targets are identified for each performance indicator. Achievement of targets is based on the cumulative effect of the resources provided in previous years and those requested in FY 2000 and future years, and the resources and efforts invested by those served by this and other programs supporting the goals and objectives.

Other performance indicators and strategies for this program are included in the Department's Annual Program Performance Plan.

Performance goal: To ensure equal access to education for all students through the vigorous enforcement of civil rights.

Objective 1: To maximize the impact of available resources on civil rights in education.

Indicator	1998	1999	2000	2001
Access. The estimated number of students with access to high quality education increases. <i>Baseline: To be determined.</i>				
Number of students affected. The estimated number of students positively affected by OCR's casework increases. <i>During FY 1997, OCR achieved positive change in proactive cases that resulted in equal access to education for more than 2,000,000 students facing discrimination. Baseline: To be determined based on FY 1998 data. Unlike FY 1997, the figure in FY 1998 will include all proactive cases and complaints resulting in change.</i>	Approx. 5,950,300 (as of 7/31/98)			
Increased compliance. The number of	1,125 (as of			

recipients that change policies, procedures, or practices to comply with Federal civil rights law increases. <i>Baseline: During FY 1997, 1,457 complaints and proactive cases resulted in recipients changing policies, practices, and procedures to comply with Federal civil rights laws.</i>	7/31/98)			
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Data on this indicator are being gathered from OCR's Case Information System.

Objective: To empower others to learn to solve their own problems of securing equal access to quality education.

Indicator	1998	1999	2000	2001
Successful partnerships. The number of stakeholder partnerships that lead to civil rights compliance increases. <i>Baseline: To be determined based on FY 1998 data</i>				

Data on this indicator are being gathered from OCR case files.

Objective: To obtain results by the efficient management of civil rights compliance activities. OCR's strategic objective is to maximize the impact of available resources by implementing a balanced enforcement program that ensures maximum impact on students and prompt resolution of complaints.

Indicator	1998	1999	2000	2001
Complaints are resolved efficiently. Eighty percent [80%] of the complaints are resolved within 180 days of receipt. <i>Baseline: To be determined based on FY 1998 data.</i>	81.6% (As of 7/31/98)			

Data on this indicator are being gathered from OCR's Case Information System.

Office for Civil Rights (OCR) — 8/98 — DRAFT

Goal: To ensure equal access to education for all students through the vigorous enforcement of civil rights.

OCR contributes to the achievement of ED strategic objectives by working with education stakeholders to eliminate and prevent barriers to equal educational opportunity based on race, national origin, color, gender, disability, and age.

Objective	Indicators	Sources and Next Update	Strategies
Impact on Students			
1. To maximize the impact of available resources on civil rights in education.	1.1 Access. The estimated number of students with access to high quality education increases. <i>Baseline: To be determined.</i> 1.2 Number of students affected. The estimated number of students positively affected by OCR's casework increases. <i>During FY 1997, OCR achieved positive change that resulted in equal access to education for more than 2,000,000 students facing discrimination. Baseline: To be determined based on FY 1998 data. Unlike FY 1997, the figure in FY 1998 will include all proactive cases and complaints resulting in change.</i> 1.3 Increased compliance. The number of recipients that change policies, procedures, or practices to comply with Federal civil rights law increases. <i>Baseline: During FY 1997, 1,457 complaints and proactive cases resulted in recipients changing policies, practices, and procedures to comply with Federal civil rights laws.</i>	1.1 OCR Report based on Case Evaluation Report, OCR's survey of Elementary and Secondary Education School Civil Rights Compliance, and additional data sources to be determined, FY 2000. 1.2 OCR Case Evaluation Report based on data from case files, odd numbered years, FY 1999. 1.3 Annual data from OCR's Case Information System, FY 1999.	- OCR will implement a balanced enforcement program by responding to complaints and conducting proactive compliance reviews that target resources for maximum impact. - OCR will maximize the impact of available resources by addressing the most acute problems of discrimination and by providing tangible assistance to the greatest number of students possible.
Empowerment of Students and Parents			
2. To empower others to learn to solve their own problems of securing equal access to quality education.	2.1 Successful partnerships. The number of stakeholder partnerships that lead to civil rights compliance increases.	2.1 Annual OCR Case Evaluation Report, FY 1999.	OCR will provide civil rights-related information, technical expertise and assistance to a broad range of

