

STUDENTS' CIVIL RIGHTS ENFORCEMENT INITIATIVE

Role of the State Attorney General's Office

(a) Definitions. For purposes of this Section—

(1) “Pattern or practice” means evidence that shows an educational institution may be taking actions that are discriminatory on a regular basis or that the educational institution has a general policy of discriminating, even if it is not always followed or does not affect a large number of people.

(b) The [STATE ATTORNEY GENERAL'S OFFICE] shall consult at least twice annually with [STATE CIVIL RIGHTS AGENCY] to identify patterns or practices in complaints filed with [STATE CIVIL RIGHTS AGENCY] and other reports of discrimination in [STATE's] educational institutions, as defined by Section 3(e) of the Students' Civil Rights Act, to determine whether such patterns or practices merit investigation of systemic discrimination.

(c) The [STATE ATTORNEY GENERAL'S OFFICE] shall identify and appoint a staff member of the [STATE ATTORNEY GENERAL'S OFFICE] as liaison to the [STATE CIVIL RIGHTS AGENCY] to facilitate timely and effective communication and coordination for purposes of identifying and pursuing pattern and practice work.

(d) The [STATE ATTORNEY GENERAL'S OFFICE] shall establish a system of reporting allegations against educational institutions and other concerns about discrimination in the context of education in [STATE] to help identify patterns or practices of discrimination in [STATE'S] educational institutions. The [STATE ATTORNEY GENERAL'S OFFICE] may initiate investigations on the bases of such reported allegations and concerns.

(e) In conducting education civil rights investigations, the [STATE ATTORNEY GENERAL'S OFFICE] may:*

(1) Issue subpoenas for documents, evidence, and other information needed to take enforcement actions against discrimination, as defined by [the Students' Civil Rights Act], when necessary and after good faith attempts to otherwise procure the documents, evidence, and other information from the educational institution.

- (2) Compel employees of educational institutions in [STATE] to be available for interviews during investigations of discrimination, conducted by the [STATE ATTORNEY GENERAL’S OFFICE] in the context of education.
- (f) The [STATE ATTORNEY GENERAL’S OFFICE], [STATE CIVIL RIGHTS AGENCY], and [SEA OR OTHER RELEVANT STATE EDUCATION AGENCIES] may enter into agreements to promote interagency communication, cooperation, and coordination for the enforcement of students’ civil rights in [STATE].
- (g) The [STATE ATTORNEY GENERAL’S OFFICE] may, jointly with the [STATE CIVIL RIGHTS AGENCY] and [SEA AND OTHER RELEVANT STATE EDUCATION ENTITIES], conduct civil rights trainings, provide technical assistance, and issue guidance and other publications relating to civil rights protections in educational institutions and civil rights obligations for educational institutions under local, [STATE], and federal laws and regulations.
- (h) The [STATE ATTORNEY GENERAL’S OFFICE] shall at least twice annually host, jointly with the [STATE CIVIL RIGHTS AGENCY], [SEA], and [AND OTHER RELEVANT STATE EDUCATION ENTITIES], listening sessions with impacted stakeholders to ensure state education discrimination enforcement priorities are informed by the community and to inform training, technical assistance, and guidance, pursuant to subsection (g) of this Section. Impacted stakeholders shall include, but not be limited to, students, parents and guardians, educators, education advocates, civil rights groups, community-based organizations, and faith-based organizations. The [STATE ATTORNEY GENERAL’S OFFICE] shall confer with the [Education Civil Rights Community Advisory Board]* to determine which stakeholders to invite to each listening session.

Throughout the model, you may see this symbol: *

This symbol indicates that the language provided is purely an option for you to use based on your state’s needs or that there may be additional strategies to consider while drafting.

When you see the “*” symbol while reviewing this template, check out the **Part 2: Training, State Attorneys General, & Data Collection** toolkit document to learn more.