

Maryland Methods of Administration (MOA) Desk Audit Monitoring Tool



Contents

1. Introduction 5

Civil Rights Assurances	6
Description of Requirements	6
Guiding Statutory Citations	6
Acceptable Evidence to Meet Requirements	6
Administrative	7
Description of Requirements	7
Guiding Statutory Citations	7
Acceptable Evidence to Meet Requirements	8
Recruitment	10
Description of Requirements	10
Guiding Statutory citations	10
Acceptable Evidence to Meet Requirements	10
Admissions	12
Description of Requirements	12
Guiding Statutory Citations	12
Acceptable Evidence to Meet Requirements	12
Student Financial Assistance	13
Description of Requirements	13
Guiding Statutory Citations	13
Acceptable Evidence to Meet Requirements	13
Guidance Counseling	14

Description of Requirements	14
Guiding Statutory Citations	14
Acceptable Evidence to Meet Requirements	14
Services for Students with Disabilities	15
Description of Requirements	15
Guiding Statutory Citations	15
Acceptable Evidence to Meet Requirements	15
Accessibility	17
Description of Requirements	17
Guiding Statutory Citations	17
Acceptable Evidence to Meet Requirements	17
Comparable Facilities	19
Description of Requirements	19
Guiding Statutory Citations	19
Acceptable Evidence to Meet Requirements	19
Work Study, Cooperative Programs, Job Placement, and	
Apprenticeship Training	20
Description of Requirements	20
Guiding Statutory Citations	20
Acceptable Evidence to Meet Requirements	20
Employment	21
Description of Requirements	21
Guiding Statutory Citations	21
Acceptable Evidence to Meet Requirements	21

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Introduction

The Methods of Administration (MOA) program ensures that all students, regardless of race, color, national origin, sex, or disability, have equal access to high-quality career and technical education (CTE) programs. Through its Methods of Administration authority, the Office of Civil Rights (OCR) at the United States Department of Education oversees state agencies' civil rights compliance programs that administer career and technical education.

The Maryland State Department of Education (MSDE) is the lead agency responsible for the administration of MOA requirements throughout the state of Maryland, as stipulated in the Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs of the Title VI regulation, the Section 504 regulation, and the Title IX regulation. These responsibilities include conducting targeted compliance reviews of selected secondary and postsecondary schools that provide career and technical education, securing corrective action when civil rights violations are found, and periodically reporting civil rights activities and findings to OCR.

This MOA Monitoring Tool for Maryland provides operational guidance and a tool for schools to fully understand the practical application of the framework, processes, and procedures associated with the administration of OCR requirements for local education agencies operating within the state.

2. Civil Rights Assurances

DESCRIPTION OF REQUIREMENTS

The LEA has a statement of assurance (signed by the Superintendent) for Title VI, Title IX, and Section

GUIDING STATUTORY CITATIONS

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs (The Guidelines) Americans with Disabilities Act Title II Title VI of the Civil Rights Acts of 1964 [34 C.F.R., 100.4(a) thru (d)] Title IX of the Education Amendments of 1972 [34 C.F.R., 106.4] Section 504 of the Rehabilitation Act of 1973 [34 C.F.R. 104.5]

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

- Provide a signed and dated current copy of the assurance for Title VI, Title IX, Section 504, or a combined assurance document.
- Provide a copy of the Board minutes authorizing the assurance.

3. Administrative

DESCRIPTION OF REQUIREMENTS

To comply with the requirements of the US Department of Education's guidelines for CTE programs, LEAs must have basic procedures regarding federal statutes and implementing departmental regulations. Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, as well as Vocational Education Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap.