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Office for Civil Rights (OCR) — 8/98 — DRAFT			
Goal: To ensure equal access to education for all students through the vigorous enforcement of civil rights.			
OCR contributes to the achievement of ED strategic objectives by working with education stakeholders to eliminate and prevent barriers to equal educational opportunity based on race, national origin, color, gender, disability, and age.			
Objective	Indicators	Sources and Next Update	Strategies
	<i>Baseline: To be determined based on FY 1998 data.</i>		stakeholders engaged in collaborative efforts to ensure equal educational opportunity. OCR will develop case resolution agreements that provide for the active participation of parents and other stakeholders.
Efficient Utilization of Resources			
3. To obtain results by the efficient management of civil rights compliance activities. <i>OCR's strategic objective is to maximize the impact of available resources by implementing a balanced enforcement program that ensures maximum impact on students and prompt resolution of complaints.</i>	3.1 Complaints are resolved efficiently. <i>Eighty percent [80%] of the complaints are resolved within 180 days of receipt. During FY 1997, 80% of the complaints were resolved within 180 days of receipt. Baseline: To be determined based on FY 1998 data.</i>	3.1 OCR Case Evaluation Report based on data from CIS database maintained by OCR and analysis of complaint and proactive case workload, FY 1999.	- OCR will maintain performance measures and track results. - OCR will use performance measures and results of tracking to promote efficiency and improvement.

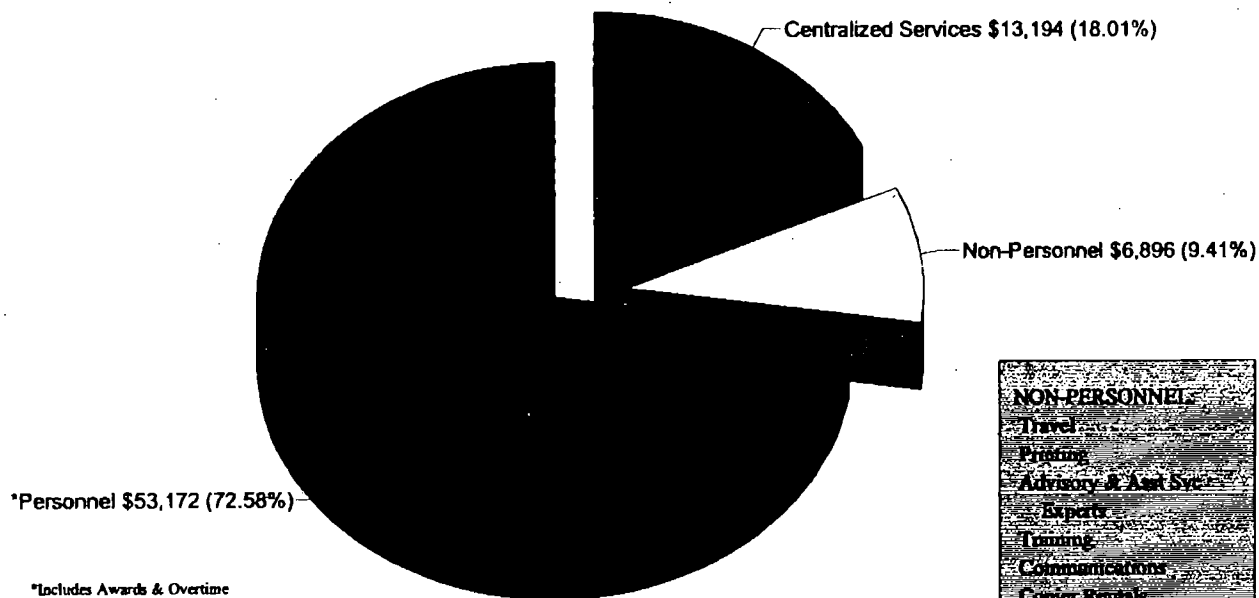
Proposed Definitions:

High quality education: The standard of education for all students in a state based on state standards that comply with civil rights laws, education appropriate to meet a student's individual needs, and education that maximizes a student's ability to meet the expectations of challenging curriculum and programs.

Partnership: A case or outreach initiative that involves collaboration with recipients to create solutions to civil rights problems or prevent the occurrence of civil rights problems, and that achieves legally and educationally appropriate civil rights results. A successful partnership exists if: 1) Partnership was an effective way to achieve civil rights compliance; 2) Strong educationally sound remedies were obtained; and 3) Stakeholders involved in the partnership were satisfied with the result.

DISTRIBUTION OF COSTS

(\$ in Thousands)



*Personnel \$53,172 (72.58%)

*Includes Awards & Overtime

1] - Ergonomic furniture and office relocations.
 2] - Includes: \$1,162 for computer and related hardware acquisitions; \$1,772 for the E & S Survey; and \$147 for Westlaw, Fall Enrollment Survey, Completions Survey, and the Fall Staffing Survey.

