
KNOW YOUR RIGHTS:

A GUIDE TO UNDERSTANDING SCHOOL DISCRIMINATION UNDER THE NEW YORK STATE HUMAN RIGHTS LAW

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THIS CURRENT VERSION OF THE KNOW YOUR RIGHTS GUIDE WAS AUTHORED BY KATHERINE BLUM, ESQ., WITH THE HELP OF MADELINE PING, LEGAL FELLOW, IN AUGUST 2022.

SPECIAL THANK YOU TO THE NEW YORK STATE DIVISION OF HUMAN RIGHTS FOR PROVIDING THE INFORMATION CONTAINED IN THIS GUIDE.



Dear Students and Families,

In 2019, New York State amended the New York State Human Rights Law to prohibit discrimination in public schools and other educational institutions.

This guide provides an overview of this law and explains how it protects students and other individuals from bullying, harassment, and other forms of school discrimination. It describes what school discrimination looks like and how you can file a complaint of school discrimination with DHR. This guide also contains some information about legal advocates and attorneys across New York State who may be able to further advise you about your rights.

PLEASE NOTE: If you have experienced school discrimination, you have several courses of action available to you under New York State and federal law, such as filing a lawsuit in state or federal court. This guide only provides very general information about your rights under the Human Rights Law and remedies available at the Division of Human Rights. It is not representative of all your legal options and is not meant to be or replace legal advice. It is important to also note that the Division of Human Rights covers New Yorkers across the state. The Division of Human Rights is not the New York City Commission on Human Rights, which does not handle complaints of school discrimination.

If you think you have been discriminated against, you should contact a lawyer who is familiar with school discrimination. Some legal resources are listed at the end of this guide for your convenience. This law is current as of September 2022. Laws may change and subsequent changes in the law may not be reflected in this guide.

ABOUT EMPIRE JUSTICE CENTER

Empire Justice is a statewide, nonprofit law firm and advocacy organization with five offices across the State, outside of New York City. Our mission is to make the law work for all New Yorkers, especially for those who need its protection the most.

We teach the law by providing training and technical assistance to other attorneys and nonprofit advocates so that they can better serve their clients. We change the law by engaging in legislative and administrative advocacy regarding issues that impact low income New York families. We practice the law by engaging in impact litigation and by providing direct representation to low income New Yorkers.

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INTRODUCTION

In 2019, New York State amended the New York State Human Rights Law to prohibit discrimination in public schools and other educational institutions. This guide provides an overview of this law and explains how it protects students and other individuals from bullying, harassment, and other forms of school discrimination. It describes what school discrimination looks like and how you can file a complaint of school discrimination with DHR. This guide also contains some information about legal advocates and attorneys across New York State who may be able to further advise you about your rights.

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THE HUMAN RIGHTS LAW

The New York State Human Rights Law ("HRL") is New York's major anti-discrimination statute. It prohibits discrimination in several areas, including employment, housing, access to credit, and places of public accommodation. In 2019, the HRL was expanded to prohibit discrimination in education.

THE DIVISION OF HUMAN RIGHTS (DHR)

The New York State Division of Human Rights ("DHR") is the state government agency that is responsible for enforcing and interpreting the HRL. If you believe you have been discriminated against, you can file a complaint with DHR.

AN OVERVIEW OF SCHOOL DISCRIMINATION

The HRL protects students and other individuals from school discrimination.

WHO IS PROTECTED BY THE HRL?

Under the HRL, educational institutions are prohibited from discriminating against students and other individuals on the basis of:

- Race
- Color
- Religion
- Disability
- National origin
- Sexual orientation
- Gender identity or expression
- Military status
- Sex
- Age
- Marital Status

WHAT IS AN EDUCATIONAL INSTITUTION?

Educational institutions include:

- Public schools and districts
- Charter schools
- BOCES
- Public colleges and universities
- Publicly funded pre-k programs
- Private schools at all education levels (except by a religious organization) or
- For-profit non-sectarian colleges, universities, licensed career schools, or certified English as a second language schools

PROHIBITED ACTS UNDER THE HRL

You have the right to an education free of discrimination or harassment based on your placement in a protected class.

