

# **On-Site Civil Rights Review Reviewers Guide**

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*Location*

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**Date**

**Oklahoma Department of Career and Technology Education  
1500 West Seventh Avenue  
Stillwater, Oklahoma 74074-4364**

**2006-2007**

# **On-Site Civil Rights Review**

## **Reviewers Guide**

*For information, contact:*

*Jan Huston*

*(405) 743-5131*

*Fax: (405) 743-6809*

*Internet: [janhuston@okcareertech.org](mailto:janhuston@okcareertech.org)*

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# Site Information

Location \_\_\_\_\_

**E-Mail Address for Report** \_\_\_\_\_

Technology Center School District \_\_\_\_\_

## Site Personnel and E-Mail Addresses

Superintendent \_\_\_\_\_

Director/Principal \_\_\_\_\_

Middle School Principal \_\_\_\_\_

Compliance Coordinator \_\_\_\_\_

Counselor — High School \_\_\_\_\_

— Middle School \_\_\_\_\_

Special Ed \_\_\_\_\_

## CareerTech Instructors and Programs

Agricultural \_\_\_\_\_

\_\_\_\_\_

Family and Consumer Sciences \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Technology Education \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Business and Information Technology \_\_\_\_\_

\_\_\_\_\_

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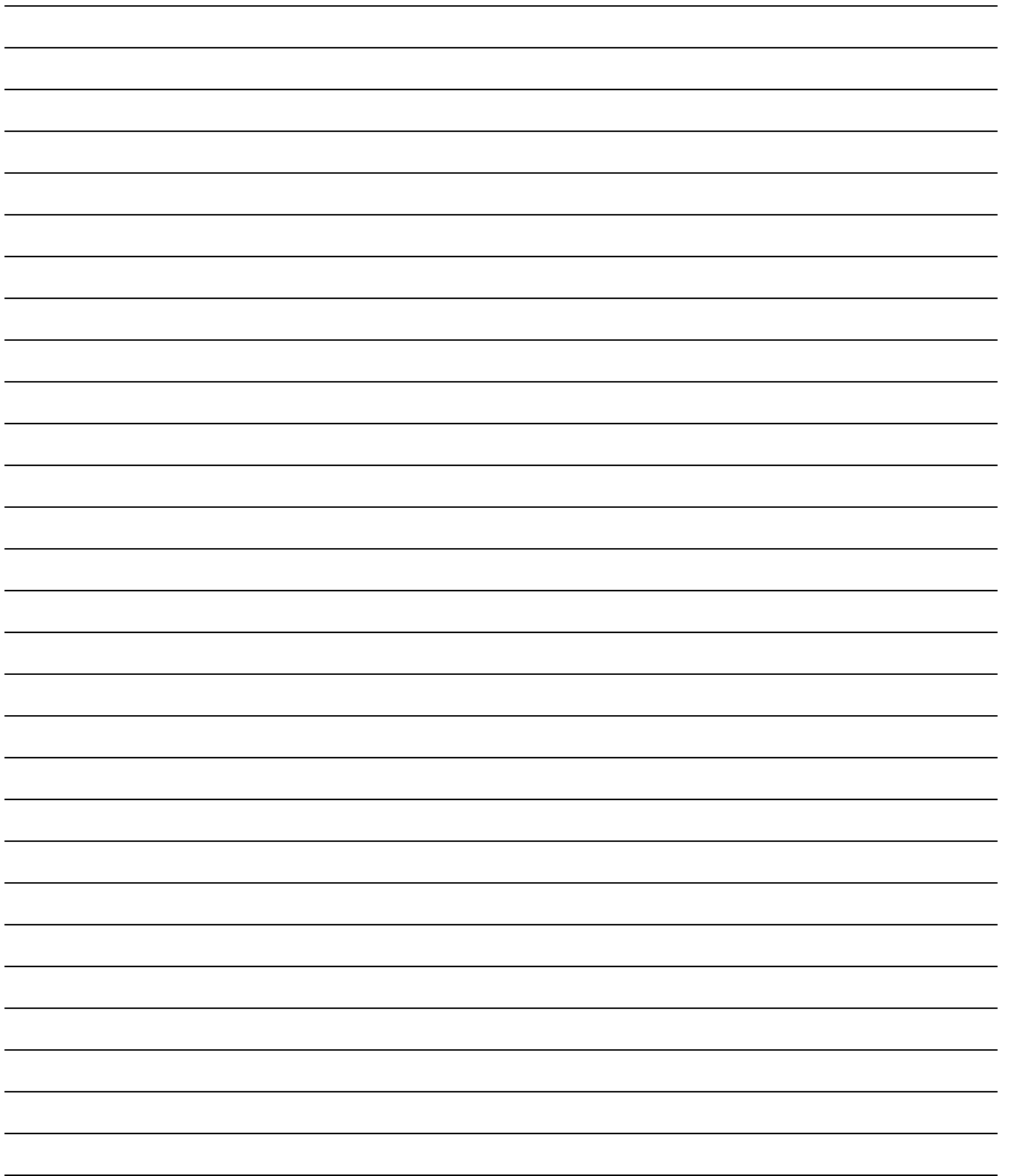
Trades and Industry \_\_\_\_\_

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Health Sciences \_\_\_\_\_

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# Reviewer's Copy

## On-Site Civil Rights Review

### Administration

Recipients need to have certain basic requirements in place to comply with the OCR Guidelines, Title VI, Title IX, Section 504, and the Americans with Disabilities Act (Title II). These basic procedures include an annual public notice, continuous notification, designation of a person(s) to coordinate activities under Title IX, Section 504, and the ADA (Title II), and grievance policy/procedures that will allow students (and parents at the elementary and secondary level) an avenue for dealing with alleged discrimination. To verify this, it will be necessary to review many documents and to interview administrators and compliance coordinators.

#### 1A Assurances

Title VI, Title IX, and Section 504 require that assurance forms be filed with the Department of Education, Office for Civil Rights, before an application for federal financial assistance can be approved. These forms are statements that the recipient signs assuring compliance with the regulations and no discrimination on the basis of race, color, national origin, sex/gender, disability, or age. A recipient need only file the assurance forms once; the forms are kept on file and remain in force as long as the recipient continues to accept federal financial assistance. A copy of the signed assurance forms should be kept in the district's civil rights file.

*34 CFR 100.4; 34 CFR 106.4; 34 CFR 104.5*

Indicators of Compliance:	Documentation:	Yes	No
Recipient has original certificate, assurance forms, and/or federal paperwork with assurances.	Certificate		
	Carl D. Perkins Assurance Papers		

#### 1B Annual Public Notification

Prior to the beginning of each school year, recipients must advise students, parents, employees, and the general public that all opportunities will be offered without regard to race, color, national origin, sex/gender, or disability. The name or title, address, and telephone number of the person(s) designated to coordinate Title IX, Section 504, and the ADA compliance activities shall be included in the notice. Announcement of the policy (notice) of non-discrimination may be made in local newspapers, publications, and/or media that reach the general public, program beneficiaries, minorities (including national-origin minorities with limited English language skills), women, and disabled persons. In providing the notice, a public entity must comply with the requirements of Title II of the ADA for effective communications, including alternate formats as appropriate for individuals with various disabilities.

*34 CFR 100.6(d); 34 CFR 106.9; 34 CFR 104.8; Guidelines IV-O, 44 FR 17166; 28 CFR 35.106*

Indicators of Compliance:	Documentation:	Yes	No
Recipient issues annual public notice of non-discrimination.	Copy of the published notice — Example is in CRR Procedural Requirements Booklet		
	local newspapers?		
	institution newspapers?		
The notice also is disseminated in the language of any national origin minority community in the service area.	other publications?		
	Is notice available to the visually impaired?		
Annual notice lists coordinators of Section 504, the ADA, and Title IX with their name/title, address, and phone number.	Does community have national origin minority students with limited English language skills? (Check census data and/or ask administrators, faculty, and students.)		
	How does notice get disseminated to national origin minority community? Ask faculty and administrators about the process.		





<p><b>1C</b> <i>Continuous Non-discrimination Notice</i></p> <p>▲ A recipient must take continuous steps to notify participants, beneficiaries, applicants, parents, employees (including those with impaired vision or hearing), and unions/professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of race, color, national origin, sex/gender, or disability. <i>34 CFR 106.9; 34 CFR 104.8</i></p> <p>▲ A statement of non-discrimination shall be included on publications and other materials that are distributed to students, applicants, and employees. Such publications would include announcements, bulletins, catalogs, application forms, enrollment forms, brochures, recruitment and promotional materials, and particularly those publications that describe offerings, benefits, and services available. <i>34 CFR 100.6; 34 CFR 106.9; 34 CFR 104.8</i></p>			
Indicators of Compliance:	Documentation:	Yes	No
A variety of recipient publications notify applicants, students, employees, and parents that it does not discriminate on the basis of race, color, national origin, sex/gender, or disability.	The non-discrimination notice can be found in the following:		
	brochures on programs, activities		
	posters advertising various programs		
	student application, handbook, newspaper		
	catalog		
	job application, job announcement		
	website		

<p><b>1D</b> <i>Person Responsible for Coordinating Title IX and Section 504 and the ADA</i></p> <p>Each recipient shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX, Section 504, and the ADA. The recipient must notify students and employees of the name/title, office address, and phone number of the designated employee(s). <i>34 CFR 106.8; 34 CFR 104.7; 28 CFR 35.107(a)</i></p>			
<p>Recipient has assigned a person(s) to coordinate Section 504, Title IX, and the ADA activities. This person(s) must be aware of their responsibilities and have the training necessary to perform the responsibilities.</p> <p>Recipient lists coordinators of Section 504, Title IX, and the ADA with their name/title, address, and phone number in the notice of non-discrimination.</p>	Documentation:	Yes	No
	Catalogs		
	Handbooks		
	Job descriptions		
	Website		
	Interviews with Section 504, Title II, and Title IX coordinators		
	Interview students, particularly nontraditional and disabled		
	Interview faculty and staff		
<b>Suggestion -- Include Title VI (Race) in these procedures</b>			
Comments:			
Positions/Names of Coordinators:			
Title IX			
Section 504			
ADA			
Title VI			



<b>1E</b>	<b>Grievance Procedure</b> Public entities shall adopt and disseminate grievance procedures to resolve alleged discrimination complaints as required under Title IX, Section 504, and the ADA. Grievance procedures must be available to any individual or class of individuals who feel they have been discriminated against. <i>34 CFR 106.8; 34 CFR 104.7; 28 CFR 35.107(b)</i>		
Indicators of Compliance:	Documentation:	Yes	No
<p>▲ Recipient notifies students and employees that there is a grievance procedure for persons who feel they have been discriminated against based on race, sex/gender or disability.</p> <p>▲ The procedure is readily available to students and employees and it is prompt and equitable.</p>	District policy and procedures		
	Student handbooks		
	Faculty handbooks		
	Catalogs		
	Data on complaints		
	Interviews with staff, students, and administrators		
	Interviews with Section 504, the ADA, and Title IX coordinators		

<b>1F</b>	<b>Self-Evaluations and Transition Plans</b> <i>The requirements for Title IX, Section 504, and the ADA require recipients to conduct self-evaluations within a certain time period and that these self-evaluations should be kept on file. These timeframes have expired. However after an accessibility problem has been established, an ADA self-evaluation and transition plan can become part of the remedy.</i>  Conduct self-evaluations of all programs and services as required by Title IX, Section 504, and the ADA in order to determine whether policies or practices discriminate against persons on the basis of race, sex/gender, or disability. Take steps to modify any discriminatory policies and practices and their effects. <i>34 CFR 106.3; 34 CFR 104.6; 28 FR 35.105</i>  Develop and implement transition plan(s) subsequent to conducting self-evaluation(s) under Title IX, Section 504, and the ADA. The transition plan must identify physical barriers, describe methods to correct barriers, set up a schedule for removing barriers, and designate a person to oversee the barrier removal. <i>34 CFR 106.17; 34 CFR 104.6; 28 CFR 35.150(d)</i>		
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<b>1G</b>	<b>Record Keeping</b> Maintain records of compliance activities as required under Title VI, Title IX, Section 504, and the ADA. <i>34 CFR 100.6; 34 CFR 106.3; 34 CFR 104.6; 28 CFR 35.150(d)</i>		
Indicators of Compliance:	Documentation:	Yes	No
Recipient has established a notebook or file and includes civil rights materials and documentation for inservice.	Notebook/folders with civil rights documentation		
	List of civil rights training/in-service activities		
	Notation or signatures of attendees of civil rights activities.		



**Accessibility to Vocational Education**

<b>2A</b>	<b>Site Selection</b>	Recipients must locate sites that are readily accessible to both minority and non-minority communities and that do not tend to identify the facility or program as intended for minority or non-minority persons. <i>34 CFR 100.3; 34 CFR 104.4(b)(5); Guidelines IV-B 44 FR 17165</i>		
	<b>Dual Centers, Branches, Annexes</b>	A vocational education center, branch, or annex open to all students in a service area and predominantly enrolling minority students or students of one race, national origin, or sex/gender will be presumed unlawfully segregated if (1) it was established by a recipient for members of one race, national origin, or sex/gender; (2) has since its construction been attended primarily by members of one race, national origin, or gender; (3) most of its program offerings have traditionally been selected predominately by members of one race, national origin, or sex/gender. <i>34 CFR 100.3; Guidelines IV-H, 44 FR 17166</i>		
	Indicators of Compliance:	Documentation:	Yes	No
	Vocational sites are readily accessible to minority and non-minority communities, and their location does not have a segregation effect.	Maps showing location of vocational proposed facilities		
		Enrollment demographics for each proposed facility		
		Demographics of communities surrounding proposed facility		
	Comments:			

<b>2B</b>	<b>Geographic Boundaries</b>	A recipient may not establish, approve, or maintain geographic boundaries that unlawfully exclude students on the basis of race, color, sex/gender, or national origin. <i>34 CFR 100.3; Guidelines IV-C, 44 FR 17165</i>		
	Indicators of Compliance:	Documentation:	Yes	No
	Attendance zones do not have the effect of excluding students on the basis of race, color, national origin, sex/gender, or disability.	Maps of attendance zones		
		Demographics of contiguous service areas to the facility		
		Curriculum offerings at contiguous (neighboring) facilities		
		Job placement rates at contiguous facilities		

<b>2C</b>	<b>Facility Renovations</b>	A recipient may not add to, modify, or change the physical plan of a vocational facility in a manner that creates, maintains, or increases student segregation on the basis of race, color, national origin, sex/gender, or disability. <i>34 CFR 100.3; Guidelines IV-D, 44 FR 17165</i>		
	Indicator of Compliance:	Documentation:	Yes	No
	After modification, the vocational site is readily accessible to minority and non-minority communities and the modification does not have the effect of segregation	Maps showing location of modified vocational facilities		
		Maps of facility showing the accessibility accommodations during and following the modifications/renovations		



Facility Accessibility Form

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"
- New construction/Section 504 (34 CFR 104.23) - construction or alteration initiated between 6/4/77 and 1/17/91 – ANSI A117.1-1961 (R1971)
- New construction/Section 504 (34 CFR 104.23) - construction or alteration initiated on or after 1/18/91 - UFAS
- New construction/ the ADA (28 CFR 35.151) - construction or alteration initiated on or after 1/27/92 - ADAAG or UFAS

**REQUIRED INFORMATION**  
By Office of Civil Rights, Washington D.C.

List each facility that houses a vocational program with the date of construction or last renovation and the vocational programs offered therein.

Building	Date of Construction or Alteration	Applicable Standards	Programs

*Existing Facilities – Built or altered beginning June 3, 1977, or earlier*

<b>2D</b>	<b>Accessibility for Disabled Persons</b>		
	<p><b>Existing Facilities – Under 504 – Built or altered beginning June 3, 1977, or earlier</b> <input type="checkbox"/> <b>Readily Accessible</b></p> <p>A public entity shall operate its programs, activities, or services so that each part is viewed in its entirety and is readily accessible to disabled persons. A public entity is not required to make structural changes in existing facilities where other methods are effective for achieving accessibility.</p> <p style="text-align: right;"><i>34CFR 104.22(a)(b); 28 CFR 35.149; 28 CFR 35.150(a)</i></p>		
	<b>Indicators of Compliance:</b>	<b>Documentation:</b>	<b>Yes No</b>
	<ul style="list-style-type: none"> <li>▲ Redesign of equipment</li> <li>▲ Reassignment of classes or other services to accessible buildings</li> <li>▲ Alteration of existing facilities and construction of new facilities in conformance with the requirements for new construction</li> <li>▲ Any other methods that result in making its program or activity accessible to persons with disabilities</li> </ul>	<ul style="list-style-type: none"> <li>Observation and measurements</li> <li>Renovation schedules</li> <li>Maintenance records</li> </ul>	





*New construction under Section 504 – Built or altered between June 4, 1977, and January 17, 1991, inclusive*

<b>2E</b>	<b>Accessibility for Disabled Persons</b>		
	<b>New construction under 504 – