

Georgia's Plan & Procedures for Office for Civil Rights Compliance Reviews

Georgia Department of Education
Career, Technical and Agricultural Education

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Question: What are the federal civil rights laws, regulations and guidelines with which CTAE program must comply?

School districts that provide CTAE programs and also receive funding through U.S. Education Department (USDE) are responsible for complying with following:

- ◆ Title IX of the Education Amendments of 1972
- ◆ Title VI of the Civil Rights Act of 1964
- ◆ Section 504 of the Rehabilitation Act of 1973
- ◆ *Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap*, published in the Federal Register March 21, 1979
- ◆ Title II of the Americans with Disabilities Act of 1990

Introduction

To ensure equitable distribution of federal vocation education funds and to encourage high-quality Career, Technical and Agricultural Education (CTAE) programs, the U.S. Department of Education Office for Civil Rights requires the Georgia Department of Education to conduct compliance reviews of the state's CTAE programs. "The mission of the U.S. Department of Education Office for Civil Rights is to ensure equal access to education and to promote educational excellence throughout the nation through vigorous enforcement of civil rights."

Federal law requires that all school districts receiving federal funding support from the U.S. Education Department, and providing career, technical and agricultural education programs shall comply with:

THE CIVIL RIGHTS ACT OF 1964, TITLE VI:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

THE REHABILITATION ACT OF 1973, SECTION 504:

No otherwise qualified handicapped individual...shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

THE EDUCATION AMENDMENTS OF 1972, TITLE IX:

No person...shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

THE AMERICAN WITH DISABILITIES EDUCATION ACT OF 1990, TITLE II:

An act to establish a clear and comprehensive prohibition of discrimination on the basis of disability.

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap. Federal Register, March 21, 1979.

Ongoing compliance with civil rights statutes is required by the U.S. Department of Education Office for Civil Rights, regardless of whether your school district receives an onsite review. Federal civil rights regulations and guidelines can help us to provide each student with greater opportunities to achieve high academic standards, and to eliminate the achievement gap at state and local levels.

Question: How are school districts selected for onsite reviews?

Georgia school systems (or sub-systems in larger school districts) are selected for on-site reviews and technical assistance based on a federally-approved targeting plan. A targeting plan which specifies “how” the state will assess OCR compliance must be submitted to and approved by the each two years. If you have questions, contact Dennis Clarke at dclarke@doe.k12.ga.us.

Targeting Plan

A “Targeting Plan” is a set of the guidelines or procedures, including data, which identifies how the state agency will conduct periodic assessments of local school systems to insure that required federal laws and guidelines are being followed. Georgia is comprised of a large number of local education agencies (school systems). Any school system that receives federal dollars to support CTAE programs is included in the total state listing or population of schools. Each year, 2.5% of the total systems population must be selected for an on-site review. Over a period of five years, a system is subject to an on-site review if it meets the review criteria and has not been reviewed within the previous 5-year period. The following information further explains the current OCR compliance targeting plan for Georgia for FY11 and FY12.

Georgia’s Methods of Administration for Office for Civil Rights Reviews 2010-2011

Sub-Recipient Universe

The sub recipient universe (effective 2010-2011) consists of a combination of 218 Local Education Agencies (LEA) and/or LEA sub-systems which are recipients of federal financial assistance and which also provide secondary state-approved Career/Technical and Agricultural Education programs (defined as a concentration or series of courses). There are 180 LEAs (Local Education Agencies) serving 457 secondary schools in Georgia. LEAs are further identified as local school systems in Georgia. LEA sub-systems are further defined as randomly-assigned groups of schools within selected LEAs. These groups of schools (LEA sub-systems) have been grouped to facilitate the on-site compliance review process. Several LEAs in Georgia have large numbers of large secondary schools that meet the sub recipient universe criteria. Thus, on site reviews with all of these schools involved are difficult to conduct. In order to streamline the process and to insure a more meaningful assessment of OCR compliance, selected large LEAs have been divided into LEA sub-systems. The number of sub-recipients to receive a Civil Rights compliance visit will be determined by multiplying the total number of sub-recipients by 2.5% with the product rounded up to the next whole number. We will target 2.5% of the secondary programs sub-recipient universe each year. School systems (LEAs) and LEA sub-systems are assigned point

values on a number of equity indicators. These point values are totaled for each LEA and/or LEA sub-system. The LEAs or LEA sub-systems with the highest point values are selected for on-site reviews. No more than one sub-system within the same LEA will be targeted during the same year.

These on-site reviews are conducted under the requirements of the federal “Vocational Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap” and the Georgia Department of Education believes this is especially important as emphasis is placed on preparing students for the world of work and with academic credentials to continue to postsecondary education.

The selection criteria place emphasis upon the provision of equitable opportunities for students of all race/ethnic categories, national origin minorities and genders by analyzing indicators of: (1) participation in vocational programs and the impact of disproportionate representation, and (2) assignment to classes, courses or sections on the basis of gender.

Selection Criteria

- 1. The number of LEAs and LEA sub-systems with secondary CTAE programs.**
- 2. Enrollment data for each sub-recipient by race.**
- 3. Enrollment data for each sub-recipient by gender.**
- 4. Enrollment data for each sub-recipient by students with disabilities.**
- 5. The composite OCR Rank Score for criteria.**
- 6. The OCR Target Rank. If an LEA or LEA sub-system ranks in the target group for an on-site review but has been reviewed within the last five years, that sub recipient will be eliminated and the next sub recipient on the ranked list will be identified for the on-site review process.**
- 7. Monitoring of LEAs and LEA sub-systems that have failed to complete their compliance plan after an OCR review will continue above the regular 2.5% identified for annual on-site reviews.**
- 8. LEAs and LEA sub-systems operating a program or programs with enrollments of less than 10 students will not be considered due to the ability to identify individual students with such a small data sample.**

Point values are assigned to each indicator:

Size of vocational enrollment – OR –

Proportion of vocational students in race or gender disproportionate programs

Minority enrollment

Gender enrollment

Students with disabilities enrollment

Data Analysis Determination for Civil Rights Compliance

Total student enrollment for each sub-recipient establishes the baseline of comparison for remaining data elements. Student enrollment is delineated by System Code, District Name, and Total Enrollment. Enrollment is further defined by Male, Female, White, Black, and other Races.

Process

Step One: Total Vocational Enrollment is calculated as a percentage of the Total Student Enrollment (Grades 9-12). The state mean for vocational student enrollment is calculated annually. Sub-recipients are given five (5) points for each 10% of disparity between the sub-recipient's percent participation in vocational education and the state mean for participation.

Step Two: The percentage of total student enrollment (grades 9-12) by gender and race is compared to the total certificated staff by gender and race to determine parity. For each 10% of disparity, the sub-recipient receives five (5) points.

Step Three: The percentage of total student enrollment (grades 9-12) by gender is compared to the total vocational student enrollment by gender to determine parity. For each 10% of disparity, the sub-recipient receives five (5) points.

Step Four: The percentage of total student enrollment (grades 9-12) by race (Black, White, and Other Races) is compared to the total vocational student enrollment by race to determine parity. For each 10% of disparity, the sub-recipient receives five (5) points.