An educational institution **cannot**:

- Refuse to admit an otherwise qualified student to a school or program
- Terminate an otherwise qualified student's enrollment in a school or program
- Treat a student differently on the basis of a protected class.

Example: A high school prohibits an LGBTQ club from meeting after school, but allows other student interest groups to do so.

AN EDUCATIONAL INSTITUTION MUST TAKE PROMPT, EFFECTIVE STEPS TO PREVENT AND STOP:

- Student-on-student bullying
- Staff member-on-student bullying
- Sexual harassment or other sexual misconduct toward a student

WHAT IS BULLYING AND HARASSMENT?

Harassment or bullying based on a protected characteristic can include words, signs, jokes, intimidation, or physical violence. It can also include actions that are offensive to a recipient or cause the recipient discomfort or humiliation.

Sexual harassment is a form of harassment. It can include taunts or threats of a sexual nature, sexually discriminatory statements, or sexually explicit derogatory remarks. It can also include verbal/physical sexual advances or touching/assaults. Sexual harassment can also include any suggestion from a teacher or person in authority that an advantage can be obtained if a student agrees to engage in sexual conduct.

It **does not** matter if the student agrees or whether the advantage is obtained.

Want to read more? Check out DHR's Educational Institutions: Your Rights Under the Human Rights Law as a Student or Applicant, available here:

<https://dhr.ny.gov/system/files/documents/2022/05/nysdhr-education-discrimination.pdf>

EXAMPLES

- In order to be class valedictorian, Emily needs to get an “A” in AP Physics. Emily’s Physics teacher tells her that he will give her an “A” in the class if she engages in a sexual relationship with him.
- Several students taunt Taylor, a transgender student, on the school bus.
- Jordan, a Black student, is the lead in her high school play. At play rehearsal, several students make frequent racial jokes to her. When Jordan tells the director, he tells her to just ignore the other students and takes no further action.

WHAT DO TO IF YOU HAVE EXPERIENCED DISCRIMINATION

CONSIDER FILING A DASA COMPLAINT:

The Dignity For All Students Act ("DASA") is a state law that aims to protect students from bullying (including cyberbullying), harassment, and other discrimination. DASA applies to bullying, harassment, and discrimination that occurs on school property and at school functions. Under DASA, discrimination is prohibited on the basis of:

- race
- color
- weight
- national origin
- ethnic group
- religion
- religious practice
- disability
- sexual orientation
- gender
- sex

- All schools have a DASA coordinator, an administrative designee who receives reports of harassment, bullying, or discrimination.
- Students or family members can file a DASA complaint, either verbally or written. A school must notify the DASA coordinator within one school day upon receiving a complaint. The school has 2 school days to file a written report of the complaint.
- The school or DASA coordinator must then conduct an investigation. Once it is complete, the DASA coordinator will determine whether the complaint is verified as a “material incident.”
- A material incident is reportable to NYSED’s School Safety and Educational Climate (“SSEC”) data collection form. The data collected is publicly available on NYSED’s website

GATHER EVIDENCE

Keep a log of all acts of discrimination that occur, as they occur. It is important to write down as many details as you can while your memory is fresh. Important details include:

- the school, school district, administrators, staff members, or any other entity or individual involved in the discriminatory act(s)
- the discriminatory act(s) - write down what happened in detail
- where and when the discriminatory act(s) took place
- any witnesses to the discriminatory act(s)
- Be sure to save and protect any proof you may have, including:
 - Letters, texts, emails, voicemails, videos, DMs, and all other communications with the school, administrators, staff members, or other people involved.
 - All records relating to the discriminatory incident(s), such as medical records, police reports, etc. All social media posts (if any) relating to the discriminatory incidents. It is important to save these as soon as you see them because social media posts can be deleted.

Experiencing discrimination can be traumatizing. If you find it difficult to process what has happened to you, make sure to take the time to take care of yourself. This can include talking to trusted family, friends, and mental health professionals.

