



FIGHTING *for* PENNSYLVANIA FAMILIES

Showing Up for Students Act

U.S. Senator Bob Casey

Every student in the United States must have the opportunity to learn in a safe environment that is free from discrimination or harassment. The tension on campuses nationwide, in part stemming from the October 7, 2023 attacks on Israel, has underscored the need to ensure that students' rights are protected. However, for years, Congress has underfunded the Office for Civil Rights (OCR) at the U.S. Department of Education (ED), which is charged with enforcing essential laws to protect the civil rights of students in schools and institutions of higher education. Now more than ever, Congress must robustly increase funding for OCR to strengthen its ability to enforce civil right protections and investigate complaints of discrimination and harassment filed by students, develop policy guidance, provide resources for schools, and collect and report key civil rights data.

OCR works to ensure that all students, regardless of race, color, national origin, sex, age, or disability, are able to access an equal education. It does so through enforcement of 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, the Age Discrimination Act of 1975, and Title II of the Americans with Disabilities Act.

Despite the importance of OCR's work, the office is chronically underfunded. OCR has more than 10,000 pending cases under investigation, with the oldest pending investigations opened 17 years ago.¹ During the last decade, the volume of complaints OCR received has increased significantly, while staffing levels have decreased. From 2012 to 2022, the number of complaints received by OCR increased by 140 percent, from 7,833 complaints in fiscal year 2012 to more than 18,000 in fiscal year 2022. During the same decade, OCR's Full Time Equivalent (FTE) staff decreased by six percent.² In fiscal year 2023, OCR received 19,201 complaints, the highest in its 40-year history, and had 562 FTE staff, among the lowest in its history.

Recently, there has been a dramatic increase in reports of discrimination and harassment in schools. Between October 1, 2023 and February 15, 2024, OCR received 219 complaints involving Title VI shared ancestry investigations, the category under which complaints relating to antisemitism, anti-Muslim, and anti-Arab discrimination are classified. This is a staggering increase of 1,360 percent from the same time period the year before. The surge in complaints must be met by an equivalent increase in resources for OCR. By significantly increasing funding, Congress would enable OCR to hire more staff, resolve cases in a timelier manner, reduce the backlog of pending cases, and increase capacity to help schools proactively prevent the discrimination and harassment of students.

The Showing Up for Students Act appropriates \$280 million for the Office for Civil Rights at ED. This funding would be available during fiscal years 2024 and 2025 and would be in addition to any other funding that Congress provides for OCR during these years. This would double the amount of funding compared to fiscal year 2023 funding for OCR. ED estimates that this funding increase would support salaries for more than 500 FTE, and enhance OCR's ability to resolve cases in a timely manner and increase OCR's capacity.

OCR's work is critical for students to have equal opportunities. We must meet this moment in history and ensure that students' civil rights are protected and schools foster environments in which all students can learn.

¹ [Pending Cases Currently Under Investigation at Elementary-Secondary and Post-Secondary Schools](#)

² [U.S. Department of Education Office for Civil Rights Fiscal Year 2024 Budget Request](#)