NON-PERSONNEL
 Travel
 Printing
 Advisory & Asst Svc
 Experts
 Training
 Communications
 Computer Rentals
 Ops & Mnt of Equip
 Supplies
 Equip & Furniture 1]
 Technology 2]

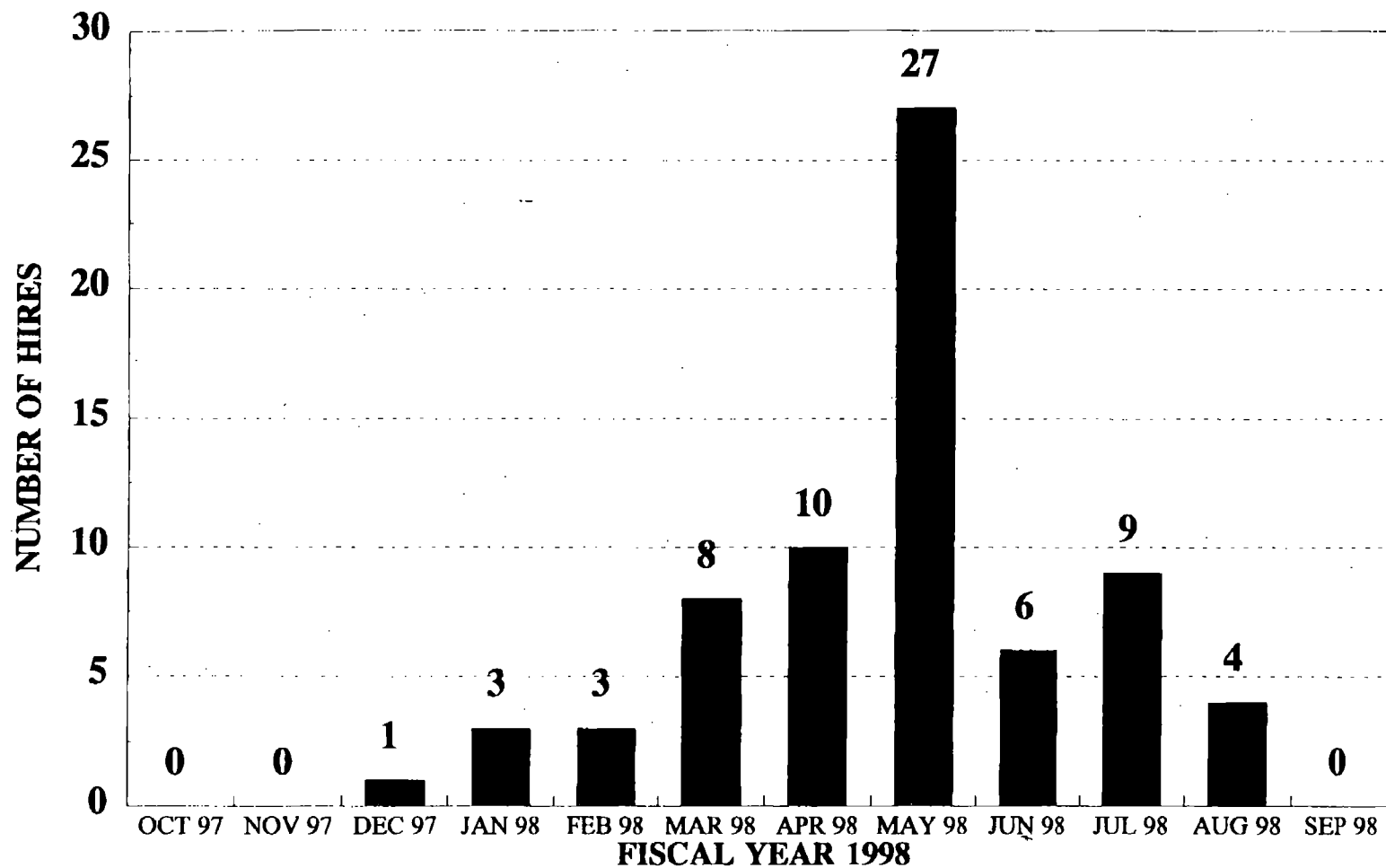
U.S. DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
APPROPRIATION/WORKLOAD DATA
(FY 1991 - FY 1998)

FY	Presidential Request	Congressional Appropriation*	FTE		Complaints		Compliance Reviews	
			Ceiling	Usage	Filed	Resolved	Initiated	Resolved
1991	\$49,900,000	\$48,404,000	820	797	3,809	3,497	41	22
1992	\$56,000,000	\$53,625,000	855	848	4,432	4,180	77	50
1993	\$61,400,000	\$56,402,000	858	854	5,090	4,484	101	82
1994	\$56,570,000	\$56,570,000	851	821	5,302	5,751	144	90
1995	\$61,457,000	\$58,236,000	833	788	4,981	5,559	96	178
1996	\$62,784,000	\$55,277,000	763	745	4,828	4,886	146	173
1997	\$60,000,000	\$54,900,000	724	681	5,229	4,900	152	133
1998	\$61,500,000	\$61,500,000	724	685	4,827	4,706	99	92