DHR AT A GLANCE

HOW DOES DHR WORK?

- DHR is a state agency that enforces the HRL. You can file a complaint with DHR against an entity or individual ("respondent"). DHR will then conduct an investigation.
- DHR will determine whether there is probable cause that discrimination occurred.
- If a complaint receives a probable cause determination, you will be assigned a DHR attorney free of cost.
- The case will then be scheduled for a prehearing settlement conference, which you and the respondent a chance to settle your case.

- If no settlement occurs, the case will be scheduled for a public hearing (virtual) in front of an Administrative Law Judge (“ALJ”).
- After the hearing, the ALJ will draft a proposed order and allow both parties to respond.
- The Commissioner of DHR will review the order and responses and draft the final order, in which DHR finds discrimination or not. Either party may appeal the Final Order in state court within 60 days.

HOW TO FILE A COMPLAINT WITH DHR

Before filing a complaint with DHR, you must first provide a written verified Notice of Claim to the Board of Education for the school district in which the act of discrimination occurred within **90 days of the accrual of the claim, which is likely the date of the act of discrimination**. This notice should include the nature of the claim, as well as the time when, the place where, and the manner in which the claim arose.

You must file a complaint within **one year of the last act of discrimination**.

1. Start by filling out a complaint form, which can be found on DHR's website. A copy of this complaint form is also annexed at the end of this guide. Make sure to fill out the form in its entirety. You should type or use print to fill out the form. You can sign under a declaration of penalty instead of getting the complaint notarized but **you must make sure to sign the complaint**.
2. Make sure that you attach all evidence that you think is helpful to your case, including documents, correspondences, etc.
3. There are several ways to file a completed complaint form. You can return it via mail to your nearest regional DHR office (addresses are listed in Resources section below). You can email it to complaints@dhr.ny.gov, fax it to (718) 741-8322.

DHR INVESTIGATION STAGE

WHAT HAPPENS DURING THE INVESTIGATION STAGE?

- Upon receiving a complaint, DHR will determine whether it has jurisdiction over the subject matter and parties and determine timeliness.
- If the complaint is not dismissed for any of these reasons, DHR will begin an investigation (within 180 days of filing).
- During this stage, the respondent will have the opportunity to submit a position statement or response to the complaint. You will have the opportunity to then respond to the respondent’s submission.
- DHR will conduct field visits, interviews, and request any information it needs to complete the investigation.
- In addition, DHR will facilitate conciliation discussions between you and respondent to give you a chance to resolve the complaint before the investigation is completed.

- After DHR finishes its investigation, it will make a determination of probable cause or no probable cause.

WHAT DOES PROBABLE CAUSE MEAN?

After DHR finishes its investigation, it will make a determination of probable cause or no probable cause. A probable cause determination means that it is more likely than not that discrimination occurred. It should be noted that this is a relatively low bar; getting a determination of probable cause does not mean that you have won your case. Rather, a probable cause determination means that your case will advance to the next stage in the complaint process rather than get dismissed after investigation.

DHR HEARING STAGE

WHAT HAPPENS AFTER A PROBABLE CAUSE DETERMINATION?

- If your case gets a probable cause determination, it will be scheduled for a prehearing settlement conference, which is a conference call between you and respondent held in front of an ALJ. During this conference, the parties have the opportunity to settle the case. However, neither party is obligated to do so.
- If you do not settle your case, it will be scheduled for a hearing in front of an ALJ (within 270 days of filing the complaint). This hearing is trial-like, in which evidence relevant to your case is placed in the hearing record. The hearing may last for more than one day, not necessarily in consecutive days. You and the respondent will be notified of all hearing dates in advance.
- Usually, the hearings are conducted in-person. However, in light of the COVID-19 pandemic, conferences are being held via videoconference.
- After the hearing has concluded, the ALJ will prepare a proposed order and send it to the parties, who will then have the chance to respond.
- After the parties have a chance to respond to the proposed Order, the Commissioner of Human Rights will issue a final order that either finds discrimination or dismisses the complaint.
- Either party may appeal a Commissioner's Order to the State Supreme Court within 60 days.

