EDUCATION LAW CENTER | FACT SHEET

HOW TO FILE A DISCRIMINATION COMPLAINT TO THE PENNSYLVANIA HUMAN RELATIONS COMMISSION (PHRC)

August 2026

The Pennsylvania Human Relations Act (PHRA) is the commonwealth's key antidiscrimination law.[1] The Pennsylvania Human Relations Commission (PHRC) enforces this state law, which prohibits discrimination in schools on the basis of race, color, ancestry, disability, religious creed, national origin, family status, and sex (including gender identity, gender expression, sexual orientation, pregnancy, and childbirth).[2] The PHRA affords broad protections against racial, sex-based, and disability discrimination and also prohibits retaliation against those who report or oppose discriminatory practices.

In August 2025, the PA Human Relations Commission published new guidance to schools and families describing how it evaluates complaints of harassment in schools. The guidance provides examples and best practices, and it explains the standard for a school's liability if they knew or should have known of severe or pervasive and regular harassment of students but failed to take actions reasonably calculated to end the mistreatment.

This fact sheet and the accompanying chart outline a step-by-step process for filing a discrimination complaint, including your role in the complaint process. You may file a complaint by completing the proper intake form on the PHRC website and emailing it to PHRC@pa.gov, but you must specify the regional office where you are filing the complaint based on the location of the school or it may not be processed or investigation may be delayed. Alternatively, you may mail the complaint to your closest regional office. For help locating the correct regional office, review this directory, which provides contact information, phone numbers, and public transportation and parking information for each of PHRC's regional offices.

WHAT IS THE PENNSYLVANIA HUMAN RELATIONS ACT (PHRA)?

Pennsylvania's Constitution guarantees that state and local governments cannot deny or abridge equal rights based on race, ethnicity or sex.[3] The Pennsylvania Human Relations Act (PHRA) both implements and expands these protections by prohibiting discrimination in places of public accommodation, including in public K-12 schools.[4] Discrimination on the basis of race (including hair texture and protective hair styles), color, sex (including gender identity/expression, sexual orientation, pregnancy, and childbirth), religious creed (including religious head covering and hairstyles historically associated with religious creed), ancestry, national origin, and disability are barred.[5] The PHRA has been expanded over the years to specifically name and capture more types of unlawful discriminatory conduct, such as racial discrimination based on hair texture and protective hairstyles.[6] The PHRA's definition of sex-based discrimination includes sexual orientation, gender transition, transgender identity, gender expression, and gender identity, and the PHRC actively monitors the implementation of school policies that could be discriminatory against LGBTQ+ students.[7]

The PHRA prohibits discrimination against K-12 students and their parents. Education discrimination may include actions taken by a teacher, administrator, other school employee, or a student; a school's policy or application of a policy; or a procedure impacting a group of students based on their protected status. Retaliation is also illegal and constitutes grounds to bring a complaint.

The Pennsylvania CROWN (Creating a Respectful and Open World for Natural Hair) Act, which took effect in January 2026, expands statutory protections created by the PHRA to specifically prohibit racial discrimination on the basis of hair texture and protective hairstyles, including but not limited to "locs, braids, twists, coils, Bantu knots, afros, and extensions."▫ The law also expands statutory prohibition against "religious creed" discrimination to explicitly protect religious head coverings and hairstyles historically associated with religious practices. For example, PHRC's explainer, *C.R.O.W.N. Act Protections*, expressly identifies "creating school policies restricting how students can wear or treat their hair" as an example of prohibited hair discrimination.[8]

WHAT IS THE ROLE OF THE PENNSYLVANIA HUMAN RELATIONS COMMISSION (PHRC)?

The Pennsylvania Human Relations Commission (PHRC) is the state's civil rights enforcement agency charged with enforcing the PHRA. The PHRC reviews and investigates complaints, and it can direct schools to undertake corrective action to remedy discrimination. The role of the PHRC is critically important, especially since the U.S. Department of Education's Office for Civil Rights (OCR) staff was substantially reduced and many OCR offices have closed and been consolidated. In addition, investigations of certain claims have been placed

on hold or dismissed entirely.[9] Notably, in response to executive orders and federal directives, the PHRC has specifically reaffirmed its commitment to enforcing Pennsylvania's anti-discrimination laws.[10] In January 2025, the PHRC stated: "Regardless of what happens nationally, Pennsylvanians can be assured that under Pennsylvania laws, they are protected. Pennsylvania was founded on the principles of tolerance and peace. It will remain a welcoming place for people of all backgrounds and lifestyles."[11] As such, the PHRA continues to be a crucial source of anti-discrimination protection.

