



United States Department of Education
Office for Civil Rights

DISCRIMINATION COMPLAINT FORM

You do not have to use this form to file a complaint with the U.S. Department of Education's Office for Civil Rights (OCR). You may send OCR a letter or e-mail instead of this form, but the letter or e-mail must include the information in items one through nine and item twelve of this form. If you decide to use this form, please type or print all information and use additional pages if more space is needed. An on-line version of this form, which can be submitted electronically, can be found at: <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

Before completing this form please read all information contained in the enclosed packet including: Information About OCR's Complaint Resolution Procedures, Notice of Uses of Personal Information and the Consent Form.

1. Name of person filing this complaint:

Last Name: Liner First Name: Christopher Middle Name: Bradley

Address: 141 Vols Lane

City: Sylacauga State: AL Zip Code: 35151

Home Telephone: 256-207-1559 Work Telephone: 256-375-4998

E-mail Address: _____

2. Name of person discriminated against (if other than person filing). If the person discriminated against is age 18 or older, we will need that person's signature on this complaint form and the consent/release form before we can proceed with this complaint. If the person is a minor, and you do not have the legal authority to file a complaint on the student's behalf, the signature of the child's parent or legal guardian is required.

Last Name: [REDACTED] First Name: [REDACTED] Middle Name: _____

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Home Telephone: [REDACTED] Work Telephone: [REDACTED]

E-mail Address: _____

3. OCR investigates discrimination complaints against institutions and agencies which receive funds from the U.S. Department of Education and against public educational entities and libraries that are subject to the provisions of Title II of the Americans with Disabilities Act. Please identify the institution or agency that engaged in the alleged discrimination. If we cannot accept your complaint, we will attempt to refer it to the appropriate agency and will notify you of that fact.

Name of Institution: Talladega County Board of Education

Address: 106 West South Street

City: Talladega State: AL Zip Code: 35160

Department/School: Fayetteville High School

4. The regulations OCR enforces prohibit discrimination on the basis of race, color, national origin, sex, disability, age or retaliation. Please indicate the basis of your complaint:

☐ Discrimination **based on race (specify)**

☐ Discrimination **based on color (specify)**

☐ Discrimination **based on national origin (specify)**

☒ Discrimination **based on sex (specify)**

Talladega County School System and Fayetteville High School
have failed to provide equal facilities for the girls softball program
compared to boys programs.

☐ Discrimination **based on disability (specify)**

☐ Discrimination **based on age (specify)**

☐ Retaliation because you filed a complaint or asserted your rights (specify)

☐ Violation of the Boy Scouts of America Equal Access Act (specify)

5. Please describe each alleged discriminatory act. For each action, please include the date(s) the discriminatory act occurred, the name(s) of each person(s) involved and, why you believe the discrimination was because of race, disability, age, sex, etc. Also please provide the names of any person(s) who was present and witnessed the act(s) of discrimination.

See attached Exhibit A.

Page 4 of 12 – U.S. Department of Education, Office for Civil Rights Discrimination
Complaint Form, Consent Form, and Complaint Processing Procedures

6. What is the most **recent date** you were discriminated against?

Date: 11/13/2017

7. If this date is **more than 180 days ago**, you may request a waiver of the filing requirement.

☐

I am requesting a waiver of the 180-day time frame for filing this complaint.
Please explain why you waited until now to file your complaint.

8. Have you attempted to resolve these allegations with the institution through an internal grievance procedure, appeal or due process hearing?

☒ YES

☐ NO

If you answered **yes**, please describe the allegations in your grievance or hearing, identify the date you filed it, and tell us the status. If possible, please provide us with a copy of your grievance or appeal or due process request and, if completed, the decision in the matter.

Proposals and requests for facility upgrades have been presented to Fayetteville High School administrators as well as the Talladega Board of Education Director of Operations and have been ignored or denied.

9. If the allegations contained in this complaint have been filed with any other Federal, state or local civil rights agency, or any Federal or state court, please give details and dates. We will determine whether it is appropriate to investigate your complaint based upon the specific allegations of your complaint and the actions taken by the other agency or court.

Agency or Court: _____

Date Filed: _____

Case Number or Reference: _____

Results of Investigation/Findings by Agency or Court:

Page 5 of 12 – U.S. Department of Education, Office for Civil Rights Discrimination Complaint Form, Consent Form, and Complaint Processing Procedures

10. If we cannot reach you at your home or work, we would like to have the name and telephone number of another person (relative or friend) who knows where and when we can reach you. This information **is not required**, but it will be helpful to us.

Last Name: _____ First Name: _____ Middle Name: _____

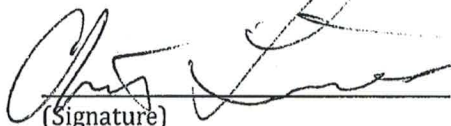
Home Telephone: _____ Work Telephone: _____

11. What would you like the institution to do as a result of your complaint — what remedy are you seeking?

I would like to see the Talladega Board of Education build proper facilities to accomodate ADA compliant restrooms, a concession stand and secure storge for equipment. In addition I would like to see sidewalks installed to occomodate those with disabilities as well as proper seating for spectators.

