

Civil Rights Data Collection: Frequently Asked Questions

What is the Civil Rights Data Collection?

The Civil Rights Data Collection (CRDC) is a biennial (*i.e.*, every other school year) survey required by the U.S. Department of Education's (Department) Office for Civil Rights (OCR) since 1968. Similar to the 2011–12 CRDC, the 2013–14 CRDC collected data from a universe of all public local educational agencies (LEA) and schools, including long-term secure juvenile justice facilities, charter schools, alternative schools, and schools serving students with disabilities. The 2015-16 CRDC will also collect information from a universe of public LEAs.

What is the purpose of the CRDC?

The CRDC collects data on leading civil rights indicators related to access and barriers to educational opportunity at the early childhood through grade 12 levels. The CRDC is also a longstanding and critical aspect of the overall enforcement and monitoring strategy used by OCR to ensure that recipients of the Department's Federal financial assistance do not discriminate on the basis of race, color, national origin, sex, and disability. OCR relies on CRDC data it receives from public school districts as it investigates complaints alleging discrimination, determines whether the Federal civil rights laws it enforces have been violated, initiates proactive compliance reviews to focus on particularly acute or nationwide civil rights compliance problems, and provides policy guidance and technical assistance to educational institutions, parents, students, and others. In addition, the CRDC is a valuable resource for other Department offices and Federal agencies, policymakers and researchers, educators and school officials, parents and students, and the public who seek data on student equity and opportunity.

Under what authority does the Department conduct the CRDC?

Section 203(c)(1) of the 1979 *Department of Education Organization Act* conveys to the Assistant Secretary for Civil Rights the authority to "collect or coordinate the collection of data necessary to ensure compliance with civil rights laws within the jurisdiction of the Office for Civil Rights" [[20 U.S.C. § 3413\(c\)\(1\)](#)].

The civil rights laws enforced by OCR include: Title VI of the *Civil Rights Act* of 1964, which prohibits discrimination based on race, color, and national origin; Title IX of the Education Amendments of 1972, which prohibits discrimination based on sex; and Section 504 of the *Rehabilitation Act* of 1973, which prohibits discrimination on the basis of disability. OCR's implementing regulations for each of these statutes requires recipients of the Department's federal financial assistance to submit to OCR "complete and accurate compliance reports at such times, and in such form and containing such information" as OCR "may determine to be necessary to enable [OCR] to ascertain whether the recipient has complied or is complying" with these laws and implementing regulations ([34 CFR § 100.6\(b\)](#), [34 CFR § 106.71](#), and [34 CFR § 104.61](#), located at <http://www2.ed.gov/policy/rights/reg/ocr/index.html>). In addition, pursuant to a delegation by the Attorney General of the United States, OCR shares in the enforcement of Title II of the *Americans with Disabilities Act* of 1990, which prohibits discrimination based on disability. Any data collection that OCR has determined to be necessary to ascertain or ensure compliance with these laws is mandatory.

OCR also works with Department offices to help them effectively carry out programs of Federal financial assistance that the Secretary of Education is responsible for administering. [See Sections 201, 202(g), 411(a), and 412 of the *Department of Education Organization Act* (20 U.S.C. §§ 3411,

3412(g), 3471(a), and 3472)]. OCR works with the Department's Office of Elementary and Secondary Education, which is responsible for administering the *Elementary and Secondary Education Act of 1965 (ESEA)*. Section 9533 of the *ESEA* (20 U.S.C. § 7913) prohibits discrimination in the administration of the *ESEA* in violation of the Fifth or Fourteenth Amendments to the Constitution. In addition, Section 9534 of the *ESEA* (20 U.S.C. § 7914) prohibits discrimination in funded programs on the basis of race, color, religion, sex (except as otherwise permitted under Title IX), national origin, or disability. Thus, in addition to OCR's authority described above, the *ESEA* provides authority for the Department to mandate that LEAs respond to this data collection.

Why does the Department revise the CRDC?

Changes to the CRDC reflect new learning about the areas where opportunity gaps exist.

Does the federal Office of Management and Budget (OMB) approve revisions to the CRDC?

Yes. OMB [approved](#) the 2013-14 CRDC under the Paperwork Reduction Act on February 28, 2014, under Control Number 1870-0504. All the documentation submitted to OMB can be found at [this link](#). The OMB control number for the 2011-12 CRDC is 1875-0240.