HOW DO I FILE A COMPLAINT WITH THE PENNSYLVANIA HUMAN RELATIONS COMMISSION?

To file a complaint, you may call the PHRC (717-787-4410) or complete PHRC's Education Intake Questionnaire and send it to PHRC@pa.gov.[12] PHRA violations are submitted by the person experiencing discrimination or their attorney. A family member or advocate can help you draft a complaint. The school will be notified that a PHRA complaint has been filed against them and will be given an opportunity to respond if the matter is investigated. You will be asked to provide witness names, addresses, and contact information, as well as any relevant documents that support your case. The PHRC will investigate, and if it finds sufficient evidence of discrimination, it will attempt to resolve the issue with the school or it may hold a public hearing on the case and issue an order.[13] To learn more about filing a complaint, including timelines, please consult this step-by-step guide.

Step 1: Draft and submit your complaint to the PHRC.

- Here is an education-specific complaint form to use for complaints relating to action by a school entity: PHRC Education Intake Questionnaire, which is available to download from PHRC's website in English and in Spanish. The complaint must specify where the discrimination occurred (*e.g.*, the location of the school) so that the case can be assigned to the correct regional office. As explained in Step 2 below, once this questionnaire is submitted, PHRC staff can work with you to develop this document into a formal complaint. **The incident should have occurred within the past 180 days from the date you file your complaint, but the PHRC recognizes that some incidents involve conduct that is a continuing violation.**[14] **The PHRC will also consider incidents dating further back if the victim was a minor (under age 18) at the time of the incident at issue.**[15] In that case, complaints must be filed within 180 days of an individual's 18th birthday to preserve matters that occurred while the victim was a minor.
- Any affected individual or someone with authority to act on a victim's behalf may file the discrimination complaint.
- You can use a private attorney, if desired, but an attorney will not be provided to you, and an attorney is **not** required to file a complaint. (An attorney can be added later to represent you, even after filing the complaint.)

Step 2: Expect an initial contact from PHRC staff.

- Your complaint is assigned to an intake representative, who will contact you.
- If your complaint is also filed with a federal agency, staff will discuss your options.
- PHRC staff will review your Education Intake Questionnaire with you, ask questions to help complete your description of events, and draft a formal legal complaint based on the information provided. You will be asked to review and approve this complaint before it is formally docketed by PHRC staff.
- PHRC staff will formally file the complaint and assign a docket number, which is a number used to identify a case.

Step 3: A copy of your complaint will be submitted to the respondent by the PHRC.

- The respondent — the entity that is accused of discrimination — must receive the complaint within 30 days of docketing the complaint by the PHRC.
- The respondent then has 60 days to answer the complaint after it is served. As the complainant (person filing the complaint), you are entitled to receive this response.
- Mediation by PHRC may be offered (both parties must agree).

Step 4: An investigation is conducted by the PHRC.

- You may provide witness information and any relevant documents.
- A PHRC investigator will interview the complainant, respondent, and witnesses, and review documents.
- A fact-finding conference may be offered.

Note: Although records in the possession of a public agency like the PHRC are presumed to be publicly available, the PHRC does **not** release records related to complaints filed with it through the Right-to-Know Law.[16] Under the Right-to-Know Law, records related to noncriminal investigations, such as complaints submitted to an agency, investigative materials, notes, correspondence, and reports, are exempt from public disclosure.[17] The PHRC conducts noncriminal investigations, so complaints filed with the agency and related records are also exempt from public disclosure.[18]