12. We cannot accept your complaint if it has not been signed. Please sign and date your complaint below.

12/4/17
(Date)


(Signature)

(Date)

(Signature of person in Item 2)

Please mail the completed and signed Discrimination Complaint Form, your signed consent form and copies of any written material or other documents you believe will help OCR understand your complaint to the OCR Enforcement Office responsible for the state where the institution or entity about which you are complaining is located. You can locate the mailing information for the correct enforcement office on OCR's website at <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>.

CONSENT FORM - FOR REVEALING NAME AND PERSONAL INFORMATION TO OTHERS
(Please print or type except for signature line)

Your Name: Christopher Bradley Liner

Name of School or Other Institution That You Have Filed This Complaint Against: Fayetteville High School

- This form asks whether the Office for Civil Rights (OCR) may share your name and other personal information when OCR decides that doing so will assist in investigating and resolving your complaint.
- For example, to decide whether a school discriminated against a person, OCR often needs to reveal that person's name and other personal information to employees at that school to verify facts or get additional information. When OCR does that, OCR informs the employees that all forms of retaliation against that person and other individuals associated with the person are prohibited. OCR may also reveal the person's name and personal information during interviews with witnesses and consultations with experts.
- If OCR is not allowed to reveal your name or personal information as described above, OCR may decide to close your complaint if OCR determines it is necessary to disclose your name or personal information in order to resolve whether the school discriminated against you.

NOTE: If you file a complaint with OCR, OCR can release certain information about your complaint to the press or general public, including the name of the school or institution; the date your complaint was filed; the type of discrimination included in your complaint; the date your complaint was resolved, dismissed or closed; the basic reasons for OCR's decision; or other related information. Any information OCR releases to the press or general public will not include your name or the name of the person on whose behalf you filed the complaint.

NOTE: OCR requires you to respond to its requests for information. Failure to cooperate with OCR's investigation and resolution activities could result in the closure of your complaint.

Please sign section A or section B (but not both) and return to OCR:

- If you filed the complaint on behalf of yourself, you should sign this form.
 - If you filed the complaint on behalf of another specific person, that other person should sign this form.
- EXCEPTION:** If the complaint was filed on behalf of a specific person who is younger than 18 years old or a legally incompetent adult, this form must be signed by the parent or legal guardian of that person.
- If you filed the complaint on behalf of a class of people, rather than any specific person, you should sign the form.

A. I give OCR my consent to reveal my identity (and that of my minor child/ward on whose behalf the complaint is filed) to others to further OCR's investigation and enforcement activities.


Signature

12/14/17
Date

OR

B. I do not give OCR my consent to reveal my identity (and that of my minor child/ward on whose behalf the complaint is filed) to others. I understand that OCR may have to close my complaint.

Signature

Date

I declare under penalty of perjury that it is true and correct that I am the person named above; and, if the complaint is filed on behalf of a minor child/ward, that I am that person's parent or legal guardian. This declaration only applies to the identity of the persons and does not extend to any of the claims filed in the complaint.

EXHIBIT

A

Complaint

Paragraph 5 Response. Under Title IX in regard to a violation of sexual orientation for sporting events, it is my belief that Talladega Board of Education and Fayetteville High School are in violation of my daughters' rights as follows:

1. The Boy's baseball program has superior facilities to those being provided to the Girls Softball program in the following ways.

- The Boys baseball field has a permanent structure from which they can announce games, sell concessions, store equipment, and provide restroom facilities for spectators that attend an event.

(The Girls softball program does not have any type of structure to announce games, sell concessions, store equipment, or provide easy access to restroom facilities for players and spectators.)

- The boy's dugout is poured concrete on three sides, with a poured concrete roof to provide shade and protection during a game. The Boys facility has a large well maintained Chain link fence around the field of play to protect spectators from errant throws and foul balls.

(The girls dug out is constructed of chain link fencing and has no shade available during spring and summer months. The girls field has a small concrete block wall and a series of old, damaged, and loosely fitting netting to prevent injury to spectators.)

- The Boys Baseball program has been provided with sufficient concrete sidewalks, and new aluminum bleachers to allow spectators easy access to concessions, restrooms facilities, and the ability to view a game in a safe manner.

(The girl's facility has no concrete sidewalks, and the bleachers that are available to view games are old wooden structures that are unsafe to sit upon and present fall hazards to children and elderly people who come to spectate a game.)

- The boys program has easy access to weightlifting and training equipment as the equipment resides in the boy's football facilities.

(The girls have to make special arrangements to gain access to the equipment if it is available. The boys programs have preferential treatment toward the

equipment and this results in the girls being unable to use the equipment on a regular basis. This has led to a competitive disadvantage to the girls programs compared to other schools in our area.)

2. No readily accessible Locker room or changing facilities are available adjacent to the softball field, in addition the nearest restroom facility is more than 300 feet from the softball field and must be traversed over a sloped grass incline, then cross a wooden bridge with improper safety lighting, and then cross a gravel parking lot to gain access to facilities.

Conclusion: For the reason stated above I respectfully request that an investigation be launched against the Talladega Board of Education and Fayetteville High School to resolve what I believe to be a violation of my daughters civil rights under Title IX.