



**NEBRASKA DEPARTMENT OF EDUCATION
CIVIL RIGHTS METHODS OF ADMINISTRATION
CIVIL RIGHTS ONSITE REVIEW CHECKLIST**

Federal Compliance Requirements

U.S. Department of Education regulations implementing:

- Title VI of the Civil Rights Act of 1964 (Title VI), 34 CFR Part 100—prohibiting discrimination on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance.
- Title IX of the Education Amendments of 1972 (Title IX), 34 CFR Part 106—prohibiting discrimination on the basis of sex in programs or activities receiving Federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973 (Section 504), 34 CFR Part 104—prohibiting discrimination on the basis of disability in programs or activities receiving Federal financial assistance.
- Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, and National Origin, Sex and Handicap (Guidelines), 34 CFR Part 100 Appendix B

U.S. Department of Justice regulations implementing:

- Title II of the Americans with Disabilities Act of 1990 (Title II), 28 CFR Part 35—prohibiting discrimination on the basis of disability by public entities, regardless of whether they receive federal financial assistance

The Civil Rights Onsite Review Checklist is sent prior to the onsite visit so that administrator(s) can collect and check off evidence of compliance. It is NOT necessary to check off each documentation example listed but only those that the recipient can document during the onsite visit. **It is imperative that this document be completed prior to the onsite visit. A photocopy of the completed handwritten document should be either mailed to OR scanned and sent electronically to the MOA Coordinator. An extra copy of the completed report should be available for the onsite review.**

Local Education Agency:	Date:
Contact Person:	Telephone:
NDE Reviewer(s):	Telephone:

NEBRASKA DEPARTMENT OF EDUCATION CIVIL RIGHTS METHODS OF ADMINISTRATION Civil Rights ONSITE CHECKLIST

I. ADMINISTRATIVE																																																	
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Yes No		Status																																											
<p>Administrative Issues</p> <p>Recipients need to have certain basic requirements in place to comply with the Guidelines, Title VI, Title IX, Section 504, and Title II. These basic procedures include an annual public notice, continuous notification, designation of a person(s) to coordinate activities under Title IX, Section 504, and Title II, and a grievance procedure that will allow students (and parents) at the elementary and secondary level an avenue for dealing with alleged discrimination. To verify this, it will be necessary to review many documents and interview administrators, Title IX and Section 504 coordinators, faculty and students.</p> <p>Circle Persons to Interview: <input type="checkbox"/> PR person <input type="checkbox"/> Administrator(s) <input type="checkbox"/> Student (particularly LEP students and students with sensory impairments)</p>																																																	
A. Continuous Nondiscrimination Notice																																																	
<p>Recipient must take continuing steps to notify participants, beneficiaries, applicants, elementary and secondary school parents, employees (including those with impaired vision or hearing) and unions or professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of race, color, national origin, sex or disability.</p> <p><u>Title IX: 34 CFR 106.9</u> <u>Section 504: 34 CFR 104.8(a), 104.8(b);</u> <u>Title II: 28 CFR 35.106</u> <u>Title IX: 34 CFR 106.9(a), 106.9(b); Title VI: 34 CFR 100.6 (d)</u></p>	<p>A variety of recipient publications notifies applicants, students, employees and parents that it does not discriminate on the basis of race, color, national origin, sex or disability.</p>	<p>Is nondiscrimination notice found in the following publications:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 80%;"> </td><td style="width: 5%;"> </td><td style="width: 5%;"> </td><td style="width: 5%;"> </td></tr> <tr><td>1. Brochures on programs and activities</td><td> </td><td> </td><td> </td></tr> <tr><td>2. Student application for acceptance into recipient</td><td> </td><td> </td><td> </td></tr> <tr><td>3. Job application for district employment</td><td> </td><td> </td><td> </td></tr> <tr><td>4. Course catalog or course description booklet</td><td> </td><td> </td><td> </td></tr> <tr><td>5. Student handbook</td><td> </td><td> </td><td> </td></tr> <tr><td>6. School newspaper</td><td> </td><td> </td><td> </td></tr> <tr><td>7. Posters advertising various programs</td><td> </td><td> </td><td> </td></tr> <tr><td>8. Recruitment materials</td><td> </td><td> </td><td> </td></tr> <tr><td>9. Web site</td><td> </td><td> </td><td> </td></tr> <tr><td>10. Job announcements</td><td> </td><td> </td><td> </td></tr> </table>					1. Brochures on programs and activities				2. Student application for acceptance into recipient				3. Job application for district employment				4. Course catalog or course description booklet				5. Student handbook				6. School newspaper				7. Posters advertising various programs				8. Recruitment materials				9. Web site				10. Job announcements						<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined
1. Brochures on programs and activities																																																	
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I. ADMINISTRATIVE					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status	
		Yes	No		
B. Persons Responsible For Coordinating Title IX and Section 504					
<p>Each recipient must designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Section 504, Title II and Title IX.</p> <p>The recipient must notify students and employees of the name, office address and phone number of the designated employee(s). <u>Title IX: 34 CFR 106.8</u> <u>Section 504: 34 CFR 104.7(a)</u></p>	<p>Recipient has assigned a person(s) to coordinate Section 504, Title II and Title IX activities. The person(s) must be aware of the duties and responsibilities and have the training necessary to carry out the responsibilities.</p> <p>Recipient lists coordinators of Section 504, Title II and Title IX with their name/title, address and phone number in the notice of nondiscrimination.</p>	1. Course catalog or course description booklet			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined
		2. Faculty, student and/or parent handbooks			
		3. Web site			
		4. Interviews with Section 504, Title II, and Title IX coordinators			
		5. Interview students, particularly nontraditional and disabled			
		6. Interview several faculty and administrators			
		7. Job descriptions duties incorporated in job descriptions			
		Comments			

I. ADMINISTRATIVE					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation	Documentation		Status
			Yes	No	
C. Annual Public Notification					
<p>Prior to the beginning of each school year, recipients must advise students, parents, employees and general public that all CTE programs will be offered regardless of race, color, national origin, sex or disability.</p> <p>The notice must include a brief summary of program offerings and admission criteria and the name, office address, and phone number of persons designated to coordinate compliance under Title VI, Title IX and Section 504.</p> <p>If a recipient's service area contains a community of national origin minority persons with limited English language skills,</p>	<p>To be in compliance, recipients must:</p> <p>Issue annual public notice of nondiscrimination.</p> <p>Include a brief summary of program offerings and admission criteria in the annual notice.</p> <p>List Title IX and Section 504 Coordinators with their name/title, address, and telephone number in the annual notice.</p> <p>And</p> <p>Disseminate notice in the language of any national origin minority community with limited</p>	1a. Prior to the beginning of each school year, is the notice provided in:			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined
		a. Local newspapers?			
		b. Recipient newspapers or newsletters?			
		c. Recipient bulletins?			
		d. Public service announcements on radio?			
		e. Public service announcements on TV?			
		f. Recipient website?			
		g. Any other publications or media? (list each)			
		1b. Prior to the beginning of each school year, do publications with notice reach students, parents, employees, and the public? --Describe how distributed. --Ask administrators how this process is handled.			
		2. Does the notice have a brief description of program offerings and admissions criteria?			
3. Does the notice list Title IX and Section 504 Coordinators with their name/title, address, and telephone number?					