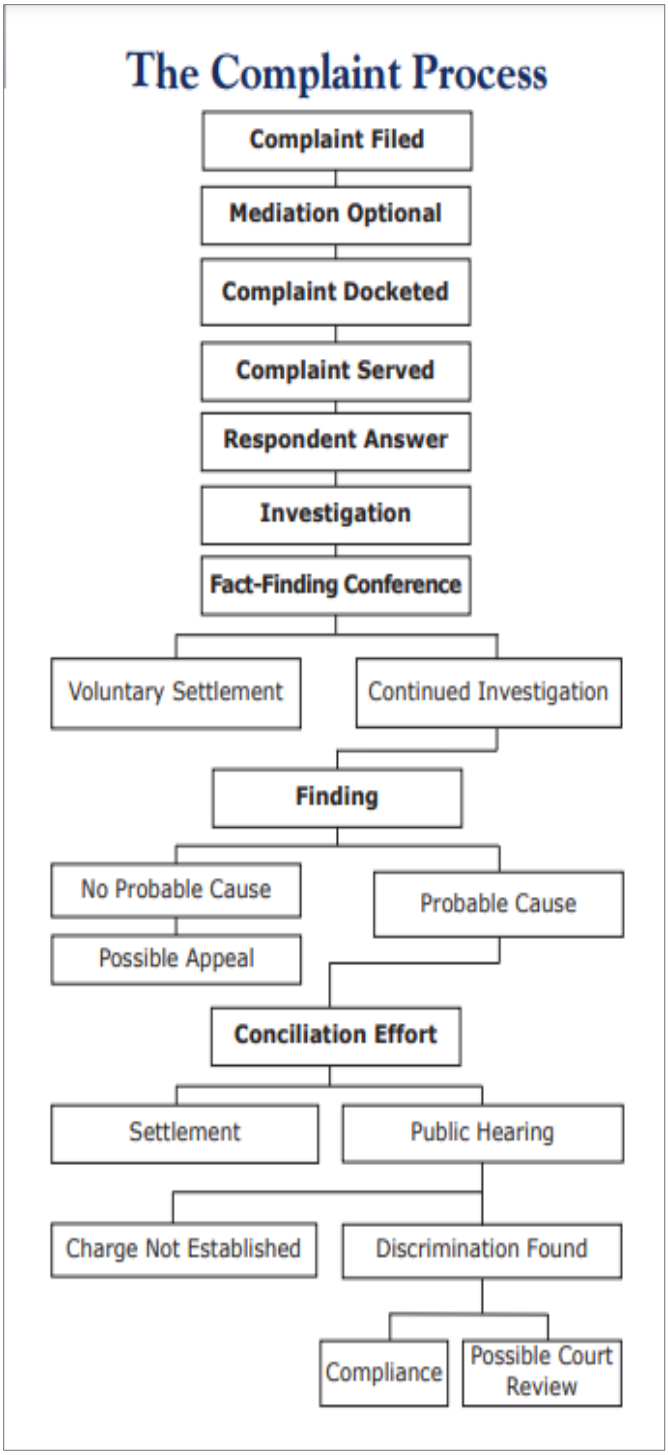
Step 5: Results of the PHRC's investigation

Two outcomes are possible:

- **No probable cause found** — Based on the facts and evidence provided in the investigation, the PHRC could not reasonably support a finding of discrimination.
    - You will be notified by mail of PHRC's decision and informed of your rights to appeal the "no probable cause" determination.

- **Probable cause found** — Based on the facts and evidence provided in the investigation, the PHRC could reasonably support a finding of discrimination. If probable cause is found:
    - Efforts will first be made toward a conciliation, or settlement. The PHRC will tell the respondent to stop illegal discriminatory conduct and/or provide appropriate remedies (payment damages, policy changes); **or**
    - The complaint may proceed to a public hearing. At this stage, the PHRC will provide an attorney to represent you, or you can choose to obtain your own private counsel for the hearing.
    - A decision will be issued with a finding that the respondent either discriminated or did not discriminate, and that order will be legally enforceable. The order may be appealed to the Commonwealth Court of Pennsylvania.

See next page for a graphic depicting the complaint process.



Accommodations: Language translation and services for people with visual and hearing disabilities are available upon request to those needing assistance in filing a complaint.

Recognizing Discrimination: To learn more about students' rights to be free from race and sex-based discrimination, see ELC-PA's fact sheets on The Right to Be Free from Racism at School and The Rights of LGBTQ+ and Nonbinary Students.

Timeline: If your complaint has not been dismissed or resolved in one year after it was filed, you may consider filing in a Court of Common Pleas.

If you still have questions about this process, consult the PHRC website to contact their staff directly. For individuals who have already consulted ELC-PA's helpline, feel free to contact your assigned ELC-PA attorney with any questions, concerns, or guidance about the PHRC complaint-filing process.

The Education Law Center-PA (ELC-PA) is a nonprofit, legal advocacy organization with offices in Philadelphia and Pittsburgh, dedicated to ensuring that all children in Pennsylvania have access to a quality public education. Through legal representation, impact litigation, community engagement, and policy advocacy, ELC-PA advances the rights of underserved children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, multilingual learners, LGBTQ+ youth, children experiencing homelessness, and children at the intersection of multiple underserved identities.

ELC-PA's publications provide a general statement of the law. However, each situation is different. If questions remain about how the law applies to a particular situation, contact ELC-PA's Helpline for information and advice – visit www.elc-pa.org/contact or call 215-238-6970 (Eastern and Central PA) or 412-258-2120 (Western PA) – or contact another attorney of your choice.