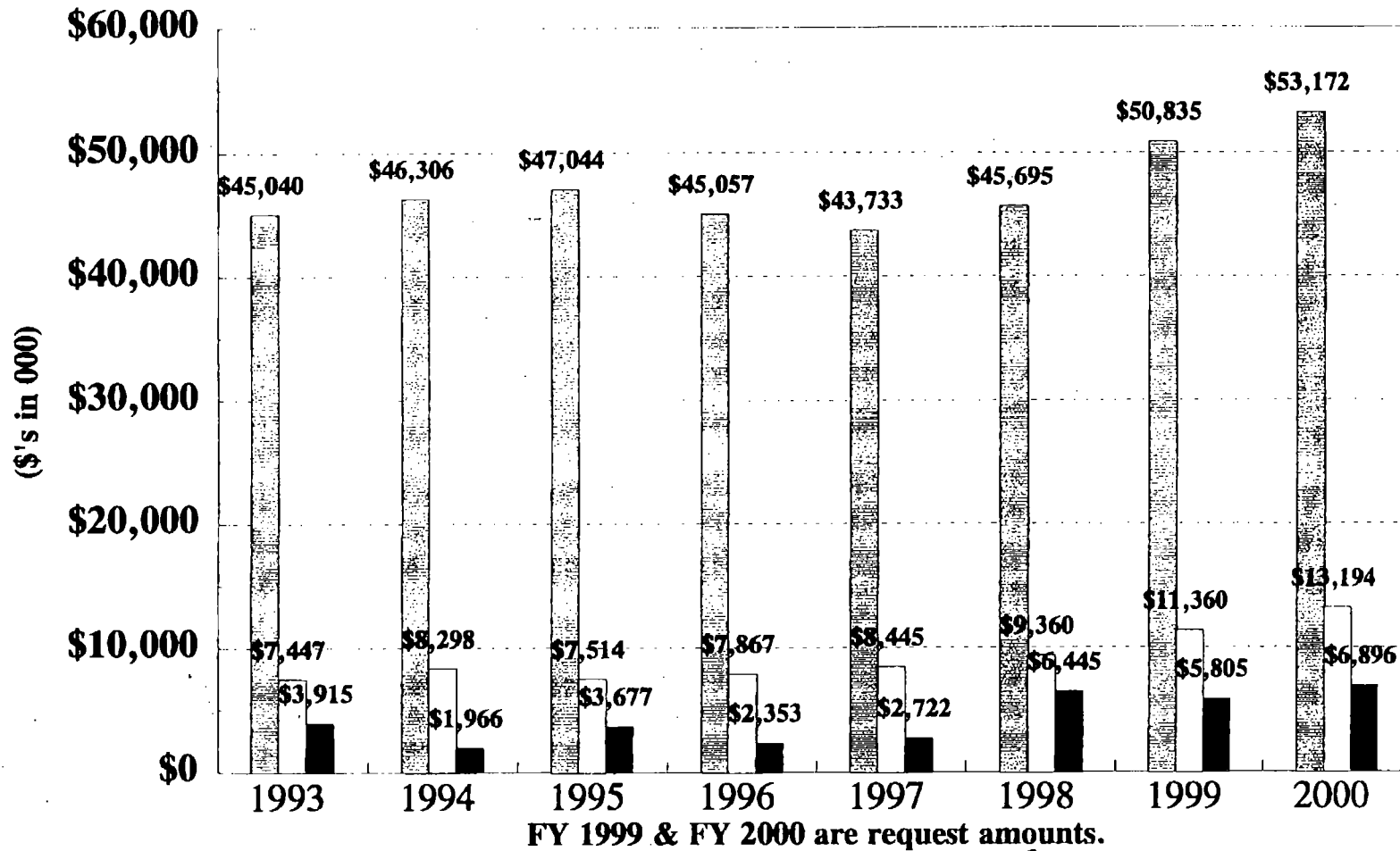
*FY 1995 Appropriation after sequestration, FY 1997 Appropriation after rescission.

OFFICE FOR CIVIL RIGHTS

FY 1998 Attorney/EOS Hires (71)



OFFICE FOR CIVIL RIGHTS APPROPRIATIONS BREAKOUT



PC&B

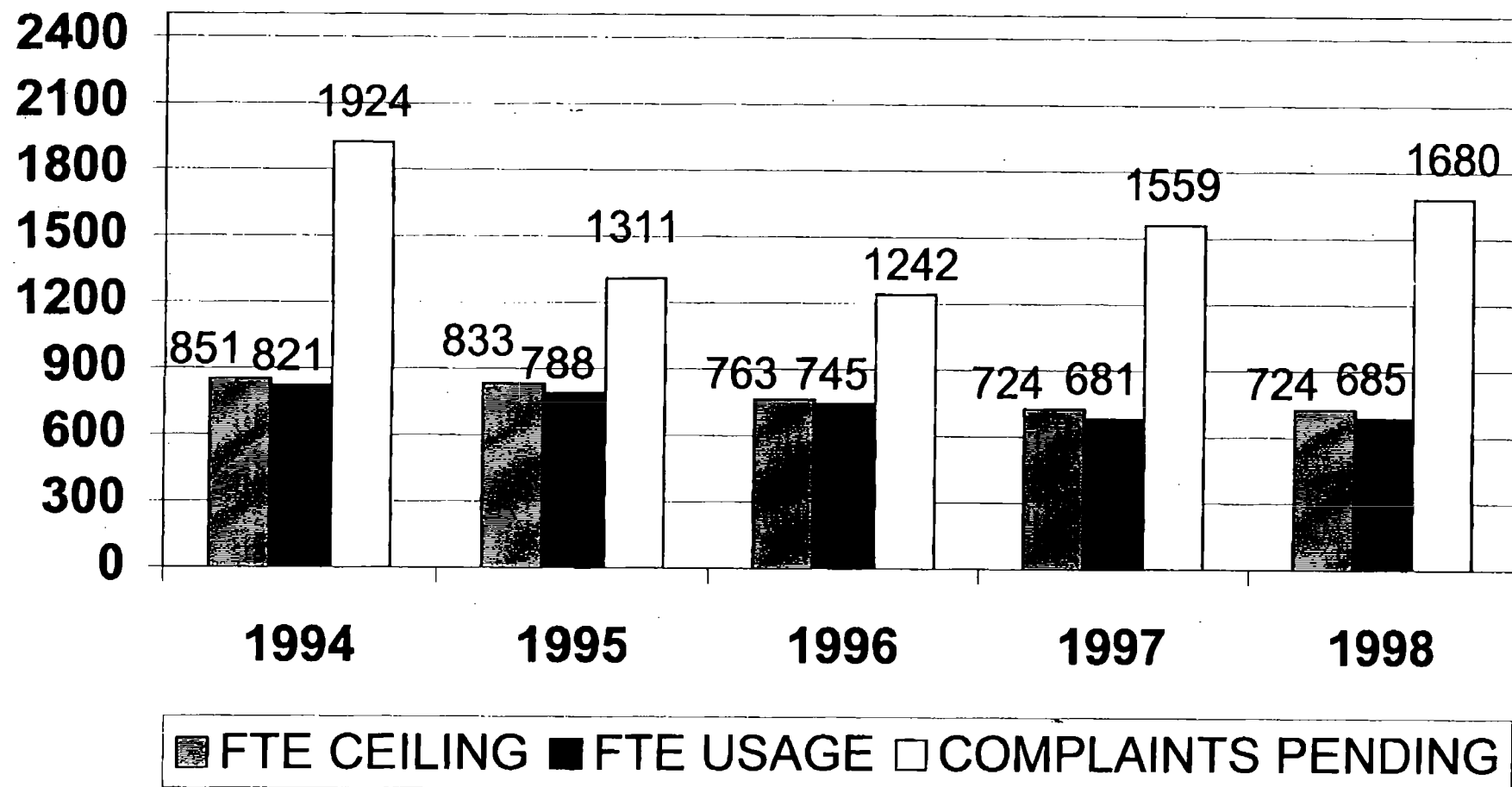


Common Support



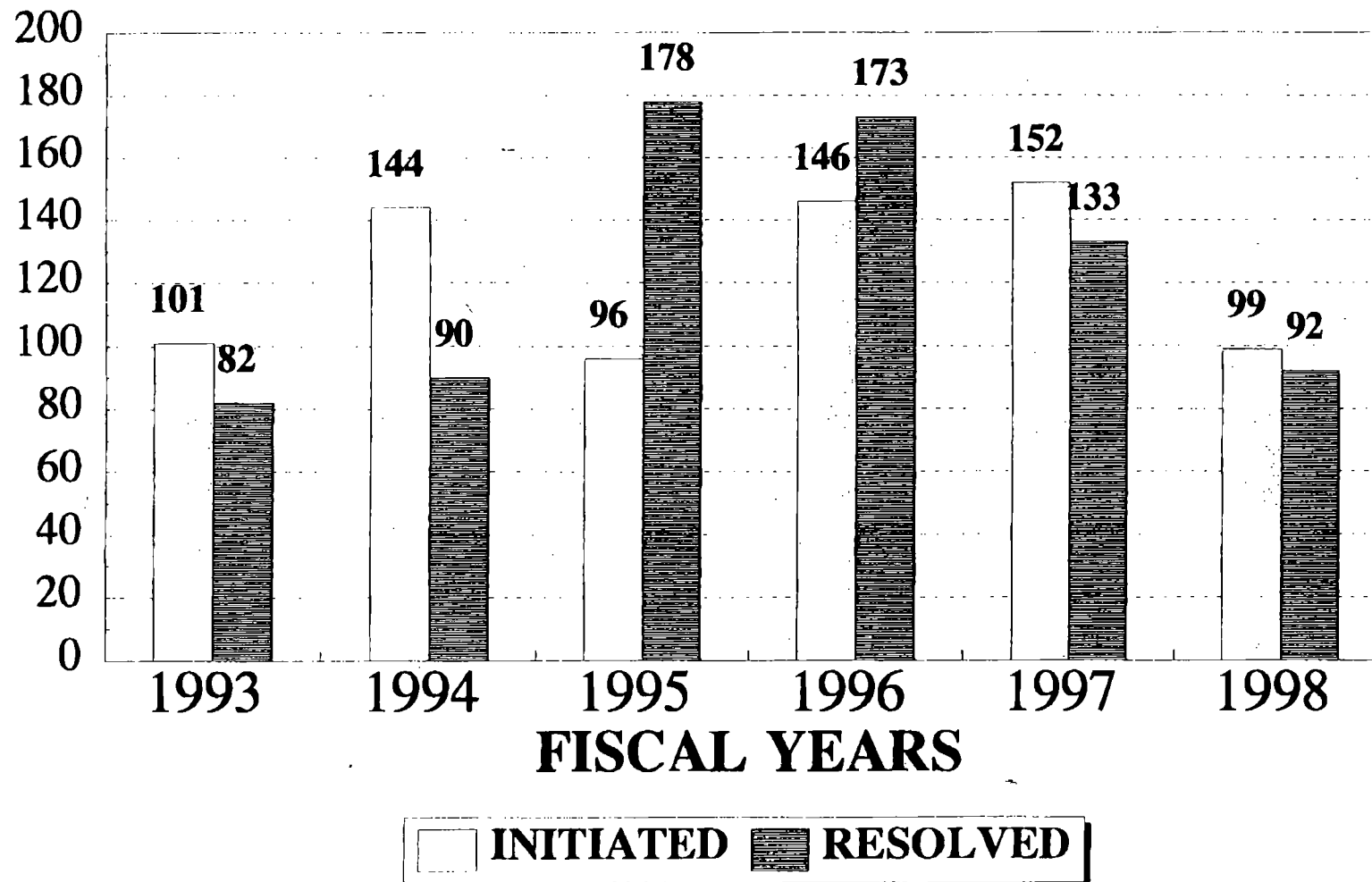
Discretionary

FTE and COMPLAINTS PENDING (End of FY)