I. ADMINISTRATIVE

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status	
		Yes	No		
<p>public notification materials must be disseminated to that community in its language and must state that recipients will take steps to assure that the lack of English language skills will not be a barrier to admission and participation in vocational education programs.</p> <p><u>Guidelines IV-O; Title VI: 34 CFR 100.6 (d)</u></p>	<p>English language skills in the service area and state that the recipient will take steps to assure that the lack of English language skills will not be a barrier to admission and participation in vocational education programs.</p>	<p>4. Does the recipient’s service area contain a community (or communities) of national origin minority individuals with limited English language skills? (Check census data and ask administrators, faculty and students.)</p> <p>--If yes, describe the specific communities.</p> <p>--If yes, is notice available to the community(ies) of national origin minority individuals with limited English language skills in the language(s) of the community(ies)?</p> <p>--How does notice get disseminated to the national origin minority community(ies)? (Ask administrators and faculty about this process.)</p> <p>--If yes, does the notice state that the recipient will take steps to assure that the lack of English language skills will not be a barrier to admissions and participation in vocational education programs?</p>			
Comments					

D. Grievance Procedure

I. ADMINISTRATIVE					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation	Documentation		Status
			Yes	No	
A recipient must adopt and publish a grievance procedure providing for prompt and equitable resolution of student and employee complaints alleging any discrimination based on sex or disability. <u>Section 504: 34 CFR 104.7(b)</u> <u>Title IX: 34 CFR 106.8(b)</u> <u>Title II: 28 CFR 35.107(b)</u>	Recipient notifies students and employees that there is a grievance procedure for persons who feel they have been discriminated against based on sex or disability. The procedure is readily available to students and employees, and it is prompt and equitable.	1. Student handbooks			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined
		2. Employee handbooks			
		3. Course catalog or course description booklet			
		4. Data on complaints			
		5. Interviews with faculty, students and administrators			
		6. Interviews with Section 504/ADA and Title IX coordinators			
	Comments				

II. SITE LOCATION AND STUDENT ELIGIBILITY CRITERIA

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	

Site Location and Student Eligibility Criteria Issues

The Guidelines, Sections IV-A – IV-K, establish standards that site selection and criteria for student eligibility cannot have the purpose or effect of discriminating, segregating or excluding students on the basis of race, color, national origin, sex or disability.

Issues that could result in discrimination or segregation include the selection of sites for career/technical education facilities, establishing geographic residence requirements, establishing numerical limits on students from sending schools/colleges, additions to existing career/technical education facilities, and any other criteria that have the purpose or effect of disproportionately excluding students of a particular race, national origin, sex or disability.

A. Student Eligibility

Recipient may not develop, impose, maintain, approve or implement student admission eligibility criteria that discriminate on the basis of race, color, national origin, sex or disability. <u>Guidelines IV-A</u>	Student eligibility criteria for admission to career/technical education schools/colleges, facilities or programs do not discriminate on the basis of race, color, national origin, sex or disability.	1. Eligibility and admission criteria for career technical schools/academies/colleges			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Eligibility and admission criteria for career/technical facilities, campuses			
		3. Eligibility and admission criteria for career/technical programs			
	Comments				

B. Site Selection

Recipient may not select or approve a site that has the purpose or effect of excluding, segregating or otherwise discriminating on the basis of race, color or national origin. Recipients must locate career/technical facilities at sites that are readily accessible to	Career/technical sites are readily accessible to minority and nonminority communities and their location does not have a segregative effect.	1. Maps showing location of career/technical facilities/academies			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Enrollment demographics for each facility			
		3. Demographics of communities surrounding facility			
	Comments				

II. SITE LOCATION AND STUDENT ELIGIBILITY CRITERIA

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	
both minority and nonminority communities and that do not tend to identify the facility or program as intended for minority or nonminority students. <u>Guidelines IV-B</u>				

C. Site Modifications

A recipient may not add to, modify or renovate the physical plan of a career/technical facility in a manner that creates, maintains or increases segregation on the basis of race, color, national origin, sex or disability. <u>Guidelines IV-D</u>	After modification, the career/technical site is readily accessible to minority and nonminority communities and the modification does not have a segregative effect.	1. Maps showing location of modified career/technical facilities			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Student demographics before and after facility modifications			
		3. Demographics of communities surrounding facility			
	Comments				

D. Residency

A recipient may not establish, approve or maintain geographic boundaries that unlawfully exclude students on the basis of race, color or national origin. <u>Guidelines IV-C</u>	Attendance zones do not have the effect of excluding students on the basis of race, color or national origin.	1. Maps of attendance zones			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Demographics of contiguous service areas to the facility			
		3. Curriculum offerings at contiguous facilities			
		4. Job placement rates at contiguous facilities			
Comments					

III. RECRUITMENT				
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
<p>Recruitment Issues</p> <p>Recruitment activities and materials should convey the message that all career/technical programs are open to all students without regard to race, color, national origin, sex or disability status. Information about career/technical education opportunities should be available to all potential students. Promotional materials should avoid stereotyping. Recruitment teams, to the extent possible, should represent persons of different races, national origins, sexes and disabilities.</p>				
<p>A. Recipients must conduct their recruitment activities so as not to exclude or limit opportunities on the basis of race, color, national origin, sex or disability. <u>Title IX: 34 CFR 106.23 (a)(b) Guidelines V-C</u></p>	<p>All potential students have access to information. Efforts are made to reach underrepresented groups.</p>	1. Recruitment plans		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. List of recruitment activities and sites		
		3. Description of recruitment activities		
		Comments		
<p>B. Recruitment materials' description of career and occupational opportunities should not be limited on the basis of race, color, national origin, sex or disability. <u>Guidelines V-C</u></p>	<p>Descriptions of career opportunities are bias-free and free from stereotyping</p>	1. Recruitment brochures and marketing materials		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Course catalog or course description booklet		
		Comments		