[1] Pennsylvania Human Relations Act, 43 Pa. Stat. Ann. § 953 et. seq.
[2] 43 Pa. Stat. Ann. § 954(l). *See also* Pennsylvania Human Relations Act, 43 PA. STAT. AND CONS. STAT. § 953 (West 2026); 16 PA. CODE § 41.205 (defining religious creed discrimination), § 41.206 (defining sex discrimination), and § 41.207 (defining race discrimination), adopted by 53. 24. Pa. Bull. 3188 (June 17, 2023), available at https://www.pacodeandbulletin.gov/secure/pabulletin/data/vol53/53-24/53-24.pdf.
[3] Pa. Const. Art. I, §§ 28 ("Equality of rights under the law shall not be denied or abridged in the Commonwealth of Pennsylvania because of the sex of the individual"), 29 ("Equality of rights under the law shall not be denied or abridged in the Commonwealth of Pennsylvania because of the race or ethnicity of the individual").
[4] Pa. Human Relations Act, 43 P.S. § 955.
[5] *Id.*
[6] 16 PA. CODE § 41.204 and 207 (2023).
[7] 16 PA. CODE § 41.206. Pa. Human Relations Comm'n, Guidance on Discrimination on the Basis of Sex under the Pennsylvania Human Relations Act 3 (Aug. 2, 2018) (delineating that prohibitions in the PHRA against discrimination on the basis of sex prohibit discrimination on the basis of sex assigned at birth, sexual orientation, transgender identity, gender transition, gender identity, and gender expression); PHRC Statement on Central Bucks School District Policy, Pa. Human Relations Comm'n (Jan. 13, 2023) (commenting on potentially discriminatory school policies and allegations of sex-based discrimination against LGBTQ+ students in the Central Bucks School District and elsewhere).
[8] PA. HUM. REL. COMM'N, *C.R.O.W.N. Protections*, https://www.pa.gov/content/dam/copapwp-pagov/en/phrc/phrc-outreach/english/hair%20discrimination.pdf (last accessed June 30, 2026).
[9] *See Trump Firings Gut Education Department's Civil Rights Division* (March 13, 2025), https://www.nytimes.com/2025/03/13/us/politics/trump-education-department-civil-rights.html; s*ee also* Bianca Quilantan et. al, *Education Department dismisses thousands of civil rights complaints at an 'unheard of' pace,* POLITICO, (July 8, 2025), https://www.politico.com/news/2025/07/08/education-departments-civil-rights-complaint-dismissals-prompt-concern-from-trump-opponents-00439118 (reporting dismissal of over 3,400 complaints between March 11 and June 27, 2025, while receiving 4,833 new complaints and opening just 309 investigations).
[10] Press Release, PA. HUM. REL. COMM'N., The PHRC releases statement affirming anti-discrimination protections in Pennsylvania (Jan. 25, 2025).
[11] *Id.*
[12] See *Education Discrimination*, PA. HUMAN RELATIONS COMM'N, https://www.pa.gov/content/dam/copapwp-pagov/en/phrc/documents/education/Education%20Intake%20Questionnaire1.pdf.
[13] *Filing a Complaint*, PA. HUMAN RELATIONS COMM'N, https://www.pa.gov/en/agencies/phrc/programs-and-services/file-a-complaint.html.

[14] *Wible v. School District of Philadelphia,* No. 15-043169 (Phila. Cty. Ct. of Comm. Pls. 2018) (applying the "continuing violations doctrine" and considering the entire time period of 2003-2013 pursuant to a 2013 complaint).
[15] *Nicole B. v. Sch. Dist. of Philadelphia*, 661 Pa. 638, 662, 237 A.3d 986, 1000 (2020) (PHRA's equitable tolling provision includes tolling on the basis of minority status, which "gives effect to the legislature's intent to protect all Pennsylvania citizens against unlawful discrimination").
[16] 65 PA C.S. § 67.708(b)(17) *See e.g., Shepherd v. Pennsylvania Off. of Governor*, No. 900 C.D. 2024, 2025 WL 1584285, at *4 (Pa. Commw. Ct. June 5, 2025) (acknowledging that 65 P.S. § 67.708(b)(17)(i) exempts from disclosure a complaint submitted to the PHRC); *in Re Jonathan Valentin v. Pennsylvania Human Relations Commission* Docket No.: AP 2024-0987 (April 12, 2024) available at https://www.openrecords.pa.gov/Appeals/DocketGetFile.cfm?id=168296 (same).
[17] 65 PS. § 67.708(b)(17).
[18] *Id.* § 67.301 (commission is an agency subject to the Right-to-Know Law); 65 P.S. § 67.708(a)(1) (statutory exemption from disclosure); *also see Pa. Dep't of Health v. Office of Open Records*, 4 A.3d 803, 810-11 (Pa. Commw. Ct. 2010).