WHAT HAPPENS IF A FINDING OF DISCRIMINATION IS MADE?

If the Commissioner finds that discrimination has occurred, the respondent will be ordered to cease and desist all discriminatory actions and take actions to remedy the discriminatory acts. Such remedies include:

- Requiring staff/administrators to undergo anti-discrimination training
- Requiring a school district to change or adopt policies in order to prevent discrimination from reoccurring

- Granting a reasonable accommodation in the case of disability discrimination.

IN ADDITION, DHR MAY AWARD MONETARY DAMAGES TO YOU, INCLUDING:

- compensatory damages for mental pain and suffering;
- attorney's fees; or
- civil fines and penalties

EMPIRE JUSTICE'S SCHOOL DISCRIMINATION HELP LINE

Empire Justice Center has a helpline that provides information to students and the families of students who may have experienced school-based discrimination. **Call (800) 724-0490 Ext. 5827** or email schooldiscriminationhelpline@empirejustice.org for more information.

RESOURCES

Empire Justice Center

Civil Rights Unit
1 W Main St #200, Rochester, NY 14614
<https://empirejustice.org>
(585) 454-4060

Monroe County Bar Association

Lawyer Referral Service
255 East Avenue #305
Rochester, NY 14604
<https://monroe.community.lawyer/>
(585) 546-2130

DHR Central Headquarters

One Fordham Plaza, 4th Floor
Bronx, NY 10458
info@dhr.ny.gov
1-888-392-3644

DHR Regional Offices- Albany

Agency Building 1, 2nd Floor, Empire State Plaza
Albany, NY 12220
(518) 474-2705 or (518) 474-2707
Info.Albany@dhr.ny.gov
serves Albany, Clinton, Columbia, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Lewis, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, St. Lawrence, Ulster, Warren, and Washington counties.

RESOURCES, CONTINUED

Binghamton

44 Hawley Street, Room 603

Binghamton, NY 13901

(607) 721-8467

Info.Binghamton@dhr.ny.gov

serves Broome, Chemung, Chenango, Cortland, Delaware, Madison, Otsego, Sullivan, Tioga, and Tompkins counties.

DHR Regional Offices Continued

Bronx -

headquarters

Housing Investigations Unit (All housing cases)

Brooklyn

55 Hanson Place, Room 1084

Brooklyn, NY 11217

(718) 722-2385

Info.Brooklyn@dhr.ny.gov

serves Kings, New York, and Richmond counties

Long Island (Hauppauge)

State Office Building, 250 Veterans Memorial Highway, Suite 2B-49

Hauppauge, NY 11788

(631) 952-6434

Info.LongIsland@dhr.ny.gov

serves Suffolk county

Long Island (Hempstead)

50 Clinton Street, Suite 301

Hempstead, NY 11550

(516) 539-6848

Info.LongIsland@dhr.ny.gov

serves Nassau county

Manhattan

Adam Clayton Powell State Office Building, 163 West 125th Street, 4th Floor

New York, NY 10027

(212) 961-8650

Info.UpperManhattan@dhr.ny.gov

serves Bronx and New York counties.

RESOURCES, CONTINUED

Sexual Harassment/Queens -

55 Hanson Place, Room 900
Brooklyn, NY 11217
(718) 722-2060
info.OshiQns@dhr.ny.gov
serves Queens county

Rochester

One Monroe Square, 259 Monroe Ave., Suite 308
Rochester, NY 14607
(585) 238-8250
Info.Rochester@dhr.ny.gov
serves Allegany, Genesee, Livingston, Monroe, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates.

