

Civil Rights Review Self Evaluation Instrument

A. Procedural Requirements – Administrative

1. Assurances

Has your institution filed the appropriate assurance forms* with the Office for Civil Rights of the Department of Education that its programs and activities are operated in compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973? *Title VI, Form #441 - Title IX, Form #639 - Section 504, Form #641	Yes No NA
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Notification Statements

Vocational Program Guidelines – Recipients who operate elementary and secondary education programs must annually (1) undertake to identify and locate every qualified disabled person residing in the recipient’s jurisdiction who is not receiving a public education; and (2) take appropriate steps to notify disabled persons and their parents or guardians of the recipient’s duty.
Title VI – Notice must be given to participants, beneficiaries, and other interested persons of the district’s policy of nondiscrimination on the basis of race, color, or national origin and the provisions of Title VI as they apply to the recipient’s program in the manner prescribed by the Department of Education.
Title IX – Notice must be given to applicants for admission and employment, elementary and secondary school students and their parents, employees, sources of referrals for applicants, and union and professional organizations holding collective bargaining or professional agreements with the recipient. The notice must contain a statement of the recipient’s policy of nondiscrimination on the basis of sex/gender, the provisions of Title IX as they apply to the recipient’s program, and the name or title of the Title IX coordinator. The notice of the policy of nondiscrimination must appear in bulletins, catalogs, application forms, and other recruitment materials for both students and employees.
Section 504 – Recipients who employ 15 or more persons must give notice to participants, beneficiaries, applicants, employees, unions, or professional organizations holding collective bargaining or professional agreements with the recipient. The notice must contain a statement of the recipient’s policy of nondiscrimination on the basis of disability. The notice of nondiscrimination must appear in recruitment materials, publications, and other information made available to the categories of persons who must receive notice.
Americans with Disabilities Act – All public entities, regardless of size, must provide information to applicants, participants, beneficiaries, employees, and other interested persons regarding the rights and protections afforded by the ADA, including how the requirements apply to its particular programs, services, and activities. The school system must provide this information not just once but on an ongoing basis.

2. Notice of Nondiscrimination

Prior to the beginning of each school year, does your school system, technology center, or higher education institution notify students, parents, employees, and the general public that all programs, activities, and services are offered without discrimination on the basis of race, color, national origin, sex/gender, or disability?	Yes No NA
a. Is this notice available to persons with limited English language skills in the community’s own language?	Yes No NA
b. Is this notice available to persons who are visually or hearing impaired?	Yes No NA

3. Continuous Notification

Does your district, school, technology center, or higher education institution continuously notify the public of nondiscrimination?	Yes No NA
a. Is the notice included on all publications distributed to the public?	Yes No NA

4. Compliance Coordinators	
Title IX – Has your school system, technology center, or higher education institution designated an employee(s) to coordinate the recipient’s compliance activities and to investigate complaints alleging noncompliance with the provisions of Title IX?	Yes No NA
Section 504 – If your school system, technology center, or higher education institution employs more than 15 persons, have you designated at least one person to coordinate its Section 504 activities?	Yes No NA
ADA – If your district has 50 or more employees, have you designated at least one employee to coordinate ADA activities?	Yes No NA
Title VI – Although not mandated, has your school included Title VI in the duties of the coordinator?	Yes No NA

5. Grievance Procedures	
Title IX – Has your school system, technology center, or higher education institution adopted a grievance procedure for the prompt and equitable resolution of complaints of discrimination by students and employees (where the object of federal financial assistance is specifically for employment or where employment practices affect beneficiaries)?	Yes No NA
Section 504 – If your school system, technology center, or higher education institution employs 15 or more persons, have you adopted a due process grievance procedure for the resolution of complaints by students and employees?	Yes No NA
ADA – If your district employs 15 or more persons, have you adopted and published grievance procedures providing for prompt and equitable resolution of complaints under the Americans with Disabilities Act?	Yes No NA
Do the grievance procedures allow for the following:	
A detailed description of the procedures for submitting the grievance	Yes No NA
A two-step review process that allows for appeal	Yes No NA
Reasonable time frames for review and resolution of the grievance	Yes No NA
Records of all complaints submitted, responses given, and steps taken to resolve the issue	Yes No NA
An alternative procedure if the complainant alleges that the ADA coordinator or other school official(s) with responsibilities regarding the grievance procedures process are a part of the alleged discrimination.	Yes No NA