Step Five: The percentage of total student enrollment (grades 9-12) receiving special education services is compared to the total vocational student enrollment identified as students with disabilities to determine parity. For each 10% of disparity, the sub-recipient receives (5) points.

Step Six: The complaints filed with the U. S. Office for Civil Rights for each sub-recipient. Sub-recipients are assigned five (5) points for each complaint received.

Step Seven: The School Improvement Program process collects data and other information regarding compliance with civil rights laws and regulations. This data is reviewed and any sub-recipients receiving a concern for noncompliance with of these civil rights standards are assigned five (5) points for each instance.

Step Eight: The total number of vocational education programs offered by the sub-recipient is determined by the vocational education data system. This data will be used as a tiebreaker for sub-recipients having an equal number of points. The sub-recipient selected will be the one with the greater number of vocational education programs.

Question: What do I need to do, if my system is selected?

School districts selected for an onsite civil rights review of CTAE programs will be notified at least 30 days in advance of the review. The system superintendent will be the initial contact person. The notification will be either mailed or emailed to the school superintendent. Systems that have implemented a self assessment process according to guidance and materials provided by the CTAE review team should have in place the necessary documents and information.

PREPARATION FOR A COMPLIANCE REVIEW

It is suggested that school districts convene a team to develop a plan to reach compliance. These teams may include the school superintendent, CTAE supervisor, counselors, special education, and bilingual staff, parents, students, and school board members. This team should focus on compliance with federal requirements as listed below:

ADMINISTRATIVE

1. Recipients must take continuing steps to notify students, applicants, parents, employees, and unions or professional organizations that it does not discriminate based on race, color, national origin, sex or disability.
2. Prior to the beginning of the school year annually, recipient must advise students, parents, employees, and the general public that ALL CTAE program opportunities will be offered to all students regardless of race, color, national origin, sex or disability.
3. Each recipient must designate at least one qualified employee to coordinate its efforts to comply with and carry out its responsibilities under Section 504, Title II and Title IX. The recipient must notify students, staff, and the public of the name, address and phone number of designated employee(s).
4. A recipient shall adopt and publish a grievance procedure providing for prompt and equitable resolution of student and employee complaints alleging discrimination based on sex, race, color, national origin, or disability.

SITE LOCATION AND STUDENT ELIGIBILITY CRITERIA

1. A recipient may not select CTAE facilities building sites or renovations, residency requirements, student numerical limits, or other criteria that could result in disproportionately excluding students of certain race, color, national origin, sex or disability.

RECRUITMENT

1. Recruitment activities must not exclude individuals or limit opportunities based on sex, race, color, national origin, or disability.
2. Recruitment materials must not contain biased or stereotypical contents.
3. Recruiting teams should, to the extent possible, represent diverse populations.

4. Recipients must ensure that counselors can communicate with limited English proficient populations and persons with sensory impairments.
5. Recruitment materials must be available to communities of minority-language speakers in their languages.

ADMISSIONS

1. A recipient may not deny candidates admission to CTAE programs based on race, color, national origin, sex, or disability.
2. A recipient must avoid preadmission inquiries about marital, parental, pregnancy, or disability status.
3. Recipients may not deny access to any CTAE program to students with a disability on the basis that employment opportunities may be limited.
4. Recipients may not restrict admission to CTAE programs based on English language proficiency.
5. Recipients must have policies and procedures in place for identifying and serving limited English proficient students.

CAREER COUNSELING PROGRAMS

1. Counseling materials may not discriminate based on race, color, national origin, sex, or disability.
2. Counselors must not direct students into programs nor measure their prospects for success based on race, color, national origin, sex or disability.
3. Counselors may not direct students with disabilities toward more restrictive career objectives.
4. Recipients must ensure that disproportionate enrollments do not result from unlawful discrimination.

SERVICES FOR STUDENTS WITH DISABILITIES

1. No qualified person with a disability may be denied access to, or benefits from any course, program, service, or activity based on disability.
2. Related aids or adaptations must be available as necessary.
3. Recipients must identify, evaluate, and place students with disabilities through a process that includes persons knowledgeable about the student, as well as the student's parent or guardian.
4. Students with disabilities must be placed in the educational setting most appropriate for the student's individual needs.
5. Recipients must place students with disabilities according to the provision of Section 504
6. Tests of academic achievement must measure abilities and achievement rather than disability.

ACCESSIBILITY (See checklist for web access to UFAS and ADAAG standards; ANSI not available via the web)

1. Standards for construction initiated on or after 1/27/92 (ADAAG): Each facility or part of a facility, constructed by, on behalf of, or for the use of a recipient, is readily accessible and usable by persons with disabilities.

2. Standards for construction initiated or altered on or after 1/18/91 (UFAS): Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient, is readily accessible and usable by persons with disabilities.
3. Standards for existing facilities construction or alteration initiated before 6/4/1977 (ANSI): Facilities, when viewed in entirety, are readily accessible to disabled persons; programs or activities, when each part is viewed in its entirety, are readily accessible to disabled persons.
4. Standards for construction initiated or altered between 6/4/77 and 1/18/91: Each facility or part of a facility, constructed by, on behalf of, or for the use of a recipient, is readily accessible and usable by persons with disabilities.

COMPARABLE FACILITIES

1. Separate programs or facilities for students with disabilities must be comparable to those of students without disabilities
2. Changing rooms, showers, and other facilities and equipment for students of one sex or students with disabilities must be comparable to those of the other sex and to students without disabilities

WORK STUDY, COOPERATIVE EDUCATION, JOB PLACEMENT, APPRENTICESHIP TRAINING

1. Opportunities in work-study, cooperative education and job placement programs are available to all students, regardless of race, color, national origin, sex, or disability.
2. Recipients must assure that prospective employers do not discriminate based on race, color, national origin, sex or disability.
3. Recipients may not enter into agreements for apprenticeship training with any entity that discriminates based on race, color, national origin, sex, or disability.
4. Written agreements should include assurances of nondiscrimination.

EMPLOYMENT OF FACULTY AND STAFF

1. Employment practices may not discriminate based on race, color, national origin, sex or disability.
2. Employment practices may not result in segregation, exclusion, or other discrimination against students.
3. Recipients may not make pre-employment inquiries concerning disability, marital, or parental status.
4. All faculty sources must be notified of nondiscrimination policies.
5. Salary schedules must reflect conditions and responsibilities of employment.
6. All positions must be open to qualified candidates with reasonable accommodations provided.

Question: What will happen during the review process and after?

The review team will conduct an entrance meeting with school superintendent, CTAE supervisor and other staff. Afterwards the review team will review CTAE programs and facilities, examine the documents provided, interview staff and students, and conduct an exit meeting to discuss “findings”. Within 45 days, a Letter of Findings (LOF) will be mailed to the district superintendent and the CTAE supervisor. The local agency is required to produce a voluntary compliance plan (VCP) to correct all violations. The review team will assist the school(s) in resolving any violations within a reasonable period of time, in order to finalize the review process.

PRE-VISIT SET UP FOR A COMPLIANCE REVIEW

1. Inform all staff about the upcoming on-site compliance review to be conducted by staff of the Georgia Department of Education
2. Provide working space for review team including electrical outlet for computer access
3. Assemble the requested documentation for verification of compliance (see instructions #2 for document verification); evidence should be arranged in folders according to areas of investigation (labels provided).
4. Schedule interview with 6-8 students(should include students of color, LEP, disabled, dual diploma students, CTAE students and CP students, male and female); schedule interview with 6-8 parents; schedule interview with 4-6 CTAE instructors and 2 other instructors
5. Schedule interview with counselors, and 504, Title II and IX coordinators.
6. Interviews should be scheduled per your agenda (a suggested agenda is included). Possible points of discussion during the interview are listed below:
 - a) The notification of non-discrimination and grievance procedures
 - b) The language related support services provided to LEP students who are enrolled in CTAE program/courses
 - c) The support services provided to handicapped/special needs students in their CTAE program/courses.
 - d) The action taken to make the facilities and services accessible for disabled students and employees
 - e) The extent of counseling services for career preparation including disproportionate enrollment, evaluation of materials, resources and materials used in counseling and advisement
 - f) The extent of any analysis of enrollment patterns in CTAE programs
 - g) The extent of general and special recruitment efforts to encourage students to enroll in CTAE programs/classes, including visits to area schools, career days, brochures, procedures etc.

- h) The extent of any special efforts made to overcome any disproportionate male/female and/or minority enrollment of students in CTAE programs or to promote nontraditional participation
- i) The actions taken to ensure that financial aid awards are equitably distributed
- j) The actions taken to ensure the recruitment of instructors are equitable and reflect the race and color of the population
- k) The actions taken to ensure work-based learning programs are open to all students
- l) The actions taken to ensure that male and female facilities are equitable

DOCUMENTS REQUESTED FOR REVIEW

The following items should be compiled in a manila folder format with photocopies of the original documents or evidence. If nothing exists, please make that notation on a sheet of paper and insert in the appropriate folder. The folders should be numbered and in order as in this outline. These compiled documents will need to be retained by the compliance review team at the end of the site visit. Do not include full notebooks/handbooks/etc. unless requested to do so. A copy of the front page of the notebook/handbook/etc. and the specific section being addressed is usually sufficient. The review team chairperson will coordinate this.

I. Administrative Compliance

- a. Copy of the district Public Notice of Nondiscrimination (Annual) as published. (example: newspaper clipping)
- b. Copy of the Continuous Notice of Nondiscrimination as published in several documents. (provide at least 3 different documents)
- c. Identify the Section 504 Compliance Office (name, address, email, phone#)
- d. Identify the Title IX Compliance Officer (name, address, email, phone#)
- e. Provide copies of the district's nondiscrimination Board Policies on Title IX, Section 504, and Equal Employment Opportunity. (BOE policies)
- f. Provide copies of the district's Title IX/Section 504 *Grievance Policy and Complaint Procedures*. (BOE policies and procedures documents)

II Site Location and Student Eligibility

- a. Provide a copy of the Master Schedule
- b. Provide a campus map of each site offering CTAE instruction. (highlight and identify classrooms/labs)
- c. Identify on the campus map and on the checklist the date of construction (the day of ground breaking or date renovation was started) (not the date the school opened)

III Recruitment Issues

- a. Provide copies of any CTAE area recruiting materials, brochures, flyers, videos, power points and any other materials used in the promotion of CTAE. (provide original copies of these if available)

IV Admissions Issues

- a. Provide a copy of the Course Description Booklet if one is available
- b. Provide a copy of the Student Handbook (can also be used as documentation for continuous nondiscrimination notice, grievance policy and perhaps student eligibility) (put one original copy of handbook in one area then reference to it or photocopy sections from it as needed in other folders)

V Student Financial Assistance Issues

- a. Provide copies of scholarship announcements (all sources – flyers, bulletins, newspaper, morning announcements, etc.)
- b. Provide a list of local scholarship awards and identification of recipients: male/female, race and national origin (LEP). (Need up to three years of information on this.)

VI Counseling Issues

- a. Provide documentation of any language related support services provided LEP students (all that the system provides from any source – don't just list them, provide supporting evidence)
- b. Provide written overview of the guidance process/procedures to promote educational and career planning and CTAE programs; and include the goals, objectives and activities to address the needs of special populations in the school/district guidance plan
- c. Provide copies of all career assessments used with students and timeline for their administration
- d. Provide copies of career-related brochures, newsletters, flyers from the counseling department, etc.

VII Services for Student with Disabilities

- a. Provide copies of the process and materials used to identify handicapped/special needs students (if personal records are copied, blacken the name of the student)
- b. Identify the supplementary aids and services provided to handicapped/special needs students (all that are available for use)
- c. Identify any physical accessibility concerns campus wide including the parking areas and advise us of those concerns (this is your perceptions)

VIII 504/ADA Accessibility Issues

- a. OCR Team MUST have the original construction start dates for existing facilities and MUST have construction start dates for any addition or renovation to the facility.
- b. See Checklist # 3 which follows this section.

IX Comparable Facilities Issues (N/A observation of the facilities by the compliance team.

X Work Study/Apprenticeship

- a. Identify (brief description) the process for admission to all WBL Programs (how does a student get information about this program and go through the admission process)
- b. Provide copies of any WBL Training Applications
- c. Provide copies of any Employer Training Agreements
- d. Provide enrollment data: male/female, LEP, Disable, Black/White/Hispanic (for the entire program)

XI Employment Issues

- a. Provide copies of Job Postings for recent Certified and Classified staff position (original copies or photocopies of advertisements and where posted are preferred)
- b. Provide copies of position recruitment advertisements place in newspapers, periodicals etc.
- c. Provide copies of all Employment Application forms (system wide)
- d. Provide a list of organizations/agencies where Job Announcements appear
- e. Provide a copy of the District Affirmative Plan (if available)
- f. Provide copies of District staff recruiting materials (originals or photocopies)
- g. Provide a description of the process used to screen employment applications (this can be a policy statement or procedures that are endorsed by the system)
- h. Provide a copy of the Staff Handbook (make a copy of the front page and contents section for our retained records)
- i. Provide a listing of all sources of staff recruitment (identify teacher training institutions, personnel services, etc.)
- j. Provide a description of District recruitment efforts (what do you do to advertise and fill a vacancy)

Question: What facilities will be reviewed?

The review team will review all CTAE instructional programs, as well as areas where students participate in general programs of instruction. The purpose is to assure that CTAE programs and activities are accessible to, and usable by, persons with disabilities, and that equal educational opportunity is provided. The review may include libraries, cafeterias, resource rooms, counseling and administrative offices, lavatories, parking areas, building entrances, hallways, as well as CTAE program areas and other areas as determined. The review will typically NOT include academic classrooms. Please note that the federal financial assistance is not limited to receipt of Carl Perkins funding. It includes any funding from the U. S. Department of Education.

CHECKLIST FOR COMMON ACCESSIBILITY GUIDELINES:

The obligation of program accessibility guidelines apply even if there are no individuals with disabilities known to live in the service area or to participate in the school district's programs, services, or activities. The absence of individuals with disabilities cannot be used as a test of whether programs or activities should be made accessible. This document should be completed and returned to the compliance team on the day of the review along with the other documents requested.

All agencies are responsible for compliance with Section 504. Applicable accessibility standards are determined by the date the facility was constructed or last renovated, as follows (ANSI, UFAS, and ADAAG standards documents will be provided at your request):

- ◆ Existing facilities/Section 504 (34 CFR, 104.22) – construction or alteration initiated before 6/4/77
- ◆ New construction/Section 504 (34 CFR 104.23) – construction or alteration initiated between 6/4/77 and 1/17/91. Facilities follow American National Standards Institute, Inc. (ANSI) A117.1-1961 (R1971)
- ◆ New construction/Section 504 (34 CFR 104.23) – construction or alteration initiated on or after 1/18/91. Facilities follow the Uniform Federal Accessibility Standards (UFAS) Appendix A to 41 CFR subparts 101-19.6 (UFAS can be found <http://www.access-board.gov/ufas/ufas-html/ufas.htm>) and <http://www.access-board.gov/ufas/ufas-html/figures.htm>)
- ◆ New construction/Americans with Disabilities Act Title II (28 CFR 35.151) – construction or alteration initiated on or after 1/27/92 – Facilities follow Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG can be found at Appendix A to 34 CFR Part 36, or may elect to follow UFAS Appendix A to 41 CFR subpart 101-19.6 at (<http://www.access-board.gov/adaag/html/adaag.htm> and <http://www.access-by-design.com/adaag/group12.htm>))

This checklist provides a framework for your appraisal of common problems or violations that may exist in your local schools regarding access and modifications as described by the Americans with Disabilities Act, and guidelines published by the U.S. Education Department Office for Civil Rights (for facilities constructed after 1/27/92)

BUILDING ACCESS

- Parking spaces(s) are designated and located near building/events for disabled individuals
- Parking space allocation for individuals with disabilities meets ADA guidelines (96" wide with a 60"/96" access aisle).
- There is a "drop off" zone near the building entrance
- The gradient/slope from parking to building does not exceed 1:12
- Entrance door handle has a lever handle that is easy to grasp
- The entrance door has clear opening at least 32".
- The door opens easily with less than 8.5 pounds of pressure
- There is adequate signage to direct visitors and clients to program areas
- Accessible facilities are identified

BUILDING CORRIDOR

- The floor surface of the travel path is hard and not slippery
- The path of travel is wide enough (36") for wheelchairs
- Obstacles (telephone, fountains, etc) protrudes less than 4" into the corridor
- Elevator controls are low enough (54") to be reached from a wheelchair
- Elevator markings are in Braille
- Elevators provide audible signals
- Elevator interiors provide a turning area of 51" for wheelchairs

COMMON AREAS

- Main office service counter has an area lowered for ADA accessibility
- Elevators are located within proximity to accessible travel path
- Food service counters (lunchroom counters, student store counters, etc) have areas lowered for ADA accessibility
- All play fields are ADA accessible
- All routes of travel to building and play and sports fields are ADA accessible
- Gymnasium seating area is ADA accessible
- Library service counters have an area lowered for ADA accessibility
- Drinking fountains are ADA accessible
- There are exit signs and horn strobes for emergency and fire safety
- All ramps have safety rails
- Ramps have a slope of 1 to 33

RESTROOMS

- _____ Accessible restrooms are near the building entrance or program areas, on each floor
- _____ Doors have lever handles
- _____ Doors into restrooms are at least 32" wide
- _____ Restroom is large enough for wheelchair turnaround (60" minimum)
- _____ Staff doors are a minimum of 32" wide
- _____ Grab bars are provided behind commode
- _____ Sinks are at least 30" high with room for a wheelchair to roll under.
- _____ Soap and towel dispensers and mirrors are no more than 48" from the floor
- _____ There is a urinal placed no more than 15-17" above the floor

PROGRAM ACCESS

- _____ CTAE labs have station(s) modified to accommodate individuals with disabilities
- _____ Libraries are ADA accessible, including book check-out areas
- _____ Music rooms are accessible without physical restriction
- _____ Instruction areas are ADA accessible
- _____ Elevated areas are ADA accessible
- _____ Sunken or sloped areas are ADA accessible
- _____ Computer labs have ADA accessible station(s)
- _____ Entrance doors have weight/lever handles with a width of 32" wide
- _____ Gym locker rooms have ADA accessible showers, dressing areas, and lockers
- _____ Greenhouse has accessible route of travel, modified work space, door entrance, accessible equipment and tools, and at least one work space with a firm non-graveled floor.
- _____ Drafting classroom has adjustable tables and appropriate work space
- _____ AG and T & I classrooms have adjustable tables/work space
- _____ Theaters/Auditoriums have accessible, designated seating areas
- _____ Family and Consumer Science lab has accessible counters, work areas, sink, refrigerator are accessible. Oven range has front controls.
- _____ There is sound equipment in the gym/theater for hearing impaired individuals
- _____ Doorways to program areas are a minimum of 32" wide
- _____ Interior doors are easy to open
- _____ Doorway thresholds are no more than ½" high
- _____ The travel path between tables, desk, and furniture is wide enough for wheelchairs

ELEVATORS

- _____ There is a clear door opening of at least 32"
- _____ There is adequate maneuvering space for wheelchairs
- _____ Top elevator numbers are placed between 48"-54" from the floor
- _____ Floor numbers and other information items are raised or in Braille for blind persons

- _____ There is railing in the elevator cab
- _____ Elevator stops exactly at the floor level

PARKING

- _____ Parking spaces are reserved for individuals with disabilities
- _____ Reserved spaces are at least 12 feet long by 6 feet wide
- _____ There is a ramp, if necessary, between reserved parking space and the building

CURBS, RAMPS, WALKS

- _____ Do all the ramps have an edge no higher than ½ inch?
- _____ Do these ramps have no more than 1:12 maximum slope?
- _____ Are ramps at least 40 inches wide?
- _____ Are handrails placed on each side of the ramp?
- _____ Are walkways at least 48 inches wide?
- _____ Are walkways clear of debris and/or hazardous objects?
- _____ Are outside steps and travel paths protected from inclement weather?

OTHER

- _____ There is 29-30" of space for wheelchair users' knee clearance under water fountains
- _____ The water fountain spout is no more than 34" high
- _____ The water fountain structure is recessed into the wall to avoid hazard to blind persons.
- _____ Signs and directions are raised or in Braille lettering to give directions for blind persons
- _____ These signs are no more than 4'6" – 5'6" above the floor

FY10 OCR Compliance Review Self Assessment

Completed by: _
Date Completed: _
System: _

Instructions: Please complete this document and return to dclarke@doe.k12.ga.us as soon as possible and/or no later than one week prior to your scheduled on-site OCR Compliance Review. You should complete this document before you start to assemble your OCR compliance visit exhibits – many of the items needed to respond to this assessment will be used as exhibits. This is a WORD document and should be completed and submitted electronically. Do not be concerned with the page shifting as you enter information. This format will allow the review team to review pertinent information prior to the on-site visit and during the writing of the Letter of Findings report, thus expediting the review process. If you have any questions, please contact Dennis Clarke at 770-500-2029 or at the above email address. THANKS.

A. ADMINISTRATIVE ISSUES

Recipients need to have certain basic requirements in place to comply with the OCR Guidelines, Title II, Title VI, Title IX, and section 504. These basic procedures include an annual public school notice, continuous notification, designation of a person(s) to coordinate activities under Title II, Title IX, and Section 504 and a grievance procedure that will allow students, parents and employees at the elementary and secondary level an avenue through which to report and manage alleged discrimination. The district must provide adequate evidence that it takes continuing steps to notify participants, beneficiaries, applicants, elementary and secondary school parents, employees (including those with impaired vision or hearing), and unions or all appropriate professional organizations that it does not discriminate on the basis of race, color, national origin, sex or disability.

1. Continuous Nondiscrimination Notice (Title IX; 34 CFR 106.9, Section 504: 34 CFR 104.8)

- a. The district has and uses a Nondiscrimination Notice. Yes ___ No ___.
- b. All protected groups (race, color, national origin, sex or disability) are included in the nondiscrimination notice. Yes ___ No ___.
- c. List 7 different locations (i.e. BOE manual, website) or documents (i.e. student or teacher handbooks) where this notice can be found. Note page numbers of documents. ___

2. Persons Responsible for Coordinating Title IX and Section 504 (Title IX: 34 CFR 106.8, Section 504:34 CFR 104.7(a))

- a. Name and contact information of each employee of the district designated to coordinate district efforts to comply with and carry out district responsibilities under

Title II:

Title IX:

Section 504:

- b. Does the district provide students and employees the name, office address and phone number of the designated coordinators for Title II, Title IX, and Section 504? Yes ___ No ___.
- c. List all instances where or how this information is provided to employees, students and others. _____

3. Annual Public Notification (Title IX:34 CFR 106.8(b), Section 504:34 CFR 104.7(a), Title II:28 CFR.107(a), Guidelines IV-O)

Prior to the beginning of each school year, the district must advise students, parents, employees and the general public that all career and technical education classes and programs are offered regardless of race, color, national origin, sex or disability.

- a. The district published an annual nondiscrimination statement to advise students, parents, employees and the general public that all career and technical education classes and programs are offered regardless of race, color, national origin, sex or disability. Yes ___ No ___.
- b. Identify the publication document or source used. _____
- c. The notice(s) include a brief summary of program offerings, admission criteria, and the name, office address, and phone number of persons designated to coordinate compliance under Title II, Section 504, and Title IX. Yes ___ No ___.
- d. If your answer is No, note what was missing? _____

4. Grievance Procedure (Section 504:34 CFR 104.7(b), Title IX:34 CFR 106.8(b),

Title II: 28 CFR 35.107(b))

- a. Does the district have a board-approved grievance procedure that provides for prompt and equitable resolution of student and employee complaints alleging any discrimination based on sex or disability? Yes ___ No ___.
- b. Site the BOE policy number concerning your district's grievance procedures. _____
- c. Identify the resources (i.e. handbooks, website, bulletin boards, etc.) used by the district to provide students and employees with access to and notification of its board-approved grievance procedure. _____

B. SITE LOCATIONS AND STUDENT ELIGIBILITY CRITERIA ISSUES

Standards established for 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 and technical education facilities, geographic residence requirements, numerical limits for students from schools of origin, addition to existing career and 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 (Guidelines IV-A)

- a. Identify the BOE policy number for the district's student admission eligibility criteria. ____
- b. Do the district's student admission eligibility criteria create the potential for discrimination on the basis of race, color, national origin, sex or disability? Yes ____ No ____.
- c. If your answer is Yes, how do the system's admission eligibility criteria create the potential for discrimination? ____

b. Site Selection and Modifications (Guidelines IV-B, Guidelines IV-D)

District policies procedures and outcomes ensure that additions, modifications, or renovations to the physical plan of any school facility do not create, maintain, or increase segregation on the basis of race, color, national origin, sex or disability.

- a. Does the district have policies and procedures to ensure that additions, modifications, or renovations to the physical plan of any school facility do not create, maintain, or increase segregation on the basis of race, color, national origin, sex or disability?
Yes ____ No ____.
- b. Site the system's BOE policy number that addresses the policies and procedures that ensure that additions, modifications, or renovations to the physical plan of any school facility do not create, maintain, or increase segregation on the basis of race, color, national origin, sex or disability. ____
- c. Are the district's career and technical education facilities at sites that are readily accessible to both minority and non-minority communities and that do not tend to identify the facility or program as designed for minority or non-minority students?
Yes ____ No ____.

c. Residency (Guidelines IV-C)

- a. Does the district establish, approve, or maintain geographic boundaries that unlawfully exclude students on the basis of race, color or national origin? Yes ____ No ____.
- b. If your answer is Yes, explain: ____

C. RECRUITMENT ISSUES

Recruitment activities and materials should convey the message that all career and technical education 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, gender, and disabilities.

1. Recruitment Activities (Title IX: 34 CFR 106.23 (a) (b) Guidelines V-C)

- a. Does the district conduct recruitment activities so as not to exclude or limit opportunities on the basis of race, color, national origin, sex or disability? Yes ___ No ___.
 - b. List at least three recently conducted recruitment activities for CTAE programs.
-

2. Recruitment Materials (Guidelines V-C)

- a. Do the district's policy, procedures and /or practices for selecting and using recruitment materials ensure that career and occupational opportunities are not limited on the basis of race, color, national origin, sex or disability? Yes ___ No ___.
- b. List the policies, procedures and /or practices used for selecting and using recruitment materials to ensure this. ___
- c. Are the district's recruitment materials (brochures, public address system announcements, posters, bulletin boards, etc.) including those with descriptions of career and occupational opportunities, limiting on the basis of race, color, national origin, sex or disability? Yes ___ No ___.
- d. Explain your answer to c. ___
- e. Are the district student, teacher or counselor teams who are involved in the recruitment process and provide information about opportunities and courses representative of the diversity of the student and community populations? Yes ___ No ___.
- f. If your answer to e is No, please explain. ___

3. Counselor Communication (Guidelines V-D)

- a. Does the district have policies, procedures and outcomes that ensure counselors can effectively communicate with students who are limited English proficient and also with students who are sensory impaired? Yes ___ No ___.
- b. Identify the district policies, procedures and outcomes which ensure that counselors can effectively communicate with students who are limited English proficient and also with students who are sensory impaired. ___

4. Promotional Efforts (Guidelines V-E)

- a. Identify evidence to support that the district provides promotional materials and efforts that do not create or perpetuate stereotypes or limitations based on race, color, national origin, sex or disability. ___
- b. Does the district have an identified procedure and staff responsible to regularly evaluate whether promotional materials and efforts create or perpetuate stereotypes or limitations based on race, color, national origin, sex or disability? Yes ___ No ___.
- c. Explain your answer to b: ___

5. Community of Persons of Limited English Proficiency (Guidelines V-E)

- A. Does the district serve a community (must be 5% or more of your population) of persons with limited English proficiency at this time? Yes ___ No ___.
- B. If Yes, identify the race. ___
- C. Has the district taken adequate steps to provide information to LEP parents, students and community members in their own language or through other alternative means to ensure that all students have equal access to and support to be successful in school? Yes ___ No ___. If Yes, identify all steps taken.

D. ADMISSIONS ISSUES

Admission policies, procedures and criteria may not exclude students from career and technical education 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 or sex or persons with disabilities, the criteria should be validated as essential to success in the program. Preadmission inquiries about marital, parental or disability status should be avoided.

1. Admission Criteria – Race, Color, National Origin, Sex or Disability (Guidelines IV-K)

- a. Do the district’s admission criteria exclude persons of a particular race, color, national origin, sex or disability from participating in career and technical education classes and programs? Yes ___ No ___.
- b. Identify 3 district / school sources where the admissions criteria are noted / published. Reference page numbers in documents. ___

2. Admission Criteria – Marital, Parental, or Disability Status (Title IX:34 CFR 106.21 (c), Section 504: 34 CFR 104.42 (b) (4), Title II 28 CFR 35)

- a. Does the district include information about marital, parental, or disability status in its course and/or program eligibility and admission criteria? Yes ___ No ___.

3. Admission Criteria - Employment Opportunities Based on Disability (Section 504:34 CFR 104.10, Section 504: 34 CFR 104.43(c), Guidelines Iv-N)

- a. Does the district provide access to career and technical education, and academic programs or courses to students with a disability despite general perceptions that employment opportunities in an occupation may be more limited for disabled persons than for non-disabled persons? Yes ___ No ___.

4. Admission Criteria – Limited Language Skills (Guidelines IV-L)

- a. Does the district serve a community (5% or more of your population) of persons with limited English proficiency at this time? Yes ___ No ___.
- b. If your answer is Yes, what is the language(s)? ___
- c. Does your system, at both the elementary and secondary level, use a standardized method of identifying students with limited English language proficiency? Yes ___ No ___.
- d. If your answer is Yes, what system is used? ___

- e. Are district students with limited English language proficiency more restricted from admission and participation in career and technical education programs and courses than are students whose primary language is English? Yes ___ No ___.
- f. Does the district use a standardized method to assess the ability of students with limited English proficiency to participate in career and technical education? Yes ___ No ___.
- g. What method is used? ___
- h. Does the district provide accommodations necessary for students with limited English proficiency to participate in and benefit from all career and technical programs? Yes ___ No ___.

E. STUDENT 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 district’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 which require that awards go to a student of a particular sex, race, or national origin, or with a student 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. To meet this requirement, a district must implement a review process and keep records for no less than 5 years.

1. Availability to All Students (Title VI: 34CFR 100.3(b), Title IX: CFR 106.37, Section 504:34 CFR 104.46(a), Guidelines VI-B)

- a. Does the district employ a process for providing information about and awarding financial assistance that ensures it is available to all students regardless of sex, race, color, national origin, or disability? Yes ___ No ___.
- b. If your answer is Yes, explain the process: ___

2. Sex-restricted Awards (Title IX:34 CFR 106.37, Guidelines VI-B)

- a. Does the district offer any sex-restricted awards? Yes ___ No ___.
- b. If your answer is Yes, what awards and why: ___
- c. If your answer was Yes to #2 above, does the district ensure that any sex-restricted awards are made only when established by will, trust, bequest, or other legal instrument? Yes ___ No ___.
- d. Does the district regularly review their awards process to ensure that the overall effect of the awards does not discriminate on the basis of sex? Yes ___ No ___.

3. Assistance for National Origin Minority Persons (Guidelines VI-B)

- a. Does the district serve a community (5% or more of your population) of persons with limited English proficiency at this time? Yes ___ No ___.

- b. If your answer is Yes, what other languages? ____
- c. Does the district provide information about financial assistance to national origin minority persons in their native language? Yes ____ No ____.

F. COUNSELING ISSUES

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.

1. Counseling Materials and Activities – Overall (Title IX: 34 CFR 106.21 (a)(b), Title IX:34 CFR 106.36 (a), Title IX: 34 CFR 106.34, Section 504: 34 CFR104.4 (a), and 104.34 (a) and (c), Section 504: 34 CFR 104.47 (b), Title II: 28 CFR 35.130, Guidelines V-A)

- a. Does the district regularly review their counseling materials and activities (including student course and /or program selection and career/employment selection), promotional and recruitment efforts to ensure that the do not discriminate on the basis of race, color, national origin, sex, or disability? Yes ____ No ____.
- b. If your answer is Yes, explain the process: ____

2. Course and Program Selection Process – All Students (Title IX: 34 CFR 106.34, Section 504:34 CFR 104.47 (b), Guidelines V-B)

- a. Do the district’s guidance counselors employ a course and/or program selection process that ensures choices are not made based on the student’s race, color, national origin, sex or disability? Yes ____ No ____.
- b. If your answer is No, how do you ensure that choices are made without regard to the student’s race, color, national origin, sex or disability? ____
- c. Do the district’s guidance counselors routinely evaluate the district process and their own practices to maintain an unbiased approach? Yes ____ No ____.
- d. If your answer is Yes, how is this done? ____

3. Counseling Materials and Activities – Students with Disabilities (Section 504:34 CFR 104.37 (b), Guidelines V-B)

- a. Does the district regularly review its counseling materials and activities (including student course and/or program selection and career/employment selection), promotional, and recruitment efforts to ensure that they do not discriminate on the basis of disability? Yes ____ No ____.

4. Disproportionate Enrollments (Title IX: 34 CFR 106.36 Guidelines V-B)

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

- a. Does the district annually identify courses with disproportionate enrollments, take steps to identify the reason for the disproportion, and implement strategies to balance the enrollment in future years? Yes ___ No ___.
- b. If your answer is Yes, explain your process: ___
- c. Do the guidance counselors routinely evaluate their own practices to ensure that they do not contribute to any disproportion in enrollment patterns? Yes ___ No ___.
- d. If your answer is Yes, explain what is done. ___

G. 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, 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 on the premise that students with disabilities will be integrated with their non-disabled peers as much as possible.

1. Non Discrimination for Students with Disabilities (Section 504: 34 CFR 104.4 (a), Title II: 28 CFR 35.130 (a), Guidelines IV-N)

- a. Explain how the district ensures that 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. Reference any appropriate policies, procedures and outcomes. ___
- b. Have any students with disabilities been excluded from academic or career and technical education programs, courses, services, or activities due to equipment barriers or because necessary related aids were not available? Yes ___ No ___.
- c. If your answer to b is Yes, explain: ___

2. Provision of Elementary and Secondary 504 Services (Section 504: 34 CFR 104.33,35, and 36)

- a. Do the district policies, procedures and outcomes ensure that a free, appropriate public education (FAPE) is available to each qualified disabled person in its jurisdiction? Yes ___ No ___.
- b. Explain your answer to a above: ___
- c. Explain the district's system that is in place for the identification of disabled persons, the evaluation of disabled persons, and the educational placement of disabled persons. ___
- d. Are placement decisions made by a group of persons knowledgeable about the child, the meaning of evaluation and data, and placement options? Yes ___ No ___.
- e. Explain the district's procedural safeguards through which parents or guardians can obtain an impartial review of the evaluation and placement actions. ___

3. **Supplementary Aids, Services and Support (Section 504: 34 CFR 104.34 (a) (b), Title II: 28 CFR 35.139 (d) Guidelines VI-A)**
 - a. Identify and explain the district's policies, procedures and outcomes to ensure that disabled secondary students are placed, with the use of supplementary aids and services, in the regular educational environment of any career and technical education, academic, physical education, athletic, or other school program or activity. ____

- d. **Free and Appropriate Education (FAPE) – Career and Technical Education (Section 504:34 CFR 104.35 (a), Guidelines VI-A)**
 - a. Identify and explain the district's policies, procedures and outcomes to ensure that secondary students with disabilities are placed in a career and technical education program only when the 504 FAPE requirements for evaluation, placement, and procedural safeguards have been satisfied. ____

H. 504/ADA Accessibility Issues

The 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. Applicable accessibility standards are determined by the date the facility was constructed or last renovated by the institution.