There are four basic administrative requirements:

- 1. Annual public notice of nondiscrimination. Before the beginning of the year, the LEA must inform students, parents, employees, and the public that all career and technical opportunities will be offered regardless of race, color, national origin, sex, or disability. The notice must include a summary of program offerings, admission criteria, and the names, office addresses, and phone numbers of persons designated to coordinate compliance under Title IX and Section 504. If a recipient's service area contains a community of national origin minority persons with limited English language skills, public notification materials must be disseminated to that community in its language, and must take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in CTE programs.
- 2. **Continuous notification of non-discrimination.** The LEA must continue to inform parents, applicants, employees (including those with impaired vision or hearing), unions, or professional organizations that it does not discriminate based on race, color, national origin, sex, or disability.
- 3. LEA has designated at least one employee for each area to coordinate and monitor LEA compliance with its responsibilities under state nondiscrimination laws, Title IX, Section 504 of the Rehabilitation Act, and Title II of the Americans with Disabilities Act. LEA has and uses an approved statement notifying the public who they should contact for special accommodations by title, phone, and address.
- 4. LEA shall adopt and publish a grievance procedure that allows students and parents an avenue to deal with alleged discrimination based on sex or disability in a timely and equitable resolution.

GUIDING STATUTORY CITATIONS

Requirement 1

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs IV-O

Americans with Disabilities Act Title II: 28 CFR 35.107(a)

Section 504 of the Rehabilitation Act of 1973: 34 CFR 104.7(b)

Title IX of the Education Amendments of 1972: 34 CFR 106.8

Requirement 2

Title IX of the Education Amendments of 1972; 34 CFR 106.9

Section 504 of the Rehabilitation Act of 1973: 34 CFR 104.8

Americans with Disabilities Act Title II: 28 CFR 35.107(a)

Department of Education Office of Civil Rights: https://www2.ed.gov/about/offices/list/ocr/do cs/nondisc.html

Requirement 3

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs IV-O

Americans with Disabilities Act Title II: (28 CFR Part 35.107)

Title IX of the Education Amendments of 1972: (34 CFR Part 106.8(a))

Section 504 of the Rehabilitation Act of 1973: (34 CFR Part 104.7(a))

Americans with Disabilities Act Title II, Subpart E, Communications, 35.160 General (b)(1)(a) Requirement 4

Americans with Disabilities Act Title II: 28 CFR 35.107(b)

Section 504 of the Rehabilitation Act of 1973: 34 CFR 104.7(b)

Title IX of the Education Amendments of 1972: 34 CFR 106.8(b)

Department of Education Office of Civil Rights:

https://www2.ed.gov/about/offices/list/ocr/grievance.html

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

Annual public announcement disseminated to the public by the LEA concerning CTE programs/ course offerings and the provision of these programs and courses in a non-discriminatory manner. The annual notice Section 504/ADA and Title IX with their name/title, address, and phone number.

If applicable, the notice is in the language of any national origin minority community intended to reach the public who are English learners (EL).

Provide continuous nondiscrimination statement evidence of what is posted in schools and placed in major publications, which may include:

- 1. Student handbooks from each high school with the LEAs non-discrimination statement highlighted.
- 2. Employee handbooks with the LEAs non-discrimination statement/policies/procedures.
- 3. Parent handbook with LEAs non-discrimination statement highlighted.
- 4. Course catalogs
- 5. Job announcements
- 6. Job applications
- 7. Brochures
- 8. School newsletters (physical or digital)
- 9. Posters advertising various CTE programs.

Provide the name and title of the Title IX officer who has been assigned, is aware of his duties and responsibilities, and has the training necessary to carry out their responsibilities. Evidence may include:

- 1. Job Descriptions
- 2. Proof of the most recent training attended.
- 3. Professional development training, including agenda, conducted for staff and employees.
- 4. Investigations
- 5. Monitoring student climate surveys
- 6. Websites

Provide the name and title of the Section 504/ADA Coordinator who has been assigned, is aware of his duties and responsibilities, and has the training necessary to carry out their responsibilities. Evidence may include:

- 1. Job Descriptions
- 2. Proof of the most recent training attended.
- 3. Professional development training, including agenda, conducted for staff and employees.
- 4. Investigations

5. Websites

Provide the name and title of the Title II Coordinator who has been assigned, is aware of their duties and responsibilities, and has the training necessary to carry out their responsibilities. Evidence may include:

- 1. Job Descriptions
- 2. Proof of the most recent training attended.
- 3. Professional development or training, including agenda, conducted for staff and employees.
- 4. Investigations
- 5. Websites

Provide the name and title of the Harassment, Intimidation, and Bullying Compliance Officer who has been assigned, is aware of their duties and responsibilities, and has the training necessary to carry out their responsibilities. Evidence may include:

- 1. Job Descriptions
- 2. Proof of the most recent training attended.
- 3. Professional development or training, including agenda, conducted for staff and employees.
- 4. Investigations
- 5. Websites

Provide public notice and location of services, activities, and facilities accessible to and usable by individuals with disabilities. Evidence may include:

- 6. Public notification statement of who to contact for special needs (by name, title, address, phone number) and advance notice deadline.
- 7. A copy of an event notice with the special needs statement.

Provide copies of the student and employee grievance procedures specific to Title IX (discrimination based on sex).

Provide copies of the student and employee grievance procedures specific to Section 504 and Title II (based on disability)

Provide copies of student and employee grievance procedures for harassment, intimidation, and bullying.

4. Recruitment

DESCRIPTION OF REQUIREMENTS

- LEAs must conduct recruitment activities that do not exclude or limit opportunities based on race, color, national origin, sex, or disability.
- The descriptions of career and occupational opportunities in the recruitment material should not be limited based on race, color, national origin, sex, or disability. To the extent possible, recruiting teams should represent people of different races, national origins, sexes, and disabilities.
- The LEAs must ensure that counselors can effectively communicate with students with disabilities and limited English proficiency.
- LEAs must not conduct promotional efforts that create or perpetuate stereotypes or limitations based on race, color, national origin, sex, or disability. Materials that are part of promotional efforts may not perpetuate or perpetuate stereotypes through text or illustration.
- If an LEA's service area contains a community with persons of limited English proficiency, information must be available and distributed to that community in its language.

GUIDING STATUTORY CITATIONS

Title IX of the Education Amendments of 1972: (34 CFR § 106.23 (a)(b)) Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs V. A., C., E.

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

Provide all potential students with access to information and efforts made to reach underrepresented groups. Evidence may include:

- 1. Recruitment plans
- 2. List of recruitment activities and sites
- 3. Description of recruitment activities
- 4. Schedule of recruitment activities
- 5. Selection and admission criteria for CTE programs/courses (including students identified as 'gifted and talented').

Provide descriptions of career opportunities that are non-biased and free of stereotyping. Evidence may include:

- 1. Recruitment brochures and marketing materials- English and non-English versions
- 2. Course syllabi and course catalog
- 3. Policies/procedures for CTE programs and courses that address the needs of EL students.

The LEA, where possible, should have people of different races, genders, and disabilities on the recruitment teams. Evidence may include:

- 1. Demographics of staff by program
- 2. Demographics of the recruitment team by program

There is a process to identify and communicate with communities with limited English proficiency. Efforts are made to communicate in a commonly understood language. Evidence may include:

- 1. Verification of a Limited English-Proficient Community
- 2. Samples of materials in other languages

Promotional materials and media presentations showing people of varying races, male and female, persons with disabilities, and people of different national origin. Evidence may include:

- 1. Brochures
- 2. Pamphlets
- 3. Flyers
- 4. Posters
- 5. Presentations
- 6. Videos

5. Admissions

DESCRIPTION OF REQUIREMENTS

LEA may not develop, impose, maintain, approve, or implement student admission eligibility criteria that discriminate based on race, color, national origin, sex, or disability.

LEA cannot restrict admission to CTE programs because the applicant, as a member of a national origin minority group with limited English language skills, cannot participate in and benefit from CTE to the same extent as students whose primary language is English.

LEA must not deny access to CTE and academic programs or courses to students with a disability because employment opportunities in any occupation or profession may be more limited for disabled persons than for non-disabled persons.

GUIDING STATUTORY CITATIONS

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs IV-A; L; N Section 504 of the Rehabilitation Act of 1973: 34 CFR 104.10; 34 CFR 104.43(c)

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

Eligibility and admission criteria for CTE. Evidence may include:

- 1. Descriptions of the admissions process
- 2. Counseling Materials
- 3. CTE schedule of courses
- 4. CTE student data

Procedure for identifying, assessing, and placing English learners (EL). Evidence may include:

- 1. EL enrollment in CTE is proportional to EL enrollment in the service area.
- 2. EL enrollment in specific CTE programs is proportional to EL enrollment in CTE

Provide steps to increase the participation of EL and disabled students in programs where they have traditionally been underrepresented. Evidence may include:

- 1. Documentation of counseling
- 2. Counseling Materials
- 3. Placement and follow-up data

Student Financial Assistance

DESCRIPTION OF REQUIREMENTS

Financial assistance is available to all students regardless of sex, race, color, national origin, or disability. LEAs must not limit honors, awards, or scholarships to a group based on race, color, national origin, sex, or disability unless such a target is achieved to provide opportunities to group members that have traditionally not been represented.

The outside agencies that provide awards must be informed of the LEA's non-discrimination policy. An LEA may administer or assist in the administration of scholarships or other forms of financial assistance established under a domestic or foreign will, trust, bequests, and 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 specific disability. However, the general effect of such restricted awards and scholarships must not lead to discrimination in access to total scholarships based on sex, race, national origin, or disability.

Because financial aid is often the stumbling block for those historically underrepresented in postsecondary education, secondary schools should assist all students preparing for postsecondary experiences, including disadvantaged students, to become aware of this requirement.

If an LEA's service area contains a community of national origin minority persons with limited English language skills, material and information used to inform students of financial aid opportunities must be distributed to that community in its language.

GUIDING STATUTORY CITATIONS

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs VI-B. Title VI of the Civil Rights Acts of 1964: (34 CFR §§ 100.3 (a)(b)) Title IX of the Education Amendments of 1972: (34 CFR § 106.37) Section 504 of the Rehabilitation Act of 1973: (34 CFR § 104.4 (a)(b))

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

Provide scholarships, financial materials, and publications.

LEA has a process for identifying and communicating with language-minority communities. Efforts are made to communicate in a commonly understood language. Evidence to include:

- 1. Verification of limited English-proficient communities
- 2. Samples of materials in other languages

6. Guidance Counseling

DESCRIPTION OF REQUIREMENTS

Counselors may not steer students toward courses or programs that are traditional for the student's race, color, national origin, English language proficiency, sex, or disability. Counselors may not counsel students with disabilities toward more restrictive career objectives than non-disabled students with similar abilities and interests.

Services and materials related to career counseling and recruitment must be free of discrimination and stereotyping in language, content, and graphic illustration.

The LEAs must ensure counselors can effectively communicate with students with limited English proficiency and sensory impairments.

If disproportionate enrollments occur, efforts must be made to ensure that counseling services and materials are not responsible. Recipients must ensure that any disproportionate enrollment does not result from unlawful discrimination in counseling activities.

GUIDING STATUTORY CITATIONS

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs V. A., B., D. Title IX of the Education Amendments of 1972: 34 CFR § 106.36 Section 504 of the Rehabilitation Act of 1973: 34 CFR §§ 104.4 (a)(b), 104.37 (b))

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

Provide a copy of the written guidance and counseling policy, plan, and procedure to ensure nondiscrimination. Evidence may include:

> 1. Counseling and written plans for students with disabilities, EL students, talented and gifted students, and for the provision of services for people with hearing impairments.

Provide examples of how the student's needs are being met. Evidence may include:

- 1. Pre-enrollment counseling for students with disabilities, limited English proficiency, talented and gifted, or hearing impairments.
- 2. Enrollment forms/registration packets.
- 3. Tests were administered to select students for placement in CTE programs and
- 4. career materials in other languages and formats.

Provide demographic data on enrollment by CTE class/program.

Describe any efforts to correct disproportionate program enrollment by gender, minority, or disabled status.

7. Services for Students with Disabilities

DESCRIPTION OF REQUIREMENTS

A qualified person with a disability may not, based on disability, be excluded, denied benefits of, or subjected to discrimination in any course, program, or activity.

LEA may not restrict access to schools, programs, services, and activities for disabled students due to equipment barriers or because necessary related aids and services or auxiliary aids are not available.

LEAs must provide appropriate public education (FAPE) to each qualified disabled student. LEA must have a system for the identification, evaluation, and educational placement of students with disabilities.

