

**OFFICE FOR CIVIL RIGHTS
CASE MANAGEMENT SYSTEM
RESOLUTION CODES (RC)**

<u>CODE</u>	<u>DESCRIPTION</u>
	<u>VIOLATION WITH ENFORCEMENT</u>
44	Resolved after letter of impending enforcement action.
46	Resolved through administrative proceedings of enforcement.
47	Referred to DOJ for enforcement.
	<u>CLOSURE WITH CHANGE</u>
37	Resolution agreement before conclusion of investigation.
38	Case resolved with OCR involvement; no monitoring or agreement required.
39	Resolution agreement after investigation (non-compliance determination.)
	<u>ECR</u>
36	Early Complaint Resolution (ECR).
	<u>NO VIOLATION OR INSUFFICIENT EVIDENCE</u>
41	Insufficient evidence of non-compliance determination.
	<u>ADMINISTRATIVE CLOSURE</u>
10	Closed with referral to EEOC.
11	Closed with referral to HHS.
12	Closed with referral to VA.
13	Closed with successful FMCS referral.
14	Closed with referral to DOJ -- Court Ordered District.
15	Closed with referral to another agency not listed above.
23	Allegation found to be without merit in prior complaint(s).
24	Allegation addressed in recent OCR compliance review(s).
25	Previous decisions (by court, OCR, etc.) preclude processing.
26	Complainant withdraws allegation.
27	Currently in litigation -- 60 day rule.
28	Allegation currently being investigated elsewhere (fed, state, internal procedures).
29	Process as compliance review.
30	Allegation is moot.
31	Allegation resolved with no class implications or complainant deceased.
32	Complainant refuses to provide information or can't be reached.
35	Prior findings by other agency meet OCR standards.
	<u>DISMISSAL</u>
16	Consent not received (or, prior to February 2008, insufficient factual basis).
17	Complaint is not timely.
19	OCR has no jurisdiction over recipient.
20	OCR has no jurisdiction over allegation.
221	Allegation fails to state a violation.
222	Allegation lacks sufficient detail to infer discrimination.
223	Allegation is speculative, conclusory, or incoherent.

**OFFICE FOR CIVIL RIGHTS - CASE MANAGEMENT SYSTEM
ISSUE CODES**

Title IX - Sex

106.3	Remedial and affirmative action and self-evaluation
106.4	Assurance required
106.5	Transfers of property
106.6	Effects of other requirements
106.7	Effect of employment opportunities
106.8a	Designation of responsible employee
106.8b	Grievance Procedures
106.9	Dissemination of Policy
106.12	Educational institutions controlled by religious organizations
106.13	Military and merchant marine educational institutions
106.14	Membership practices
106.15	Application of Title IX: Exceptions
106.17	Transition Plans
106.21	Admissions
106.21b1	Specific – Individuals
106.21b2	Specific – Disproportionate Adverse Effect
106.21c1	Marital or Parental Status
106.21c2	Pregnancy, Childbirth or termination of Pregnancy
106.21c3	Disabilities related to Pregnancy, Childbirth, or Termination of Pregnancy
106.21c4	Pre-Admission Inquiry into Marital Status
106.22	Preference in Admission
106.23	Recruitment
106.31-1	Discipline
106.31-2	Gifted & Talented
106.31-3	Grading
106.31-4.1	Sexual Harassment (insults, slurs, derogatory expressions, verbal intimidation)
106.31-4.2	Sexual Harassment (sexual violence)
106.31-4.3	Sexual Harassment (physical harassment or intimidation)
106.31-4.4	Sexual Harassment (gender stereotyping)
106.31-4.5	Sexual Harassment (other)
106.31-5	Gender harassment (not of a sexual nature)
106.31-6	Extracurricular Activities (not athletics)
106.31-7	STEM (Science, Technology, Engineering, Math)
106.31-8	Career & Technical Education
106.31-99	Different Treatment/Exclusion/Denial of Benefits (other)
106.32	Housing
106.33	Comparable Facilities
106.34	Access to Course Offerings
106.34-1	Single sex
106.34-2	Math/Science
106.35	Access to Schools
106.35-1	Single sex
106.35-2	Math/Science
106.36	Counseling and Tutoring
106.37	Financial Assistance/Scholarships
106.37a	Financial assistance (non-athletic)

106.37c	Athletic financial assistance
106.38	Employment Assistance to Students
106.39	Health and Insurance Benefits and Services
106.40a	Marital or Parental Status
106.40b	Pregnancy, Childbirth or termination of Pregnancy
106.41a	Athletics – General
106.41b	Separate teams
106.41c	Equal opportunity
106.41c1	Interests and abilities
106.41c1-1	- Interests and abilities (compliance with part 1 of 3-part test)
106.41c1-2	- Interests and abilities (compliance with part 2 of 3-part test)
106.41c1-3	- Interests and abilities (compliance with part 3 of 3-part test)
106.41c2	Equipment and supplies
106.41c3	Scheduling of games and practice times
106.41c4	Travel and per diem
106.41c5	Coaching and tutoring
106.41c6	Assignment and compensation of coaches and tutors
106.41c7	Provision of locker rooms and practice and competitive facilities
106.41c8	Medical and training facilities and services
106.41c9	Housing and dining
106.41c10	Publicity
106.41c11	Recruitment
106.41c12	Support services
106.42	Textbooks and curricular material
106.51	Employment (all Subpart E)
106.71	Procedures by Reference to Part 100
106.71-1	Compliance Information
106.71-2	Retaliation
106.999	Service Issue Not Related to Education

**OFFICE FOR CIVIL RIGHTS
CASE MANAGEMENT SYSTEM
RESOLUTION TYPES & RESOLUTION CODES**

Code	Description	January 2010 CPM References	
6. VIOLATION WITH ENFORCEMENT			
44	Resolved after letter of impending enforcement action.	Resolved after Letter of Impending Enforcement Action.	S.305
46	Resolved through administrative proceedings of enforcement.	Resolved through Administrative Proceedings of enforcement.	S.401
47	Referred to DOJ for enforcement.	Referred to DOJ for Enforcement.	S.402
5. CLOSURE WITH CHANGE			
37	Resolution agreement before conclusion of investigation.	Resolution Agreement reached during an investigation. A complaint may be resolved at any time when, before the conclusion of an investigation, the recipient expresses an interest in resolving the complaint.	S.302
38	Case resolved with OCR involvement; no monitoring or agreement required.	OCR obtains information indicating that the allegations raised by the complaint were resolved with OCR's involvement, resulting in benefit or change to the alleged injured party and/or others. (No monitoring or agreement is required)	S.110(e)
39	Resolution agreement after investigation (non-compliance determination.)	Resolution Agreement reached after completion of investigation (non-compliance determination.) When OCR determines that a preponderance of the evidence supports a conclusion that the recipient failed to comply with applicable regulations.	S.303 (b).
3. ECR			
36	Early Complaint Resolution (ECR).	Successful Conclusion of Early Complaint Resolution (ECR.)	S.204
4. NO VIOLATION OR INSUFFICIENT EVIDENCE			
41	Insufficient evidence of non-compliance determination.	Insufficient Evidence Determination. When OCR determines that the evidence does not support a conclusion that the recipient failed to comply with applicable regulations.	S.303 (a)
2. ADMINISTRATIVE CLOSURE			
10	Closed with referral to EEOC.	Closed with referral to EEOC.	S.110 (m); S.601 (a1, c, c).
11	Closed with referral to HHS.	Closed with referral to HHS.	S.110 (m); S.601 (b).
12	Closed with referral to VA.	Closed with referral to VA	S.110 (m); S.601 (b)
13	Closed with successful FMCS referral.	Closed after successful FMCS referral	S.110 (m); S.601 (a2)
14	Closed with referral to DOJ -- Court Ordered District.	Closed with referral to DOJ -- Court Ordered District	S.110 (m); S.601 (d, e)
15	Closed with referral to another agency not listed above (#10 to #15).	Closed with referral to another agency not listed above.	S.110 (m)

2. ADMINISTRATIVE CLOSURE			
23	Allegation found to be without merit in prior complaint(s).	The complaint is a continuation of a pattern of previously filed complaints involving the same or similar allegations against the same recipient that have been found to be without merit by OCR.	S.110 (j)
24	Allegation addressed in recent OCR compliance review(s).	The same issues involving the same recipient have been addressed in a recent OCR compliance review.	S.110 (k)
25	Previous decisions (by court, OCR, etc.) preclude processing.	The complaint allegations are foreclosed by previous decisions of the federal courts, state courts, the U.S. Secretary of Education, the U.S. Department of Education's Civil Rights Reviewing Authority, or OCR policy determinations.	S.110 (c, d)
26	Complainant withdraws allegation.	The complainant withdraws the complaint.	S.110 (l)
27	Currently in litigation -- 60 day rule.	The same allegations have been filed by the complainant against the same recipient with state or federal court. An OCR complaint may be re-filed within 60 days following termination of the court proceeding if there has been no decision on the merits or settlement of the complaint allegations.	S.110 (b, i); S.601 (a2)
28	Allegation currently being investigated elsewhere (fed, state, internal procedures).	The same complaint allegations have been filed by the complainant or someone other than the complainant against the same recipient with another federal, state, or local agency, or through a recipient's internal grievance procedures, including due process proceedings. The complainant may re-file within 60 days of the completion of the other entity's action.	S.110 (a1, h1)
29	Process as compliance review.	The Office Director, with the approval of the Deputy Assistant Secretary for Enforcement, may treat a complaint as a Compliance Review when: (a) the complaint, because of its scope, involves systemic issues; (b) a compliance review would be the most effective means of addressing multiple individual complaints against the same recipient; or (c) the complainant decides to withdraw a complaint that includes class allegations.	S.502
30	Allegation is moot.	The allegations are moot because: 1. There are no current allegations appropriate for further investigation and resolution; 2. There are no class-wide allegations; and 3. There is no need for the recipient to change its policies or procedures in order to protect against a future violation.	S.110 (o)

Code	CPM References		
31	Allegation resolved with no class implications or complainant deceased.	OCR obtains credible information indicating that the allegations raised by the complaint have been resolved and there are no class-wide allegations. Or The death of the complainant or injured party makes it impossible to investigate the allegations fully, or when the death of the complainant or injured party forecloses the possibility of relief because the complaint involved potential relief solely for the complainant or injured party.	S.110 (c, n)
32	Complainant refuses to provide information or can't be reached.	The Enforcement Office determines that its ability to complete the investigation is substantially impaired by the complainant's or injured party's refusal to provide information that is reasonably accessible to the complainant and is necessary for investigation of the complaint.	S.110 (f, g)
35	Prior findings by other agency meet OCR standards.	The complaint has been investigated by another federal, state, or local civil rights enforcement agency or through a recipient's internal grievance procedures, and the resolution of the complaint meets OCR regulatory standards.	S.110 (a2, h2)

Code	CPM References		
1. DISMISSAL			
16	Consent not received (or, prior to February 2008, insufficient factual basis).	Consent not received (or, prior to February 2008, insufficient factual basis).	S.103
17	Complaint is not timely.	Complaint is not timely.	S.106, 107
19	OCR has no jurisdiction over recipient.	OCR has no jurisdiction over the institution alleged to have discriminated.	S.105.
20	OCR has no jurisdiction over allegation.	OCR must have jurisdiction over the subject matter of the complaint.	S.104.
221	Allegation fails to state a violation.	The allegation fails to state a violation of one of the laws OCR enforces.	S.108 (a)
222	Allegation lacks sufficient detail to infer discrimination.	The allegation lacks sufficient detail for OCR (i.e, who, what, where, when, how) to infer discrimination or retaliation may have occurred or is occurring	S.108 (b)
223	Allegation is speculative, conclusory, or incoherent.	The allegation is so speculative, conclusory, or incoherent that it is not sufficiently grounded in fact for OCR to infer that discrimination or retaliation may have occurred or is occurring (or, prior to January 2010, the complaint is incoherent).	S.108(c)