How does the 2013–14 CRDC differ from the 2011–12 CRDC?

Almost all of the data elements that were previously collected in the 2011–12 CRDC were collected in the 2013–14 CRDC. A complete list of data elements included in the 2013-14 CRDC can be found at this [link](#).

The following data elements were new and required for the 2013-14 CRDC:

- Whether an ungraded school has mainly elementary school age, middle school age, high school age, elementary and middle school age, middle and high school age, or elementary middle, and high school age students.
- Whether the LEA has civil rights coordinators (with contact information)
- Justice facility questions regarding facility type, school year length, and educational program duration
- Students absent 15 or more school days (disaggregated by race, sex, disability, and LEP)
- Whether the LEA has any students enrolled in distance education, and whether a school has any students enrolled in dual enrollment or credit recovery programs
- Number of FTE of teachers not meeting all state licensing/certification requirements
- Whether a sworn law enforcement officer (including school resource officer) is assigned to a school
- Whether the LEA's preschool or kindergarten programs are offered at a cost to parents or guardians
- Whether the school's preschool program serves non-IDEA students (by age)

The following data elements were new and optional in the 2013–14 CRDC (but are required in the 2015–16 CRDC):

- Number of incidents of violent and serious crimes
- Number of school days missed by students who received out-of-school suspensions
- Number of students transferred for disciplinary reasons to alternative schools
- Number of instances of corporal punishment for students preschool through grade 12
- Number of preschool students who received corporal punishment

- Number of allegations of harassment or bullying on the basis of sexual orientation or religion
- Number of students who participate in justice facility educational program, by specified length
- Number of students enrolled in any distance education courses, or dual enrollment/dual credit programs, and number of students who participate in a credit recovery program
- Number of science classes in grades 9-12 taught by teachers with a science certification (Biology, Chemistry, Physics)
- Number of FTEs for psychologists, social workers, nurses, security guards, and sworn law enforcement officers
- School-level expenditures for teachers and total personnel (funded with federal and state/local funds)
- School-level expenditures and number of FTEs for instructional aides, support services staff, and school administration staff (funded with federal and state/local funds; funded with state/local funds), as well as amount of non-personnel expenditures (funded with federal and state/local funds)
- Number of preschool students served by the LEA in preschool programs in LEA and non-LEA facilities
- Number of students enrolled in LEA and served in non-LEA facilities only
- Number of current teachers employed at the school, and number of teachers also employed at the school in prior year

The following data elements were dropped for the 2013-14 CRDC:

- Number of students awaiting special education evaluation (LEA).
- Whether students are ability grouped for English/Math.
- Number of students enrolled in AP foreign language (disaggregated by race, sex, disability, LEP).
- Separate count of the number of students who took AP exams for all AP courses enrolled in (disaggregated by race, sex, disability, LEP).
- Separate count of the number of students who passed AP exams for all AP courses enrolled in (disaggregated by race, sex, disability, LEP).

Why are some new data elements optional for reporting for the CRDC?

OCR makes some new data elements optional in one cycle of the CRDC in order to provide school districts with lead time to implement the new data requirements. OCR received significant feedback from school districts about the importance of having adequate notice and opportunity to plan for and implement new data elements particularly for new elements with disaggregated student data (e.g., by sex or race/ethnicity) that may not be currently collected by all school districts.

Which data for the CRDC are being collected through other data collections in the Department?

To reduce the burden on LEAs, beginning with the 2009-10 CRDC, the CRDC no longer collected disaggregated school data on the number of students served under the *Individuals with Disabilities Education Act (IDEA)* by disability category or educational environment. Instead, the CRDC uses the data that LEAs submit to the applicable state educational agency (SEA) for the purpose of reporting required data under *IDEA*. Likewise, high school completer data were no longer collected by the CRDC because the Department already collects those data from SEAs through the *EDFacts*

collection. The 2013–14 and 2015–16 CRDC will continue to leverage the data submitted through *EDFacts* to reduce the burden on LEAs.

How can I find out more about the CRDC and OCR?

For more information about the CRDC and OCR, please visit: <http://www.ed.gov/ocr/data.html>.