Syracuse

333 E. Washington Street, Room 543
Syracuse, NY 13202
(315) 428-4633
Info.Syracuse@dhr.ny.gov
serves Cayuga, Jefferson, Oneida, Onondaga, and Oswego counties

White Plains

7-11 South Broadway, Suite 314
White Plains, NY 10601
(914) 989-3120
Info.WhitePlains@dhr.ny.gov
serves Dutchess, Orange, Putnam, Rockland, and Westchester counties

REFERENCES

1. N.Y. Exec. Art. 15 § 290 et seq.
2. § 296.4.
3. Educational Institutions: Your Rights as a Student or Applicant, N.Y. Div. of Human Rights, <https://dhr.ny.gov/system/files/documents/2022/05/nysdhr-education-discrimination.pdf>.
4. File a Complaint, N.Y. Div. of Human Rights, <https://dhr.ny.gov/complaint>.
5. Investigative Procedure, N.Y. Div. of Human Rights, <https://dhr.ny.gov>.
6. 9 NY-CRR 465 et seq.



Education Discrimination Complaint Form

Instructions

1) Please fill out the complaint form, answering all of the questions. If you are filling out the form on a computer, please print it immediately when you are finished. ***You may not be able to save the completed form.*** If possible, please type. If you are filling out the form by hand, please print. ***Please do not write in the margins or on the back of this form.***

Please note: A delay could occur in the filing and the investigation of your complaint if the form is not filled out properly or if the information you provide is not legible.

2) Notarization is no longer a requirement for this form. For those not wanting to use a notary, you can complete the declaration section after you fill out the form. The declaration option does not require notarization; you need only fill in the blanks with the date and your location (city, state), and sign the declaration. The oath section is still available, but if you use this option you will need to sign in front of a notary.

3) Attach copies of any documents that you think will help the Division investigate your case (emails with respondent, written statements from witnesses, etc.).

4) Return the complaint form to the office closest to you. See below for the list of office locations. You may return the complaint by postal mail or personal delivery. You may also email your complaint to complaints@dhr.ny.gov or fax it to (718) 741-8322.

5) Keep a copy of your complaint, and copies of any documents that you attach, for your own records.

6) The completed complaint must be returned to the Division promptly. After the Division accepts your complaint, this form will be sent to the institution or person(s) whom you are charging with discrimination.

Time Limit for Filing

Please note: You must file your complaint within **one year** of the most recent act of alleged discrimination.

If you need further assistance or require an accommodation for a disability, please call or visit one of our offices, make an appointment, or visit our website at www.dhr.ny.gov/complaint. Interpreter services are also available at no cost upon request.

NYS Division of Human Rights Offices

Albany

Agency Building 1, 2nd Floor
Empire State Plaza
Albany, New York 12220
Telephone No. (518) 474-2705

Binghamton

44 Hawley Street, Room 603
Binghamton, New York 13901
Telephone No. (607) 721-8467

Bronx Central Office

One Fordham Plaza, 4th Floor
Bronx, NY 10458
Telephone No. (718) 741-8400

Brooklyn

55 Hanson Place, Room 304
Brooklyn, New York 11217
Telephone No. (718) 722-2385

Buffalo

Main Place Tower
350 Main Street, 10th Floor, Suite 1000B
Buffalo, New York 14202
Telephone No. (716) 847-7632

Long Island (Nassau)

50 Clinton Street, Suite 301
Hempstead, New York 11550
Telephone No. (516) 539-6848

Long Island (Suffolk)

250 Veterans Memorial Highway,
Suite 2B-49
Hauppauge, New York 11788
Telephone No. (631) 952-6434

Manhattan

Adam Clayton Powell Jr. State Office Bldg.
163 West 125th Street, 4th Floor
New York, New York 10027
Telephone No. (212) 961-8650

Office of Sexual Harassment Issues/Queens

55 Hanson Place, Room 900
Brooklyn, New York 11217
Telephone No. (718) 722-2060

Rochester

One Monroe Square
259 Monroe Avenue, Suite 308
Rochester, New York 14607
Telephone No. (585) 238-8250

Syracuse

John J. Hughes State Office Building
333 E. Washington Street, Room 543
Syracuse, New York 13202
Telephone No. (315) 428-4633

White Plains

7-11 South Broadway, Suite 314
White Plains, New York 10601
Telephone No. (914) 989-3120

What is Covered by the Human Rights Law?