Placement decisions must be made by a group of people, including people knowledgeable about the child, the meaning of the evaluation, data, and placement options. LEA must provide procedural safeguards through which parents or guardians can objectively review the evaluation and placement actions.

Section 504 of the Rehabilitation Act of 1973, ADA, and Title II are based on the premise that students with disabilities will be integrated with their non-disabled peers to the maximum extent possible.

Students with disabilities are placed in a CTE program only when the 504 FAPE requirements for evaluation, placement, and procedural safeguards have been satisfied.

GUIDING STATUTORY CITATIONS

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs (The Guidelines): IV. N.; VI. A. Americans with Disabilities Act Title II: (28 CFR 35.130) Section 504 of the Rehabilitation Act of 1973: 34 CFR §§ 104.4 (a), 104.33-36

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

Provide policies and procedures that ensure access to programs, services, and activities for students with disabilities. Evidence may include:

- 1. Transportation policy for students with disabilities.
- 2. Policy for providing aids and services.
- 3. Policy governing accommodations.
- 4. FAPE policies and procedures.
- 5. Written procedures for the evaluation and placement of students with disabilities.
- 6. Provide public notice that all services, activities, and facilities are accessible to disabled individuals.

Provide examples of how student needs are being met. Evidence may include:

- 1. Photographic evidence of the adapted equipment.
- 2. List of materials and resources available to students with sensory impairments.
- 3. Description or list of materials and people relied upon in the evaluation and placement.
- 4. List of people who know about CTE programs who participate in FAPE placement decisions for CTE programs.
- 5. Bell schedule.
- 6. Describe the system of procedural safeguards.

7. Provide two Section 504 plans, two IEPs, and similar records of students with disabilities placed in a CTE program.

8. Accessibility

DESCRIPTION OF REQUIREMENTS

LEAs may not exclude students with disabilities from enjoying the benefits of their program or service due to inaccessibility of facilities, according to Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990. All agencies are responsible for compliance with Section 504 and Title II. Applicable accessibility standards are determined by the date the facility was constructed or last altered. In general, only the modified portion is affected in the case of a facility alteration. The standards are as follows (ANSI, UFAS, 1991 ADA Standards, and 2010 ADA Standards):

Facilities constructed or alteration initiated before June 4, 1977

Programs or activities offered in existing facilities must, when viewed in their entirety, be readily accessible to persons with disabilities (see Section 504 of the Rehabilitation Act of 1973: 34 CFR §104.22 and 28 CFR § 35.150).

Facilities constructed or alteration initiated between June 4, 1977, and January 17, 1991

The facilities follow the standards of the American National Standards Institute, Inc. (ANSI) A117.1-1961 (R1971). (See Section 504 of the Rehabilitation Act of 1973 (34 CFR § 104.23).

Facilities constructed or alteration initiated between January 18, 1991, and January 27, 1992

Facilities follow the Uniform Federal Accessibility Standards (UFAS) Appendix A to 41 CFR Subparts 101-19.6. (See Section 504 of the Rehabilitation Act of 1973 (34 CFR § 104.23).

Facilities constructed or alterations initiated between January 27, 1992, and March 15, 2012

Note: Only one of the following standards may be used for each building or alteration.

- The UFAS is noted in Appendix A to 41 CFR Subpart 101-19.6.
- The 1991 ADA Standards (with or without elevator exemption) or
- The 2010 ADA standards can be used.

Facilities constructed or alterations initiated on or after March 15, 2012

The 2010 ADA Standards

GUIDING STATUTORY CITATIONS

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs (The Guidelines): IV. N. Americans with Disabilities Act Title II: 28 CFR §§ 35.133, 35.149-151 Section 504 of the Rehabilitation Act of 1973: 34 CFR § 104.21-23

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

Note: Provide the following facility information:

- Date(s) of original construction, and area(s) of subsequent renovation(s)/ alteration(s)
- Date ramp(s) added/installed and location.
- Date of elevator(s)/lift(s) added/installed and location.
- Date of the last resurfacing and/or restriping of each of the parking lots