III. RECRUITMENT				
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
C. To the extent possible, recruiting teams should represent persons of different races, national origins, sexes and disabilities. <u>Guidelines V-C</u>	Where possible, persons of differing races, genders and disability are used for recruiting purposes. (But a failure to do so should not be construed as noncompliance.)	1. Staff demographics by program		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Recruitment team demographics by program		
		Comments		
D. Recipients must ensure that counselors can effectively communicate with students with limited English proficiency and students with sensory impairments. <u>Guidelines V-D</u>	The content of materials available to other students and their parents is available to students and parents who speak languages other than English. Formats other than the printed word are available for students with disabilities.	1. Written plan for the provision of services for LEP individuals		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Written plan for provision of services for hearing impaired individuals		
		3. Samples of materials in other languages/formats		
		Comments		

III. RECRUITMENT					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
E. Recipients may not undertake promotional efforts in a manner that creates or perpetuates stereotypes or limitations based on race, color, national origin, sex or disability. Materials that are part of promotional efforts may not create or perpetuate stereotypes through text or illustration. <u>Guidelines V-E</u>	Materials and/or media presentations show persons of varying races, male and female, persons with disabilities and different national origins. Comments	1. Promotional materials, including brochures, flyers, newspaper advertising, catalogs			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
F. If a recipient's service area contains a community with persons of limited English proficiency, information must be available to that community in its language. <u>Guidelines V-E</u>	Process is in place to identify and communicate with language minority communities. Efforts are made to communicate in a commonly understood language. Comments	1. Verification of limited English proficient community			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Samples of materials in other languages			

IV. ADMISSIONS					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation			Status
			Yes	No	
Admission Issues					
Admission policies, procedures and criteria may not exclude students from career/technical programs on the basis of race, color, national origin, sex or disability. Where admissions criteria exclude a disproportionate number of persons of a particular race, color, national origin, sex or disability, the criteria should be validated as essential to success in the program. Preadmission inquiries about marital or disability status should be avoided.					
<p>A. A recipient may not judge candidates for admission to career/technical education programs on the basis of criteria that have the effect of disproportionately excluding persons of a particular race, color, national origin, sex or disability. If such disproportionate exclusion occurs, the criteria or standards must be validated as essential to participation. <u>Guidelines IV-K</u></p>	<p>Demographics of career/technical enrollment are similar to demographics of eligible pool or recipient provides a legitimate nondiscriminatory rationale.</p> <p>Demographics of specific career/technical programs are similar to demographics of entire career/technical enrollment or recipient provides a legitimate nondiscriminatory rationale.</p> <p>Admissions procedure, policy and/or practice for career/technical education program enrollment avoid criteria that disproportionately exclude persons of a particular race, color, national origin, sex or disability status.</p> <p>Admissions criteria that disproportionately exclude have been validated as essential to participation.</p>	1. Admissions policy for career/technical education programs. Description of the admissions process			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Procedures and criteria for selective admissions for career/technical programs (where there are more applicants than can be accommodated)			
		3. Demographics of rejected applicants by selection criteria			
		4. Demographics of selected applicants by selection criteria			
		Comments			

IV. ADMISSIONS					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
B. Postsecondary recipients must avoid preadmission inquiries about marital status. <u>Title IX: 34 CFR 106.21(c)</u> <u>Section 504: 34 CFR 104.42 (b)(4)</u>	Postsecondary application forms and materials do not request information about marital status.	1. Admissions application form and materials			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Comments			
C. Secondary and Postsecondary Institutions must not deny access to career/technical and academic programs or courses to students with a disability on the basis that employment opportunities in any occupation or profession may be more limited for disabled persons than for nondisabled persons. <u>Section 504: 34 CFR 104.10</u> <u>Section 504: 34 CFR 104.43(c)</u> <u>Guidelines IV-N</u>	The agency does not discourage students with disabilities from participating in programs due to potential workplace discrimination.	1. Student handbook/college catalog			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Counseling materials/documentation of counseling services			
		3. Enrollment data			
		4. Number of disabled students by program			
		5. Placement/follow-up data			
		6. Interviews			
		7. Application forms			
		8. Admissions packets			
		Comments			

IV. ADMISSIONS					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation			Status
			Yes	No	
<p>D. A recipient may not restrict admission to career/technical programs because the applicant, as a member of a national origin minority group with limited English language skills, cannot participate in and benefit from career/technical education to the same extent as students whose primary language is English.</p> <p>An elementary and secondary recipient is responsible for identifying applicants with limited English language skills and assessing their ability to participate in career/technical education.</p> <p>All postsecondary, elementary and secondary recipients must take steps to open all career/technical programs to national origin minority students with limited English proficiency. Postsecondary institutions are not required to identify students with limited English language skills; the student must identify themselves to the school.</p> <p><u>Guidelines IV-L</u></p>	<p>Elementary and Secondary recipients have a procedure in place to identify and assess applicants with limited English proficiency.</p> <p>LEP enrollment in career/technical education is proportional to LEP enrollment in the service area</p> <p>LEP enrollment in specific career/technical programs is proportional to LEP enrollment in career/technical education overall.</p>	1. Procedure for LEP identification and placement (Elementary & Secondary only).			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Summary of steps taken to increase LEP participation in programs where they traditionally have been underrepresented.			
		3. Specific program enrollment demographics by LEP status.			
Comments					

V. STUDENT FINANCIAL ASSISTANCE

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	

Financial Assistance Issues

Recipients are not to limit honors, awards and scholarships to a group on the basis of race, color, national origin, sex or disability unless such targeting is done to provide opportunities to members of a group that has not traditionally been represented. Outside agencies that provide awards are to be notified of the recipient's nondiscrimination policy.

A recipient may administer or assist in the administration of scholarships, fellowships or other forms of financial assistance established pursuant to domestic or foreign will, trust, bequests or similar legal instruments or by acts of a foreign government that require that awards go to a student of a particular sex, race or national origin, or with a particular disability. However, the overall effect of such restricted awards and scholarships must not lead to discrimination in access to total scholarships on the basis of sex, race, national origin, or disability.

While this is primarily a postsecondary issue, secondary schools helping to prepare students for postsecondary experiences can help disadvantaged students by being aware of this requirement because financial aid is often the stumbling block for those historically underrepresented in postsecondary education.

Interviews with the following persons may clarify compliance with this standard: Financial Aid Director, Financial Aid Counselors, Guidance Counselors, Department Chairs, Title IX Coordinator, 504/ADA Coordinators.