The Division of Human Rights investigates complaints of discrimination against students of, or applicants to, educational institutions. (Those wishing to file a complaint as an employee of an educational institution should file an employment complaint.) Covered education institutions are:

- Private schools, pre-kindergarten through college or university levels, which are not-for-profit and not run by a religious organization
- All public schools, pre-kindergarten through college or university levels

The Division of Human Rights investigates complaints of discrimination by education institutions based on:

Age

Disability (a physical or mental condition; including denial of reasonable accommodation for disability)

Gender Identity or Expression (actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender; complaints involving the need for accommodation of gender dysphoria or other related medical condition can also be filed under disability)

Marital Status (single, married, separated, divorced, widowed)

Military Status (including military reserves, or being a veteran)

National Origin (the country where you or your ancestors were born)

Race/Color (because you are Asian, Black, White, mixed race, etc.; includes ethnicity; includes traits historically associated with race such as hair texture or hairstyle)

Religion (religious membership, belief, practice, or observance; or discrimination because you do not have a religious belief)

Retaliation (if you filed a discrimination case before, were a witness or helped someone else with a discrimination case, or opposed or reported unlawful discrimination)

Sex (because of your gender, includes sexual stereotyping, sexual harassment, or pregnancy, except that any institution which establishes or maintains a policy of educating persons of one sex exclusively may admit students of only one sex)

Sexual Orientation (heterosexual, homosexual, bisexual, asexual, whether actual or perceived)

Use of Guide Dog, Hearing Dog, or Service Dog (use of a professionally trained dog for a disability)

Relationship or Association (with a member or members of a protected category listed above)

The Division investigates complaints only if the discrimination is based on one or more of the above reasons. The Division cannot investigate unfair treatment that does not involve one of these reasons. If you do not see anything in this list that applies to your situation, please contact the Division of Human Rights to speak to a staff member.

**New York State Division of Human Rights
Education Discrimination Complaint Form**

Although all ages are protected, you must be 18 years or older to file a complaint. A parent, guardian or other person having legal authority to act in the child's interests must file on behalf of a student under the age of 18.

1. Your contact information:			
First Name	Middle Initial/Name	I am: <input type="checkbox"/> Student or applicant <input type="checkbox"/> Parent or legal guardian	
Last Name			
Street Address/ PO Box		Apt or Floor #:	
City		State	Zip Code
2. Student or applicant information (if the student is under 18 years of age and a parent or guardian is filing):			
Student's Name:		Relationship:	Date of birth:
3. You are filing a complaint against:			
Name of Educational Institution			
Street Address/ PO Box			
City		State	Zip Code
Telephone Number: () - Ext.			
In what <i>county or borough</i> did the violation take place?			
Individual people who discriminated against you:			
Name: _____		Title/Role: _____	
Name: _____		Title/Role: _____	
Name: _____		Title/Role: _____	
Name: _____		Title/Role: _____	
Name: _____		Title/Role: _____	
Name: _____		Title/Role: _____	
If you need more space, please list them on a separate piece of paper.			
4. Date of alleged discrimination (<i>must be within one year of filing</i>):			
The most recent act of discrimination happened on: _____ _____ _____			
		month	day
			year

5. Basis of alleged discrimination:

Check **ONLY** the boxes that you believe were the reasons for discrimination and fill in specifics only for those reasons. Please look at page 2 of "Instructions" for an explanation of each type of discrimination.

<input type="checkbox"/> Age Please specify: _____	<input type="checkbox"/> Disability: Please specify: _____
<input type="checkbox"/> Gender Identity or Expression, including the Status of Being Transgender	<input type="checkbox"/> Marital Status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed
<input type="checkbox"/> Military Status <input type="checkbox"/> Active Duty <input type="checkbox"/> Reserves <input type="checkbox"/> Veteran	<input type="checkbox"/> National Origin: Please specify: _____
<input type="checkbox"/> Race/Color or Ethnicity: Please specify: _____ <input type="checkbox"/> Trait historically associated with race such as hair texture or hairstyle	<input type="checkbox"/> Religion: Please specify: _____
<input type="checkbox"/> Sex Please specify: _____	<input type="checkbox"/> Sexual Orientation: Please specify: _____
	<input type="checkbox"/> Use of Guide Dog, Hearing Dog, or Service Dog

If you believe you (or your child) were treated differently after you (or your child) filed or helped someone file a discrimination complaint, acted as a witness to a discrimination complaint, or reported unlawful discrimination, check below:

Retaliation: How you opposed discrimination: _____

If you believe you (or your child) were discriminated against because of your (or your child's) relationship or association with a member or members of a protected category listed above, indicate the relevant category above, and check below.

Relationship or Association

6. Acts of alleged discrimination: What did the educational institution you are complaining against do?
Check all that apply

<input type="checkbox"/> Denied admission to an educational institution	<input type="checkbox"/> Denied access to educational facilities
<input type="checkbox"/> Bullying or harassment on any basis indicated above	<input type="checkbox"/> Sexual harassment
<input type="checkbox"/> Denied equal terms, conditions or privileges as an applicant or student	<input type="checkbox"/> Discriminated against because of use of a professionally trained guide, hearing or service dog
<input type="checkbox"/> Other: _____	

Signature (Declaration or Oath)

Based on the information contained in this form, I charge the herein named respondent(s) with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice. (If you have another action pending and still wish to file, please contact our office to discuss.)

PLEASE INITIAL _____

Human Rights Law § 297.1 requires that a complaint filed with the Division of Human Rights must be "under oath or by declaration." **You must complete either the "declaration" or "oath" sections below.** The declaration requires only your signature and does not need to be notarized. The oath requires that you sign it before a notary.

DECLARATION

I affirm this ____ day of _____ (month), _____ (year) at _____ (city), _____ (state), under penalties of perjury, that I am the complainant herein; that I have read (or had read to me) the foregoing complaint and know the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.

[Complainant name]

OATH

STATE OF NEW YORK)
COUNTY OF) SS:

_____, being duly sworn, deposes and says: that I am the complainant herein; that I have read (or had read to me) the foregoing complaint and knows the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believes the same to be true.

Complainant signature

Subscribed and sworn to
before me this day
of , 20

Signature of Notary Public

Please note: Once this form is completed and returned to the New York State Division of Human Rights, it becomes a legal document and an official complaint with the Division.

Additional Information, Page 1: *This page is for the Division's records and will not be sent to the company or person(s) whom you are filing against.*

1. Contact information

My primary telephone number:

My secondary telephone number:

My date of birth:

(Required) My email address:

The Division uses email, whenever possible, to communicate with the parties to complaints. This avoids delays and lost mail, and increases the efficiency of Division case processing. Therefore, you are required to provide an email address, if you have one, and to keep us advised of any change of your email address. The Division will not use your email address for any non-case related matters.

Contact person *(Someone who does not live with you but will know how to contact you if we cannot reach you)*

Contact person's name:

Contact person's telephone number:

Contact person's address

Contact person's email address:

Contact person's relationship to me:

2. Special needs: I am in need of:

- Interpretation (if so what language?): _____
- Accommodations for a disability: _____
- Privacy. Keep my contact information confidential as I am a victim of domestic violence
- Other: _____

3. Settlement / Conciliation: To settle this complaint, I would accept: *(Explain what you want to happen as a result of this complaint. Do you want a letter of apology, an end to the harassment, admission or readmission to the school, etc.?)*

4. Witnesses (information about witnesses may be shared with the parties as necessary for the investigation) The following people saw or heard the discrimination and can act as witnesses:

Name: _____

Title: _____

Telephone Number: () _____ - _____

Relationship to me: _____

What did this person witness?

Name: _____

Title: _____

Telephone Number: () _____ - _____

Relationship to me: _____

What did this person witness?



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