- Total parking spaces and the number of accessible spaces in each lot, including the width of each accessible parking space and the signage heights (from the ground to the bottom of the sign).
- Audience seat capacity, with the number and location of accessible seats
- The seating capacity of the gymnasium, with the number and location of accessible seats
- Number of assistive listening devices available in the auditorium and gymnasium

The site/campus map(s) and floor plan(s) for facilities must be identified by:

- Buildings with lines that separate the original construction or other renovations or alterations; label with construction dates, renovation, and/or alterations.
- 2. Paths of travel (includes primary entrances to the building or facility; specific areas, restrooms, commons, auditorium, gymnasium, locker rooms, drinking fountains, library, service areas, signage, etc.)
- 3. Parking lot with the total number of spaces and accessible spaces; include the date of the last resurfacing and/or restrip.
- 4. Ramp(s), elevator(s)/lift(s) added/installed, including date of installation and
- 5. laboratories, greenhouses, barns, and indicate the CTE course(s) taught (i.e., Automotive Technology, Aerospace, Culinary Arts, ASL, Web and Digital Communication, Horticulture and Science, Business and Marketing, Finance, Visual Arts, Health and Medical Services, etc.).

9. Comparable Facilities

DESCRIPTION OF REQUIREMENTS

Separate facilities for students with disabilities should be similar and convenient to those without disabilities.

Facilities for students of one sex should be similar in quality and convenience to those of the other sex.

Separate facilities for male, female, or disabled students should be close to associated classrooms, stores, or laboratories.

GUIDING STATUTORY CITATIONS

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs (The Guidelines): VI. A., D. Title IX of the Education Amendments of 1972: 34 CFR § 106.33 Section 504 of the Rehabilitation Act of 1973: 34 CFR § 104.4 (b)(ii); 34 CFR § 104.34 (c)

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

- Provide a comparison of programs and services offered to both students with disabilities and students without disabilities.
- Locker rooms, changing rooms, showers, restrooms, coaches' rooms, and classrooms are offered to students with and without disabilities or students of the other sex.
- Provide facilities maps marked to indicate access points to locker rooms, changing areas, showers, restrooms, and classrooms.

Work Study, Cooperative Programs, Job 10. Placement, and Apprenticeship Training

DESCRIPTION OF REQUIREMENTS

An LEA is responsible for providing its services indiscriminately and not fostering discrimination by companies that offer employment, workplace learning sites, or apprenticeship training programs. To be a partner in 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 based on sex, race, national origin, or disability.

GUIDING STATUTORY CITATIONS

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs (The Guidelines): VII. A., B. Title IX of the Education Amendments of 1972: 34 CFR § 106.38(a)

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

- Provide enrollment data by race, national origin, sex, and disability in career-related learning experiences, internships, and job placement programs.
- Provide placement policies and placement criteria (including EL students and students with disabilities).
- Provide student employment notices.
- Provide copies of training agreements with employers, including nondiscrimination statements and employer assurances.
- Provide work assignments, work hours, salary, work assignments, and evaluations.

11. Employment

DESCRIPTION OF REQUIREMENTS

LEAs are prohibited from engaging in any employment practice that discriminates against any employee or applicant for employment based on 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.

The LEA must notify all faculty that it does not discriminate based on race, color, national origin, sex, or disability. The LEA must establish and maintain faculty salary scales based on employment conditions and responsibilities without regard to race, color, national origin, sex, or disability.

LEAs 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 qualified applicants unless it can be shown that such accommodations would impose undue hardship.

GUIDING STATUTORY CITATIONS

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs (The Guidelines): VIII. A.-F. Title IX of the Education Amendments of 1972: 34 CFR §§ 106.51-61 Section 504 of the Rehabilitation Act of 1973: 34 CFR § 104.11-14

ACCEPTABLE EVIDENCE TO MEET REQUIREMENTS

Provide copies of employment practice documents. Evidence may include:

- 1. Hiring, retention, and promotion policies and procedures
- 2. Recruitment Policies and procedures
- 3. Advancement Policies and Procedures
- 4. Screening Committee Policies and Procedures
- 5. Rating systems/rubric