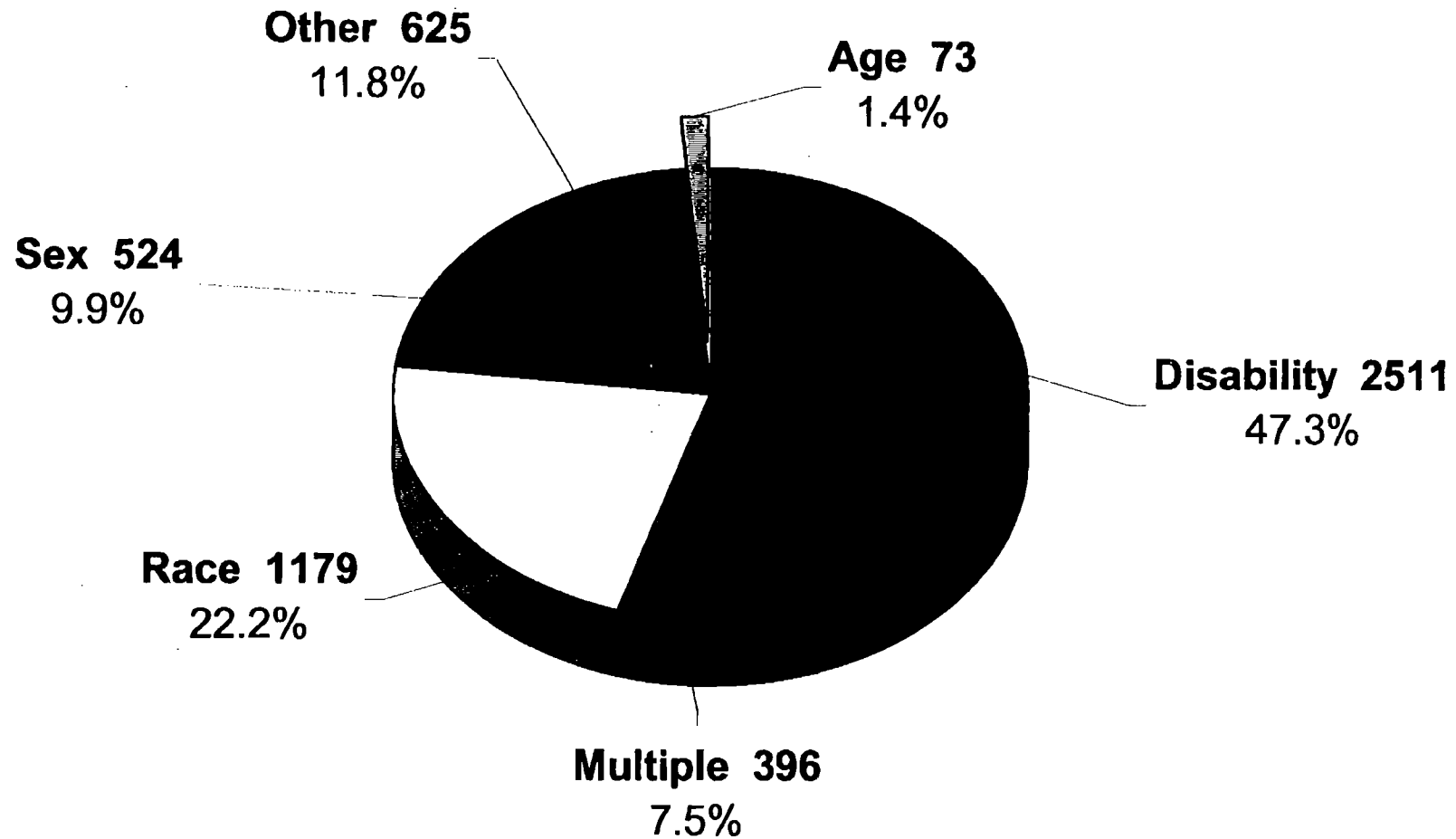


COMPLIANCE REVIEWS

FY 1993 - FY 1998

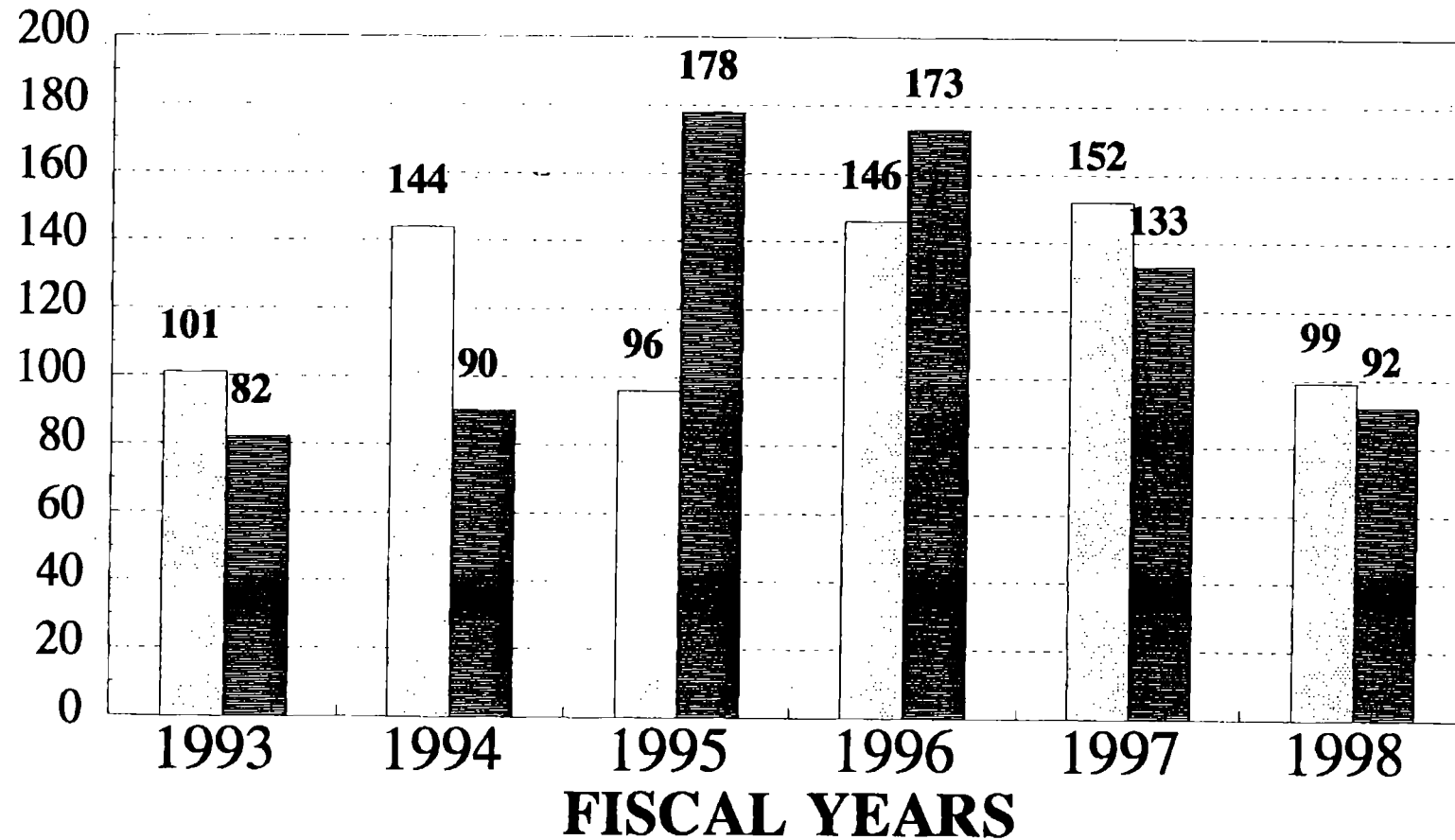


COMPLAINT RECEIPTS by BASIS FY 1998