A. Financial assistance is available to all students regardless of sex, race, color, national origin or disability. <u>Title VI: 34 CFR 100.3(b)</u> <u>Title IX: 34 CFR 106.37</u> <u>Section 504: 34 CFR 104.46(a)</u> <u>Guidelines VI-B</u>	Institutional data on financial aid demonstrates that there is equitable distribution of financial aid regardless of sex, race, color, national origin or disability. If an apparent disparity exists, the institution offers a legitimate, nondiscriminatory reason.	1. Financial aid data by sex, race, color, national origin or disability			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Interviews with students			
		3. Interviews with financial aid staff			
		4. Interviews with counselors			

Comments

V. STUDENT FINANCIAL ASSISTANCE

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	
B. Sex-restricted awards are made only when established by will, trust, bequest or other legal instrument. The overall effect may not discriminate on the basis of sex. <u>Title IX: 34 CFR 106.37</u> <u>Guidelines VI-B</u>	Documentation is available as to the number and amount of aid given as a result of will, trust, bequest or other legal instrument.	1. Review of all financial assistance given as a result of trust, bequest or other legal instrument		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Review of all sex-restricted financial aid given		
	3. Review total list of financial aid to ensure the overall effect does not discriminate			
	Overall, the institution's financial assistance does not discriminate on the basis of sex.			
Comments				
C. Information about financial assistance is equitably written and does not lead students to believe it is awarded on a discriminatory basis. <u>Guidelines VI-B</u>	Materials written provide information equitably.	1. Review materials written for students and families concerning the financial assistance available		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Interviews with students		
	3. Interviews with financial aid staff			
	All written materials contain the nondiscrimination statement. Institutional awards provided as a result of the group being historically underrepresented or as a result of a bequest, trust or other legal instrument is acknowledged as such in the written materials.			
Comment				

V. STUDENT FINANCIAL ASSISTANCE				
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	
D. National origin minority persons with limited English language skills receive information about financial assistance in their own language. <u>Guidelines VI-B</u>	Community demographics indicate that national origin minority persons with limited English language skills are a part of the population served by the college.	1. Review written communications		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Review demographics of the area served by the college		
		3. Interviews with students		
		4. Interview bilingual interpreters		
	Communications about financial assistance is available in the home language of these members of the community.			
Comment				

VI. COUNSELING AND PRE-CAREER AND TECHNICAL PROGRAMS

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status								
		Yes	No									
<p>Counseling Issues</p> <p>Issues relating to counseling and prevocational programs may include steering of students toward particular courses or programs that are “traditional” for the student’s race, color, national origin, English language proficiency, sex or disability status. Services and materials related to counseling and recruitment must be free of discrimination and stereotyping in language, content and illustration.</p> <p>Interviews with counselors, teachers or courses /programs with disproportionate enrollment and students in “nontraditional” courses /programs may clarify compliance.</p> <p>List programs or classes with disproportionate enrollment:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Program</th> <th style="width: 50%;">Underrepresented Group</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>					Program	Underrepresented Group						
Program	Underrepresented Group											
<p>A. Recipients must ensure that their counseling materials and activities (including student program selection and career/employment selection), promotional and recruitment efforts do not discriminate on the basis of race, color, national origin, sex or disability.</p> <p><u>Title IX: 34 CFR 106.21 (a)(b)</u> <u>Title IX: 34 CFR 106.36 (a)</u> <u>Title IX: 34 CFR 106.34</u> <u>Section 504: 34 CFR 104.4 (a), and 104.34 (a) and (c)</u> <u>Section 504: 34 CFR 104.47 (b)</u> <u>Title II: 28 CFR 35.130</u> <u>Guidelines V-A</u></p>	<p>The written guidance plan, policy and procedures ensure nondiscrimination.</p> <p>The written assessment plan ensures nondiscrimination.</p>	1. Guidance plan, policy and procedure		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A								
		2. Assessment plan with a list of tests administered										
	3. Written procedures for evaluation and placement of disabled students											
	4. Promotional and recruitment materials											
	5. Enrollment demographics											
	6. Recruitment, admission policies											
	7. LEP policy											
	8. Example of counseling and pre-vocational activities											
	Comments											

VI. COUNSELING AND PRE-CAREER AND TECHNICAL PROGRAMS

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
B. Counselors must not direct students into programs based on their race, color, national origin, sex or disability. Recipients must ensure that counselors do not direct or urge any student to enroll in a particular career or program, or measure or predict a student's prospects for success in any career or program, based upon the student's race, color, national origin, sex or disability. Title IX: 34 CFR 106.34 Section 504: 34 CFR 104.47(b) Guidelines V-B	Career/technical program enrollments by sex, race, national origin and disability are proportionate to enrollment of these groups in the general student population. Where enrollments are not proportionate, the institution can furnish a legitimate, nondiscriminatory rationale.	1. Admission criteria		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Enrollment forms		
		3. Enrollment demographics by class/program		
	Comments			
C. Recipients may not counsel disabled students toward more restrictive career objectives than nondisabled students with similar abilities and interests. Section 504: 34 CFR 104.37(b) Guidelines V-B	Disabled students have equal access to all programs and classes based on abilities and interests.	1. Examples of pre-enrollment counseling		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Enrollment data		
	Comments			

VI. COUNSELING AND PRE-CAREER AND TECHNICAL PROGRAMS

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	
D. If disproportionate enrollments occur, efforts must be made to ensure that counseling services and materials are not responsible. Recipients must take steps to ensure that any disproportionate enrollment does not result from unlawful discrimination in counseling activities. <u>Title IX: 34 CFR 106.36</u> <u>Guidelines V-B</u>	Recipient has process in place to identify disproportionate enrollment. When disproportionate enrollment occurs, recipient assesses counseling materials and activities and makes appropriate revisions or can articulate a legitimate, nondiscriminatory rationale.	1. Examples of pre-enrollment counseling		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Enrollment data		
		3. Examples of revised counseling materials or activities in response to disproportionate enrollments		
		Comments		

VII. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation			Status
			Yes	No	

Services For Students with Disabilities Issues

No qualified person with a disability may be excluded from, denied benefits of or subjected to discrimination in any course, program or activity. A recipient may not restrict access for students with disabilities to schools/colleges, programs, services, and activities because of architectural barriers, equipment barriers, the need for related aids and services or the need for auxiliary aids. Section 504 and ADA Title II are based upon the premise that students with disabilities will be integrated with their nondisabled peers as much as possible. Historically, the assumption was made that persons with disabilities would not be able to function and the able-bodied should not put them in a position where they might be “uncomfortable.” However, research shows that gains made by persons with disabilities in the educational setting are enhanced when they are integrated with the appropriate aids and services. The Section 504 requirements for services for elementary and secondary disabled students are different from the requirements for services for postsecondary disabled students.

Interviews with the following persons may clarify compliance with this standard: Agency CEO, Guidance Counselors, Department Chairs, ADA and 504 Coordinators, Coordinator for Disabled Student Services, Facilities Director. In addition to interviews, a visual inspection of facilities should be conducted.

A. No qualified person with a disability is excluded from, denied benefits of or subjected to discrimination in any course, program, service or activity solely on the basis of disability. <u>Section 504: 34 CFR 104.4(a)</u> <u>Title II: 28 CFR 35.130(a)</u> <u>Guidelines IV-N</u>	The agency implements policies and procedures ensuring access for students with disabilities to programs, services and activities.	1. Board policy			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Student handbooks			
		3. Membership lists in organizations and activities			
		4. Procedures for selection into organizations, activities, programs			
		5. Criteria for admission into courses, programs, services and activities			
Comments					

VII. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation			Status
			Yes	No	
B. Disabled students must not be excluded from career/technical or academic programs, courses, services or activities due to equipment barriers or because necessary related aids and services or auxiliary aids are not available. <u>Guidelines IV-N</u>	The agency provides appropriate aids and services for students with disabilities and does not have policies that limit participation of students with disabilities.	1. Example(s) of equipment adapted			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Description of policy for providing aids and services			
		3. Description of aids and services available/provided/denied			
		4. List of materials/resources available for seeing or hearing impaired			
		5. Enrollment data by program			
		6. Number of disabled students denied admission			
		7. Student handbook/college catalog			
		8. Policies governing use of guide dogs, tape recorders, note takers			
		9. Interviews			
		Comments			
Postsecondary 504 Services (does not apply to Secondary Education)					
C. An institution must make modifications to its academic requirements necessary to ensure that its requirements do not result in discrimination on the basis of disability. An academic requirement that an institution can demonstrate is essential to the instruction sought or to	List of academic adjustments and auxiliary aids available to disabled students who need such modifications in order to succeed in a career and technical education program. <u>Please note:</u> This list should also identify the providers of such services	1. Interviews with disabled students services coordinator and faculty			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Interviews with disabled students			
		3. Number of students with disabilities in various courses and programs, including the types of courses and programs			
		4. List of any courses in which students with disabilities were denied a request for enrollment in a particular class and the rationale for the denial			

VII. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation			Status
			Yes	No	
a directly related licensing requirement will not be regarded as discriminatory. An institution must provide appropriate auxiliary aids and services to students with disabilities. Section 504: 34 CFR 104.44 Title II: 28 CFR 35.130(b)(7) Guidelines IV-N		5. Number of academic adjustments and auxiliary aids and services requested, number that were granted, and for the requests that were denied, the reason for denial			
		6. Records for the provision of academic adjustments and auxiliary aids and services to individual students with disabilities			
		Comments			
D. Course examinations or other procedures for evaluating students' academic achievements are administered in such a way that disabled students' aptitudes or achievement levels or other relevant factors are measured and not the disability. Section 504: 34 CFR 104.44(c) Title II: 28 CFR 35.130(b)(8) Guidelines IV-N	The agency accommodates needs of students with disabilities during testing.	1. Lists of modifications to tests or test administration			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Location of testing; facility accessible; auditory/lighting adequate			
		3. Procedures for determining need			
		4. Interviews			
		Comments			
Housing in Postsecondary Institutions					
E. Students receive equitable opportunities to benefit from housing programs	The on-campus housing reflects the demographics of the general student population.	1. Data of those living on campus			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance
		2. Interviews with students			
		3. Interviews with residence hall staff			

VII. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
regardless of their sex, national origin, color, race, or disability. <u>Title VI: 34 CFR 100.3(b)</u> <u>Title IX: 34 CFR 106.32</u> Guidelines VI-C <u>Section 504: 34 CFR 104.45</u> (applies only to Postsecondary)	If an apparent disparity exists, the institution offers a legitimate, nondiscriminatory reason. Note: Except for Section 504: 34 CFR 104.45, the other citations apply to both postsecondary and elem/secondary institutions	Comments		<input type="checkbox"/> Undetermined <input type="checkbox"/> N/A	
F. The institution offers students with disabilities on-campus and off-campus housing that is comparable, convenient, and accessible to students with disabilities, at the same cost and under the same conditions as offered to nondisabled students. <u>Section 504: 34 CFR 104.45</u> Guidelines VI-C	The housing program meets 504 and Title II accessibility requirements. Students with disabilities have a full range of features and prices to choose from.	1. Interviews with students			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Disaggregated demographic study of who is living in the residence halls			
		3. Audit of features and prices			
		Comments			
G. If an off-campus housing service is provided for students by arrangement with the institution, there is evidence that it is serving all students regardless of their sex, race, color, national origin or disability. <u>Title VI: 34 CFR</u> <u>Title IX: 34 CFR</u> <u>Section 504: 34 CFR</u> Guidelines VI-C	The institution has nondiscriminatory agreements in place with off-campus housing providers. The institution acts to resolve allegations of discrimination against off-campus housing providers operating under contract or similar arrangement.	1. Data showing who is using the off campus housing service			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Interviews with students			
		3. Review of contracts and agreements			
		Comments			

VII. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
Elementary And Secondary 504 Services (does not apply to Postsecondary)				
H. A recipient that operates an elementary or secondary program or activity must provide a free, appropriate public education (FAPE) to each qualified disabled person in its jurisdiction. The recipient must have a system in place for the identification, evaluation and educational placement of these disabled persons. Placement decisions must be made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation, data and the placement options. The recipient must provide procedural safeguards through which parents or guardians may obtain an impartial review of the evaluation and placement actions. <u>Section 504: 34 CFR 104.33, 35, and 36</u>	The FAPE policies and procedures provide for the identification, evaluation and placement of disabled persons and include procedural safeguards. Evaluation and placement records of individual students with disabilities indicate that placement decisions are fully documented and timely re-evaluations are conducted. Persons who are knowledgeable about placement options in career/technical programs participate in career/technical placement decisions.	1. FAPE policies and procedures		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. A description or list of the materials and persons relied upon in the evaluation and placement process		
		3. Description of the system of procedural safeguards		
		4. List of persons with knowledge of career/technical programs who participate in FAPE placement decisions for career/technical programs		
		5. Section 504 plans, placement records, IEPs and similar records of disabled students placed in career/technical programs		
		Comments		
I. Disabled secondary students must be placed in the regular educational environment of any career/technical education, academic, physical	Students with disabilities enroll in regular academic courses to the maximum extent appropriate to their needs.	1. Student data		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. List of separate classes, services, activities		
		3. Selection/admission criteria and procedures		
		4. Section 504 plans, placement records, IEPs and similar records		