6. Self-Evaluation	
Title IX – Has your school system, technology center, or higher education institution conducted a self-evaluation of your policies and practices to determine whether they discriminate on the basis of sex/gender?	Yes No NA
Section 504 – If your school system, technology center, or higher education institution employs 15 or more persons, have you conducted a self-evaluation of your policies and practices in consultation with disabled persons or organizations representing disabled persons to determine whether they discriminate on the basis of disability?	Yes No NA
ADA – Has your district, regardless of size, conducted a self-evaluation of its current policies and practices including communication and employment?	Yes No NA
Did you —	
(1) Identify any policies or practices that do not comply with compliance requirements;	Yes No NA
(2) Modify policies and practices to bring them into compliance?	Yes No NA

7. Transition Plan – The following information provides information if a transition plan is needed.

Title IX – Information/data included in the transition plan are:

1. State whether the institution admits students of both genders
2. Identify obstacles to admitting students without discrimination on the basis of sex/gender
3. Describe in detail the steps necessary to eliminate as soon as practicable each obstacle so identified, the schedule for taking these steps, and the person responsible for implementation.

Section 504 – If your district, school or center employs 15 or more persons and if structural changes are necessary to assure that disabled students have access to all your program offerings, have you developed a transition plan in consultation with disabled persons or organizations representing disabled persons that:

1. Identifies the physical obstacles
2. Describes how the facilities will be made accessible
3. Specifies the schedule for the changes
4. Indicates a person responsible for the implementation of the plan.

ADA – If your district employs 15 or more people, have you developed a transition plan for structural changes (identified in the self-evaluation) necessary to make a program, activity, or service accessible to people with disabilities? The transition plan includes at a minimum:

1. Identification of physical obstacles in facilities that limit the accessibility of the public entity’s programs, services, or activities to people with disabilities, including inadequate structural communication features;
2. Description in detail of the methods the entity will use to make the facilities accessible;
3. Provision of a schedule for making the access modifications;
4. Provision of a yearly schedule for making the modifications if the transition plan is more than one year long; and
5. Indication of the name(s) of the official(s) who is (are) responsible for implementing the transition plan.

B. Access and Admission to Programs, Services, and Activities

1. Are facilities segregated or established for students of one race, color, or national origin, or of any disabling condition?	Yes No NA
2. Does the site location of the facility result in the denial of access to persons on the basis of race, color, national origin, or disability?	Yes No NA
3. Have geographic boundaries been established, approved, or maintained that unlawfully exclude students on the basis of race, color, national origin, sex/gender, or disability?	Yes No NA
4. Has the physical plant been added to, modified, or renovated in a manner that maintains or increases students’ segregation on the basis of race, color, national origin, sex/gender, or disability?	Yes No NA
5. Are disabled students denied access to programs, services, or activities because of architectural barriers?	Yes No NA
6. Are admission policies and practices nondiscriminatory?	Yes No NA
7. Are pre-admission inquiries made regarding disability, marital, or parenting status?	Yes No NA
8. Are numerical limits placed on the number of persons admitted based on race, color, national origin, sex/gender, or disability?	Yes No NA
9. Do the criteria for courses and program admission have a disproportionate/adverse effect on persons of a particular race, color, national origin, sex/gender, or disability?	Yes No NA
10. Are students with limited English language skills excluded from any program offerings?	Yes No NA
11. Are there any architectural or equipment barriers that would deny access to programs, services, or activities to disabled students?	Yes No NA
12. Are students denied access to education courses on the grounds that because of their race, color, national origin, sex/gender, or disability, employment opportunities may be more limited for them?	Yes No NA
13. Do the recruitment materials reflect the school, district, or center’s policy of nondiscrimination on the basis of race, color, national origin, sex/gender, or disability?	Yes No NA

14. Are recruitment materials available to persons with limited English-speaking skills in their own language?	Yes No NA
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C. Counseling