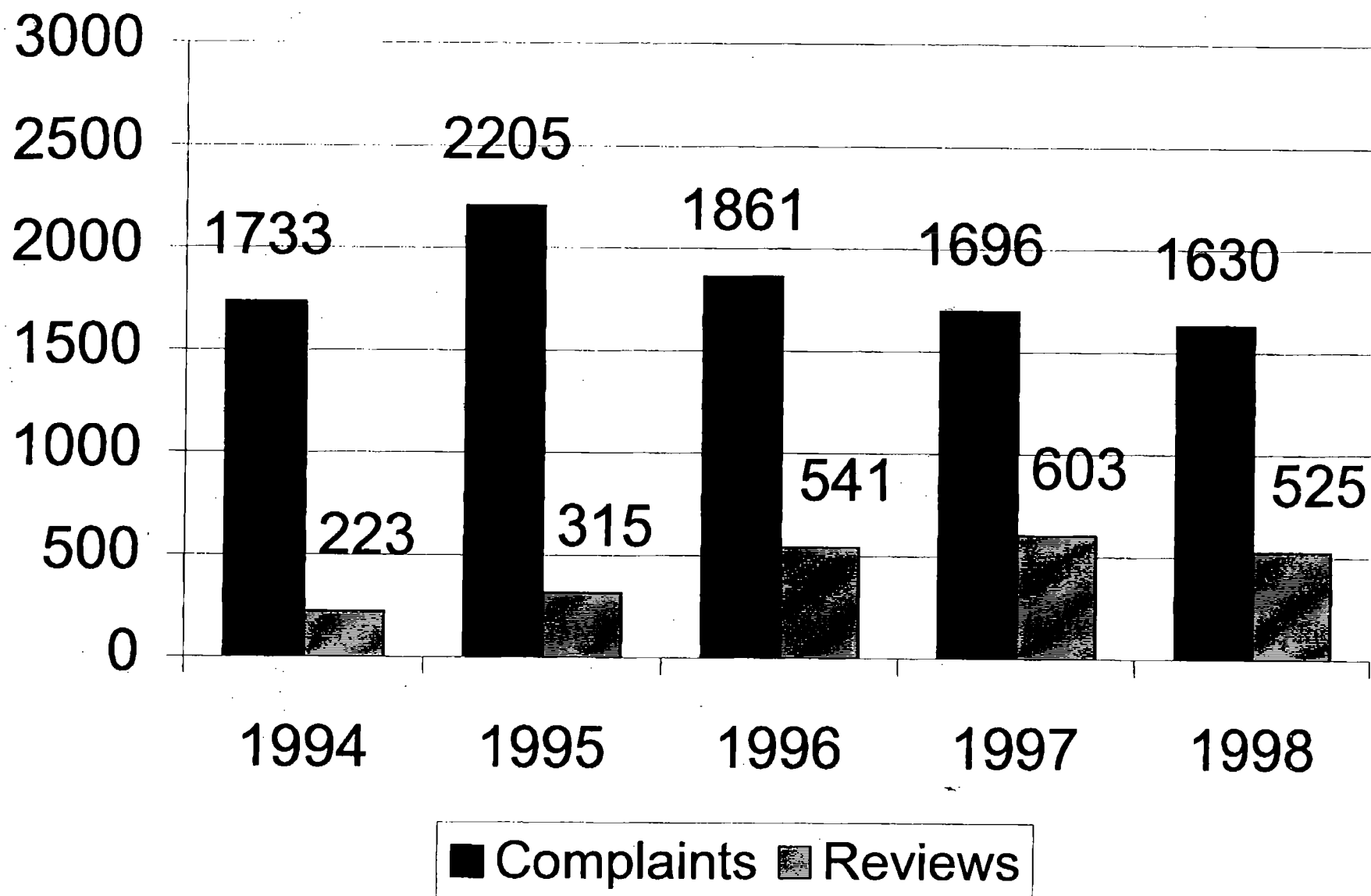
COMPLIANCE REVIEWS

FY 1993 - FY 1998



INITIATED RESOLVED

Resolution Agreements Monitored



PERCENT OF CASES RESOLVED - WITHIN 180 DAYS -