VII. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
education, athletic, or other school program or activity to the maximum extent appropriate to their needs with the use of supplementary aids and services. <u>Section 504: 34 CFR 104.34(a)(b)</u> <u>Title II: 28 CFR 35.130(d) Guidelines VI-A</u>	5. Interviews				
	Comments				
J. Secondary students with disabilities are placed in a career/technical education program only when the 504 FAPE requirements for evaluation, placement and procedural safeguards have been satisfied. <u>Section 504: 34 CFR 104.35(a) Guidelines VI-A</u> <i>Note: Sec 504 34 CFR subpart D applies only to secondary and subpart E applies only to Postsecondary</i>	Section 504 plan, placement record or IEP reflects the group's or team's determination that the career/technical education program is appropriate setting for the individual student.	1. Sample placement records for students with disabilities			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Evaluation procedures			
		3. Placement criteria and procedures			
		4. Procedural safeguards			
		5. Interviews with parents and students			
		Comments			

VIII. WORK STUDY COOPERATIVE EDUCATION, JOB PLACEMENT, AND APPRENTICE TRAINING

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status	
		Yes	No		
<p>Work Study Cooperative Education, Job Placement and Apprentice Training Issues</p> <p>An agency not only has the responsibility to provide its services in a nondiscriminatory manner, but it also has the responsibility not to foster discrimination by businesses that provide employment or workplace learning sites. To be a partner in that discrimination is illegal. Assignments cannot be made or withheld in such programs simply because of the sex, race, national origin, or disability of the student. It is also illegal to cooperate with an employer that requests students on the basis of sex, race, color, national origin or disability status. It is recommended that agencies have written agreements whereby the cooperating worksite indicates that they will not discriminate and that they understand the school or college will not work with any business that does. It is necessary to review these written agreements, the assignments of students presently in such programs, and the placement process to see whether any such patterns exist.</p>					
<p>A. Opportunities in work study, cooperative education and job placement programs are available to all students regardless of race, color, national origin, sex or disability.</p> <p><u>Title VI: 34 CFR 100.3(b)</u> <u>Title IX: 34 CFR 106.31(d)</u> <u>Section 504: 34 CFR 104.4(b)</u> <u>Guidelines VII-A</u></p>	<p>Students in the work-study, cooperative education and job placement programs are representative of the demographics of the school or program.</p> <p>If there is disparity, the institution provides a legitimate, nondiscriminatory rationale.</p>	1. Review of enrollment data in the work-study, cooperative education and job placement programs			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Interviews with students			
		3. Interviews with staff			
		Comment			

VIII. WORK STUDY COOPERATIVE EDUCATION, JOB PLACEMENT, AND APPRENTICE TRAINING

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
B. A recipient that assists employers and prospective employers in making employment opportunities available to any of its students must ensure that the employer does not discriminate on the basis of race, color, national origin, sex or disability in recruitment, hiring, placement, assignment to work tasks, hours of employment, levels of responsibility and pay. (Written agreements for work study are not required but where they exist they must include an assurance of nondiscrimination.) <u>Title VI: 34 CFR 100.3(b)</u> <u>Title IX: 34 CFR 106.38</u> <u>Section 504: 34 CFR 104.46(b)</u> <u>Guidelines VII-A</u>	Workplace agreements contain an assurance of nondiscrimination that is signed by both the employer and the agency. The recipient does not honor any employer's requests for students who are free of disabilities or for students of a particular race, color, national origin or sex.	1. Review of workplace assignments, hours of work and job assignments		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Interviews with students		
		3. Interviews with staff		
	Comment			

IX. APPRENTICESHIP TRAINING PROGRAM

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status	
		Yes	No		
Apprenticeship Training Program Issues					
<p>In the same way that an employer may not discriminate and the educational agency may not work with any that do discriminate, it also has the responsibility to ensure that entities sponsoring apprenticeship programs such as unions do not discriminate. To be a partner in that discrimination is illegal. Assignments cannot be made or withheld in an apprenticeship program simply because of the sex, race, color, national origin or disability of the student. A written agreement is recommended whereby the apprenticeship program indicates it will not discriminate on these bases. It is necessary to review apprenticeship assurance forms, the assignments of students presently in such programs and the placement process to see whether any such patterns exist.</p>					
A. Recipient may not enter into an agreement for the provision or support of apprentice training for students or union members with any labor union or other sponsor that discriminates against its members or applicants on the basis of race, color, national origin, sex or disability. <u>Title VI: 34 CFR 100.3(c)</u> <u>Title IX: 34 CFR 106.31(d)</u> <u>Section 504: 34 CFR 104.11(a)(4)</u> <u>Guidelines VII-A</u>	Verification that staff understands this requirement.	1. Policy or written procedure			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Interview with students			
		3. Interview with staff			
	Verification that the staff has not honored any request.	4. Interview with sponsors of apprenticeship programs			
Comment					
B. A written agreement between the institution and the labor union or other sponsor includes an assurance of nondiscrimination on the basis of race, color, national	Written agreement between apprenticeship program and the agency contains the nondiscrimination statement that is signed by both parties.	1. Review of the written agreement			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	Comment				

IX. APPRENTICESHIP TRAINING PROGRAM

Equity Requirement/ <u>Legal Cites</u> origin, sex or disability. <u>Guidelines VII-A</u>	Indicators of Compliance	Documentation		Status
		Yes	No	

X. EMPLOYMENT

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status	
		Yes	No		
<p>Employment Issues—Recipients are prohibited from engaging in any employment practice that discriminates against any employee or applicant for employment on the basis of sex, disability, race, color or national origin. Specific issues include employment policies, recruitment and selection matters, salary establishment and administration, reasonable accommodation and overcoming the effects of past discrimination.</p> <p>Suggested Persons to Interview: Personnel Director/Human Resources Director/Human Director, Recruiters or Personnel Staffing Specialists, Affirmative Action Officer, Top Managers, Members of Recruitment and Selection Teams or Committees, Recent hires, Union Officers or Negotiators, Staff who are members of protected groups.</p>					
<p>A. Recipients may not engage in any employment practice that discriminates against any employee or applicant for employment on the basis of sex or disability. Recipients may not engage in any employment practice that discriminates on the basis of race, color or national origin if such discrimination tends to result in segregation,</p>	<p>Recipient's employment practices are conducted without regard to race, color, national origin, sex or disability of applicants or employees.</p> <p>Application forms and materials are free from prohibited questions concerning disability or marital or parental status.</p>	1. Employment practices documents including:			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		a. Hiring policies and procedures			
		b. Advancement policies and procedures			
		c. Employee handbooks			
		d. Application materials and forms			
		e. Screening committee policies and procedures			
		f. Rating systems			
		g. Job announcements for recipient employees			
		h. Recruitment policies			