1. Are counseling materials and activities free from discrimination on the basis of race, color, national origin, sex/gender, or disability?	Yes No NA
2. Are student program selections, career and employment selections, promotion, and recruitment efforts free from discrimination on the basis of race, color, national origin, or disability?	Yes No NA
3. Are counseling practices free from luring students to enroll in programs based on their race, color, national origin, sex/gender, or disability?	Yes No NA
4. Are different testing or other materials for appraising/counseling students used on the basis of a student's race, color, national origin, sex/gender, or disability?	Yes No NA
5. Are counselors effectively communicating with students of limited English-speaking proficiency and with students who are hearing impaired?	Yes No NA
6. Are promotional materials available to communities with limited English-speaking skills in the language of that community?	Yes No NA
7. Are promotional materials available to the visually impaired?	Yes No NA

D. Setting and Services for Students with Disabilities

1. Is student financial assistance awarded free from discrimination on the basis of race, color, national origin, sex/gender, or disability?	Yes No NA
2. Are financial assistance materials free from discriminatory language or symbols?	Yes No NA
3. Are financial assistance materials available to persons with limited English-speaking skills in their language?	Yes No NA
4. Are financial assistance materials available to applicants with visual impairments?	Yes No NA
5. Are housing opportunities available without discrimination on the basis of race, color, national origin, sex/gender, or disability?	Yes No NA
6. Are auxiliary aids provided to disabled students to enable them to participate equally in the vocational program?	Yes No NA
7. Are secondary-level disabled students placed in regular education environments to the maximum extent appropriate to the needs of the student?	Yes No NA
8. Are proper evaluation and due process procedures followed before a disabled student is provided special education or related services?	Yes No NA
9. Are facilities for students of one sex/gender comparable to those offered to the other sex/gender?	Yes No NA

E. Work Study, Cooperative Education, Job Placement, and Apprenticeship

1. Are work-study, cooperative education, job placement, and apprenticeship training opportunities available to all students without regard to race, color, national origin, sex/gender, or disability?	Yes No NA
2. Does your school system, technology center, or higher education institution honor the instructor/employers' requests to enroll/hire persons who are free of disabilities or for students of a particular race, color, national origin, or sex/gender?	Yes No NA

3. Does your school system, technology center, or higher education institution have written assurance from labor unions, businesses, industrial plants, and other employers to whom it refers or assigns students that they do not discriminate on the basis of race, color, national origin, sex/gender, or disability <i>in recruitment, hiring, placement, assignment to work tasks, hours of employment, levels of responsibility, and pay?</i>	Yes No NA
<p>An institution not only has the responsibility to provide its services in a nondiscriminatory manner, but it also has the responsibility not to foster discrimination by businesses that provide employment or workplace learning sites. To be a partner in that discrimination is illegal. Assignments cannot be made or withheld in such programs simply because of the race, national origin, sex/gender, or disability of the student. It is also illegal to cooperate with an employer that requests students on the basis of race, color, national origin, sex/gender, or disability status. It is recommended that agencies have written agreements whereby the cooperating worksite indicates that they will not discriminate and that they understand the school or college will not work with any business that does. It is necessary to review these written agreements, the assignments of students presently in such programs and the placement process to see whether any such patterns exist.</p>	

F. Employment of Faculty and Staff

1. Are all persons treated equally with respect to:	
a. Processing applications for employment	Yes No NA
b. Hiring, upgrading, promotion, tenure, demotion, transfer, lay-off, termination, rights of returning from lay-off, and rehiring	Yes No NA
c. Changing rates of pay or any other form of compensation;	Yes No NA
d. Assigning jobs, job classifications, organizational structures, position description, lines of progression, and/or seniority lists;	Yes No NA
e. Approving leaves of absence, sick leave, or any other leave;	Yes No NA
f. Providing fringe benefits;	Yes No NA
g. Selecting personnel to attend training with financial support, including apprenticeship, leaves of absence to pursue training, professional meetings, conferences, and other related activities.	Yes No NA
h. Selecting employer-sponsored activities.	Yes No NA
2. Are reasonable accommodations made to the known physical or mental limitations of an otherwise qualified applicant or employee except where it imposes an undue hardship?	Yes No NA
3. Are pre-employment inquiries made concerning the marital or parenting status or disabling condition of the applicant?	Yes No NA
4. Does your school system, technology center, or higher education institution participate in contractual or other relationships that have the effect of subjecting applicants or employees to discrimination (such as referral agencies)?	Yes No NA