Existing Facilities/Section 504 (34 CFR, 104.22) – construction or alteration initiated before 6.4.77 – “readily accessible” - 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.

New Construction/Section 504 (34 CFR 104.23) – construction or alteration initiated between 6/4/77 and 1/1791 – ANSI A117.1-1961 (R1971) – 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 a manner that the facility or part of the facility is readily accessible to and useable 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. (prior to January 18, 1991 amendment)

New Construction/Section 504 (34 CFR 104.23 and Title II: 28 CFR 35.151) – construction or alteration initiated on or after 1/18/91 – UFAS – 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 a 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 subparts 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.

New Construction/ADA (28 CFR 35.151) – construction or alteration initiated on or after 1/27/92 – 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 a manner that the facility or part of the facility is readily accessible to and useable by persons with disabilities. Conformance with either ADAAG or UFAS is acceptable.

1. Provide a composite floor plan of each secondary school in the district.
2. On each floor plan, mark the “start date of construction” for the original school. Note that this date is not the date the school opened, but the date when construction began.
3. On the same floor plan, circle any areas and write in the start date of construction for any area(s) that has been modified since the original school was built.
4. On the same floor plan, circle any areas and write in the start date of construction for any area(s) that has been added since the original school was built.
5. On the same floor plan, highlight and identify by name all CTAE labs.

I. COMPARABLE FACILITIES ISSUES

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 on one sex should be similar in quality and convenience to 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. LEP/ELL program facilities should be comparable to those for non-LEP students.

1. Separate Programs or Facilities (Section 504: 34 CFR 104.34 (c), Guidelines VI-A)

- a. Do separate programs or facilities exist for students with disabilities? Yes ___ No ___.
- b. If your answer is Yes, identify these: ___
- c. Are these separate programs or facilities comparable to those for students without disabilities? Yes ___ No ___.
- d. Do separate programs or facilities exist for LEP students? Yes ___ No ___.
- e. If your answer is Yes, identify these: ___
- f. Are these separate programs or facilities comparable to those who are fully English proficient? Yes ___ No ___.
- g. If separate programs exist for students of one sex, they must meet the requirements of Title IX of the Education Amendments of 1972. Do separate programs exist for students of one sex? Yes ___ No ___.
- h. If your answer was Yes, identify these: ___

2. Changing Rooms, Showers and Other Facilities (Title IX: 34 CFR 106.33, Section 504:34 CFR 104.4 (b) (ii), Guidelines VI-D)

- a. Are the changing rooms, showers, and other facilities for students of one sex comparable to those provided to students of the other sex? Yes ___ No ___.

- b. Are changing rooms, showers, and other facilities for students with disabilities comparable to those provided to students without disabilities? Yes ___ No ___.

J. WORK STUDY COOPERATIVE EDUCATION, JOB PLACEMENT, AND APPRENTICE TRAINING ISSUES

An agency not only has the responsibility to provide its services in a nondiscriminatory manner, but it also has the responsibility not to contribute to or support discriminatory practices by non-school organizations that provide employment or workplace learning sites. Assignments cannot be made or withheld in work-based learning programs simply because of sex, race, national origin or disability of the student. It is also illegal to cooperate with an employer who requests that school refer or identify 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 staff indicates that they will not discriminate and that they understand the school or consortium cannot work with any provider that does. It is necessary to regularly review these written agreements, the assignments of students presently in such programs, and the placement process to see whether any segregated or restrictive patterns exist.

1. Work-Based Learning Opportunities (Title VI: 34 CFR 100.3 (b), Title IX: 34 CFR 106.31 (d), Section 504: 34 CFR 104.4 (b), Guidelines VII-A)

- a. Does the district independently operate a work-based learning program? Yes ___ No ___.
- b. If your answer is Yes, do the criteria used for selecting and placing students in work study, cooperative education, and work-based learning programs ensure that opportunities are available to all students regardless of race, color, national origin, sex, or disability? Yes ___ No ___.
- c. If your answer is No, explain: ___

2. Partnering Employers and Prospective Employers (Title VI: 34 CFR 100.3 (b), Title IX: 34 CFR 106.38, Section 504: 34 CFR 104.46 (b), Guidelines VII-A)

- a. Are there processes and practices established by the district to ensure that partnering employers and prospective employers do not discriminate on the basis of race, color, national origin, sex, or disability in recruitment, hiring/firing, placement, assignment of work tasks, hours of employment, levels of responsibility, and pay? Yes ___ No ___.
- b. Who developed these processes and practices? ___
- c. Does the district monitor and keep records of the employment practices of partnering employers and prospective employers to ensure that they do not discriminate against students on the basis of race, color, national origin, sex, or disability in recruitment, hiring/firing, placement, assignment of work tasks, hours of employment, levels of responsibility and pay? Yes ___ No ___.
- d. Are written agreements used to ensure that employers and prospective employers do not discriminate against students on the basis of race, color, national origin,

- sex, or disability in recruitment, hiring/firing, placement, assignment of work tasks, hours of employment, levels of responsibility, and pay? Yes ___ No ___.
- e. If your answer is Yes, do the written agreements used contain a nondiscrimination statement which is adequate in the assurance of nondiscrimination? Yes ___ No ___.

K. APPRENTICESHIP TRAINING PROGRAM ISSUES

In the same way that a partnering employer may not discriminate and the educational agency may not provide assistance to any that do not discriminate, it also has the responsibility to ensure that entities sponsoring apprenticeship programs such as unions do not discriminate. 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. However, if no agreement is used, the sponsoring entity must have nondiscrimination policies and complain procedures in place.

1. Apprentice Training Program Employers (Title VI: 34 CFR 100.3 (c), Title IX: 34 CFR 106.31 (d), Section 504: 34 CFR 104.11 (a), (4), Guidelines VII-A)

- a. Does the district operate an apprenticeship program? Yes ___ No ___.
- b. Do the established district processes, practices and outcomes ensure that apprenticeship training program employers and prospective employers do not discriminate against students on the basis of race, color, national origin, sex or disability? Yes ___ No ___.
- c. If your answer is Yes, explain how: ___
- d. Does the district monitor the employment practices of apprentice training program employers and prospective employers to ensure that they do not discriminate on the basis of race, color, national origin, sex or disability? Yes ___ No ___.
- e. If your answer is Yes, explain what you do: ___

2. Written Agreements Contain Assurance of Nondiscrimination (Guidelines VII-A)

- a. Do the district's written agreements ensure that employers and prospective employers do not discriminate on the basis of race, color, national origin, sex or disability in recruitment, hiring, placement, assignment of work tasks, hours of employment, levels of responsibility, and pay? Yes ___ No ___.
- b. Do the written agreements used contain a nondiscrimination statement that is adequate in the assurance of nondiscrimination.

L. 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. This requirement covers hiring and firing, recruitment and selection matters, compensation, promotion, reasonable accommodation, and affirmative action to overcome the effects of past discrimination.

1. Notification to Faculty and Staff (Guidelines VIII-B)

- a. Does the district have policies, procedures and outcomes to ensure nondiscrimination in employment for current and potential employees? Yes ___ No ___.
- b. If your answer is Yes, identify where these policies, procedures and outcomes are located: ___
- c. Do the district policies, procedures and outcomes apply to each of the protected group categories? Yes ___ No ___.
- d. Do all negotiated agreements with staff contain a nondiscrimination statement? Yes ___ No ___.
- e. Identify how the district takes continuing steps to notify every source of faculty or staff that it does not discriminate on the basis of race, color, national origin, sex or disability? List 3 ways: ___

2. Salary, Scales and Other Benefits of Employment (Title IX: 34 CFR 106.54, Section 504: 34 CFR 104.11 and 12, Guidelines VIII-D)

- a. Are the negotiated agreements for faculty and staff that pertain to salary and other benefits of employment established without regard to race, color, national origin, sex or disability? Yes ___ No ___.

3. Equal Employment Opportunities for Disabled Persons (Section 504:34 CFR 104.12, Guidelines VIII-E)

- a. Do the district's policies and procedures specifically address the way in which it provides equal employment opportunities for disabled persons? Yes ___ No ___.
- b. Reference the specific policies and procedures (and their locations) that address the way in which the district provides equal employment opportunities for disabled persons. ___
- c. Does the district provide equal employment opportunities to disabled persons and employees by making reasonable accommodations for physical or mental limitations? Yes ___ No ___.
- d. If your answer is No, explain why. ___

Thank you for completing this OCR Compliance Review Self Assessment. The information that you have provided will allow the team to better prepare for our on-site visit and the completion of the Letter of Findings for your system. Again, THANKS.

Suggested Format for Educational Program and/or Facilities Access
Georgia Department of Education, CTAE Division Voluntary Compliance Plan
(VCP)

dclarke@doe.k12.ga.us

770-500-2029

DATE

SCHOOL DISTRICT NAME/NUMBER

*SUPERINTENDENT (signature)

E-MAIL

*SUPERINTENDENT (print name)

TELEPHONE#

FAX#

VIOLATIONS	CORRECTIVE ACTION	PERSON RESPONSIBLE	DATE TO INITIATE	VERIFICATION (pictures, meeting minutes, publications, invoices, materials)Note who completed and the date of verification.	TARGET COMPLETION DATE

***NOTE:** A HARD copy must be mailed via U.S. Mail to GDOE, 1752 Twin Towers East, 205 Jesse Hill Jr. Dr. SE, Atlanta, GA 30334 with the Superintendent’s signature (plan will not be accepted without the Superintendent’s signature.)

[SAMPLE OCR REVIEW AGENDA]

_____ School System
_____ Address (School or System Site)
_____ Date of Visit

OCR Review Agenda

8:45 – 9:00	Refreshments OCR Team Arrival (Names of Team Members)
9:00 – 9:15	Welcome and Introductions CTAE Supervisor/Director OCR Review Chairperson
9:15 – 9:30	CTAE Program Overview CTAE Supervisor/Director
9:30 – 9:45	Instructions to Review Team Members OCR Review Chairperson
9:45 – 1:15	Concurrent Activities (Accessibility Walk Through, Documentation Review and Group Interviews)
9:45 – 10:30	Interview Group - Parents
10:30 – 11:15	Interview Group - Students
11:15 – 12:00	Interview Group - Teachers
12:00 – 12:30	Lunch
12:30 – 1:15	Interview Group – Counselors/Administ.
1:15 – 2:30	Team Compiles Written Reports
2:30 – 3:00	OCR Team Discussion
3:00 – 3:30	Exit Report (brief informal report) OCR Review Chairperson School Administrators, CTAE Supervisor/Director, Superintendent, etc.
3:30	Adjourn

Narrative Timeline for the Office for Civil Rights (OCR) Compliance Review Process

1. Systems to be reviewed are identified in late spring/early summer by GaDOE OCR MOA Coordinator. The federally-approved OCR targeting plan for Georgia establishes the procedures by which systems are chosen for on-site compliance reviews.
2. Systems superintendents will receive notification (either mailed letter or email) in early fall. The notification will come from the state Career, Technical and Agricultural Education (CTAE) Director. Copies of planning documents will be provided as attachments or referenced to the CTAE web site. The date for the on-site review will coincide with the system CTAE Program Review.
3. System will identify their contact person for coordinating the on-site review for the system.
4. During the summer and/or early fall – prior to the start of the on-site reviews for each fiscal year – professional development opportunities in the form of summer workshops or “Elluminate” (on line) presentations will be available to prepare system personnel for the on-site compliance review visit.
5. System will complete a self-assessment instrument. This self-assessment document will be forwarded to the state OCR MOA Coordinator at least 30 days prior to the scheduled on-site review date. This process will help to identify system-level documents/evidence needed to meet exhibit requirements.
6. System team will compile an identified set of documents (exhibits) for use by the on-site review team.
7. System will develop an agenda for the on-site review. Identified groups to be interviewed by the OCR Review Team will be selected and participants notified by the system contact.
8. During the entire review planning and implementation process, the state OCR MOA Coordinator is available to assist the system contact person with planning information or counsel – including providing the names of the state OCR Review Team members prior to the on-site review. The state OCR Review Team will consist of current GaDOE CTAE employees and other individuals who have specific program knowledge and specialized training to conduct the on-site review process.
9. On the date of the on-site review, the state OCR Review Team will need a location for a team meeting, a location to review system exhibits (can be the same as the team meeting location), and a room to conduct group interviews. This room can be a classroom or conference room (any location large enough to comfortably accommodate the scheduled groups in a seated configuration). The interview process takes approximately 45 minutes per group. The team meeting location will also be used by the OCR Review Team when discussing and compiling their team report.

10. Lunch for the team is usually provided by the system at the location and in the manner that the system chooses.
11. The state OCR Review Team will compile preliminary notes about the review findings.
12. The OCR MOA Coordinator will meet with the system contact person, school superintendent, and any others identified by the system for the purpose of providing a brief exit report of the OCR Review Team visit, findings and follow up procedures. Other team members may be present. This will be an informal process. No final review documents will be presented to the system at this meeting.
13. The on-site process will conclude.
14. Within 30-60 days, the system superintendent will receive a "Letter of Findings" regarding the OCR Team Review findings.
15. The system will have 30 days from receipt of the Letter of Findings to compile and submit a "Voluntary Compliance Plan" (VCP) on the appropriate form to the state OCR MOA Coordinator. This VCP must address any violations/directives noted on the system Letter of Findings. An electronic copy of this form is available to compile the plan, but a hard copy with the superintendent's signature is required to be sent to the state OCR MOA Coordinator to meet the VCP submission requirement.
16. The OCR MOA Coordinator will review the VCP and work with the system to make the required corrections within the system.
17. The state OCR MOA Coordinator must submit a biennial report (every two years) to the federal OCR office in Washington. Once that office has accepted the systems findings, VCP and follow-up corrective actions, the OCR Review process for that system is completed.
18. Any system that completes an OCR Compliance Review is not subject to another review for a period of at least five years. However, any OCR complaints filed against a system could initiate a review of the system findings and re-visit to the system for follow-up assessments.