X. EMPLOYMENT					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
<p>exclusion or other discrimination against students.</p> <p>Recipients may not make pre-employment inquires concerning disability, marital or parental status.</p> <p><u>Title VI: 34 CFR 100.3(c)</u> <u>Title IX: 34 CFR 106.51, 106.57, and 106.60</u> <u>Section 504: 34 CFR 104.13 and 104.14</u> <u>Guidelines VIII-A</u></p>	Comments				
<p>B. The recipient must notify every source of faculty that it does not discriminate on the basis of race, color, national origin, sex or disability.</p> <p><u>Guidelines VIII-B</u></p>	<p>Local agency or postsecondary institution notifies its sources of faculty that it does not discriminate on the basis of race, color, national origin, sex or disability.</p>	1. Application form for employment			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Vacancy announcements and advertisements			
		3. Recruitment letters or contacts			
		4. Personnel Web site and other related recruitment documents			
		5. Published nondiscrimination statement in newspapers, student handbooks and other college materials			
	Comments				
<p>C. The recipient should establish and maintain faculty salary scales on the basis of the conditions and responsibilities of employment without regard</p>	<p>Faculty salary scales and policy are based upon the conditions and responsibilities of employment without regard to race, color, national origin, sex or</p>	1. Faculty salary schedules and related policies			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Faculty assignment information by race/ethnic group, sex, and disabled staff			

X. EMPLOYMENT				
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
to race, color, national origin, sex or disability. <u>Title IX: 34 CFR 106.54</u> <u>Section 504: 34 CFR 104.11 and 12</u> <u>Guidelines VIII-D</u>	disability. Faculty assignment patterns are nondiscriminatory on the basis of race, color, national origin, sex or disability.	3. A non-faculty classification/compensation system is in place that evaluates jobs and places them in appropriate salary ranges according to working conditions and levels of employment responsibility		
	Non-faculty salary administration is based upon the conditions of employment without regard to race, color, national origin, sex or disability.			
Comments				

X. EMPLOYMENT					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation			Status
			Yes	No	
D. Recipients must provide equal employment opportunities for teaching and administrative positions to disabled applicants who can perform the essential functions of the positions and make reasonable accommodations for the physical or mental limitations of disabled (otherwise qualified) applicants unless it can be demonstrated that such accommodations would impose undue hardship. <u>Section 504: 34 CFR 104.12 Guidelines VIII-E</u>	Recipient's employment policies do not unlawfully discriminate against the disabled. Disabled persons are employed in teaching and administrative positions and are not treated differently in promotion and tenure decisions.	1. Number of disabled staff			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		2. Copies/description of policies, procedures, and criteria considered for hiring, promotion, retention and tenure including professional and non-professional applications			
	Comments				

The Facility Checklist (Building Accessibility Survey Form) will be used to monitor Constructions Standards for Accessibility in the following areas:

Section 11 of this document will be filled out onsite by the MOA Coordinators. The Building Accessibility Facility Checklist should be completed prior to the visit by the facilities administrator or janitor to check for compliance. During an onsite visit, the facilities administrator or janitor should be available to provide a walk-through of the facilities. The following Section 11 will be used onsite to determine compliance for accessibility.

SECTION 11 ACCESSIBILITY				
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
504/ADA Accessibility Issues				
<p>Recipient may not exclude students with disabilities from enjoying the benefits of its program or service because its facilities are inaccessible to or unusable by persons with disabilities.</p> <p>Interviews with the following persons may clarify compliance with this standard: Agency CEO, Guidance Counselors, Department Chairs, ADA and 504 Coordinators, Coordinator for Disabled Student Services, Facilities Director. In addition to interviews, a visual inspection of facilities should be conducted. Blueprints. Construction contracts. Work orders.</p> <p>Applicable accessibility standards are determined by the date the facility was constructed or last renovated by the institution.</p> <p>Existing Facilities (Readily Accessible): Section 504: 34 C.F.R. § 104.22 - Built or altered before June 4, 1977 New Construction: Section 504: 34 C.F.R. § 104.23 – Built or altered between June 4, 1977 and January 17, 1991 – ANSI A117.1-1961 New Construction: Section 504: 34 C.F.R. § 104.23 – Built or altered between January 18, 1991 and January 26, 1992: UFAS New Construction: Title II: 28 C.F.R. § 35.151 – Built or altered between January 27, 1992 and Sept. 14, 2010: UFAS or 1991 ADA Standards New Construction: Title II: 28 C.F.R. § 35.151 – Built or altered between Sept. 15, 2010 and March 14, 2012: UFAS, 1991 ADA Standards or 2010 ADA Standards New Construction: Title II: 28 C.F.R. § 35.151 –Built or altered on or after March 15, 2012: 2010 ADA Standards</p> <p>List each facility reviewed with the date of construction or last renovation and the career and technical programs offered therein by completing the Accessibility Analysis chart provided as a part of the Civil Rights Onsite Review Materials Checklist. (Building, Date, Programs)</p>				

SECTION 11 ACCESSIBILITY

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
Existing facility under 504 – Built or altered beginning June 3, 1977, or earlier				
A. A recipient shall operate its program or activity so that when each part is viewed in its entirety, it is readily accessible to disabled persons. A recipient is not required to make each of its existing facilities or every part of a facility accessible to and usable by persons with disabilities. <u>Section 504: 34 CFR 104.22</u>	Redesign of equipment <ul style="list-style-type: none"> • reassignment of classes or other services to accessible buildings • assignment of aides to beneficiaries (but no carrying) • home visits • alteration of existing facilities and construction of new facilities in conformance with the requirements for new construction or • any other methods that result in making its program or activity accessible to persons with disabilities 	• Observations and measurements		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		• Blueprints and plans		
		• Renovation schedules		
		• Proof of construction start dates		
Comments				

SECTION 11 ACCESSIBILITY				
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
New construction under 504 – Built or altered between June 4, 1977, and January 17, 1991, inclusive				
B. Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient is designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities. Conformance with the "American National Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Disabled," published by the American National Standards Institute, Inc. (ANSI A117.1-1961 (R1971) Later versions of ANSI A117.1 do not apply. <u>Section 504: 34 CFR 104.23</u> (prior to January 18, 1991 amendment)	4.1 Grading	• Observations and measurements		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	4.2 Walks	• Blueprints and plans		
	4.3 Parking lots	• Renovation schedules		
	5.1 Ramps and gradients	• Maintenance records		
	5.2 Entrances	• Work orders or contracts indicating construction start dates		
	5.3 Doors and doorways			
	5.4 Stairs			
	5.5 Floors			
	5.6 Toilet rooms			
	5.7 Water fountains			
	5.8 Public phones			
	5.9 Elevators			
	5.10 Controls			
	5.11 Identification			
5.12 Warning signals				
5.13 Hazards				
Comments				

New construction under 504 – Built or altered between January 18, 1991, and January 26, 1992, inclusive
New construction under ADA Title II and 504 – Built after January 26, 1992; exercising the option to follow UFAS

SECTION 11 ACCESSIBILITY

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
C. Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient or public entity is designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities. Conformance with the Uniform Federal Accessibility Standards (UFAS) (Appendix A to 41 CFR subpart 101-19.6). Departures from particular technical and scoping requirements permitted where substantially equivalent or greater access to and usability of the building is provided. <u>Section 504: 34 CFR 104.23</u> <u>Title II: 28 CFR 35.151</u>	4.1 Minimum requirements	• Observations and measurements		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	4.2 Space allowance and reach ranges	• Blueprints and plans		
	4.3 Accessible route	• Renovation schedules		
	4.4 Protruding objects	• Maintenance records		
	4.5 Ground and floor surfaces	• Work orders or contracts indicating construction start dates		
	4.6 Parking and passenger loading zones			
	4.7 Curb ramps			
	4.8 Ramps			
	4.9 Stairs			
	4.10 Elevators			
	4.11 Platform lifts			
	4.12 Windows			
	4.13 Doors			
	4.14 Entrances			
	4.15 Drinking fountains and water coolers			
	4.16 Water closets			
	4.17 Toilet stalls			
	4.18 Urinals			
	4.19 Lavatories and mirrors			
	4.20 Bathtubs			
	4.21 Shower stalls			
	4.22 Toilet rooms			
	4.23 Bathrooms, bathing facilities, and shower rooms			
	4.24 Sinks			
	4.25 Storage			
	4.26 Handrails, grab bars, tub and shower seats			
	4.27 Controls and operating mechanisms			
	4.28 Alarms			
	4.29 Tactile warnings			

SECTION 11 ACCESSIBILITY

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation	Documentation		Status
			Yes	No	
	4.30 Signage 4.31 Phones 4.32 Seating, tables, and work surfaces 4.33 Assembly areas 4.34 Dwelling units Other requirements				
Comments					

SECTION 11 ACCESSIBILITY				
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
New construction under ADA Title II and 504 – Built after January 26, 1992; exercising the option to follow 1991 ADA Standards				
Under Title II regulation – Construction or alteration of a facility or part of a facility initiated on or after March 15, 2012, follow 2010 ADA Standards				
D. Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient or public entity is designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities. Conformance with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (1991 ADA Standards) (Appendix A to 34 CFR Part 36). Departures from particular requirements permitted when it is clearly evident that equivalent access to the facility or part of the facility is thereby provided. <u>Section 504: 34 CFR 104.23</u> <u>Title II: 28 CFR 35.151</u>	4.1 Minimum requirements	• Observations and measurements		
	4.2 Space allowance and reach ranges	• Blueprints and plans		
	4.3 Accessible route	• Renovation schedules		
	4.4 Protruding objects	• Maintenance records		
	4.5 Ground and floor surfaces	• Work orders or contracts indicating construction start dates		
	4.6 Parking and passenger loading zones			
	4.7 Curb ramps			
	4.8 Ramps			
	4.9 Stairs			
	4.10 Elevators			
	4.11 Platform lifts (wheelchair lifts)			
	4.12 Windows			
	4.13 Doors			
	4.14 Entrances			
	4.15 Drinking fountains and water coolers			
	4.16 Water closets			
	4.17 Toilet stalls			
	4.18 Urinals			
	4.19 Lavatories and mirrors			
	4.20 Bathtubs			
	4.21 Shower stalls			
	4.22 Toilet rooms			
	4.23 Bathrooms, bathing facilities, and shower rooms			
	4.24 Sinks			
	4.25 Storage			
	4.26 Handrails, grab bars, tub and shower seats			
	4.27 Controls and operating mechanisms			
	4.28 Alarms			
	4.29 Detectable warnings			

SECTION 11 ACCESSIBILITY					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation	Documentation		Status
			Yes	No	
	4.30 Signage 4.31 Phones 4.32 Fixed or built-in seating or tables 4.33 Assembly areas 4.34 Automatic teller machines 4.35 Dressing and fitting rooms Other requirements				
	Comments				

SECTION 11 ACCESSIBILITY

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status	
		Yes	No		
<p>Comparable Facilities Issues:</p> <p>Separate facilities for students with disabilities should be similar in quality and convenience to facilities for students without disabilities. Separate changing rooms, showers and other facilities for students of one sex should be similar in quality and convenience to the facilities for students of the other sex. Any separate facilities for male, female or disabled students should be located in similar proximity to the associated classrooms, shops or laboratories.</p>					
<p>E. If separate programs or facilities exist for students with disabilities, they are comparable to those for students without disabilities. Section 504: 34 CFR 104.34(c) <u>Guidelines VI-A</u></p>	Facilities are comparable.	Review of facilities			<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	Programs are comparable.	Comparison of programs and services offered to both students with disabilities and students without disabilities			
	Services are comparable.				
	Comments				

SECTION 11 ACCESSIBILITY

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	
<p>F. Changing rooms, showers, and other facilities for students of one sex are comparable to those provided to students of the other sex.</p> <p>Changing rooms, showers, and other facilities for students with disabilities are comparable to those provided to students without disabilities.</p> <p><u>Title IX: 34 CFR 106.33</u> <u>Section 504: 34 CFR 104.4(b)(ii)</u> <u>Guidelines VI-D</u></p>	<p>Locker rooms have approximately the same space and amenities for both males and females.</p> <p>If there is disparity, the institution provides a legitimate, nondiscriminatory rationale.</p> <p>Changing rooms, shower, bathrooms, and other facilities near the career and technical areas are comparable for both men and women.</p> <p>Persons with disabilities have convenient access to changing facilities and shower facilities.</p>	Visual examination of the facilities		<input type="checkbox"/> No Evidence of a Violation <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Interviews with students		
		Interviews with staff		
Comments				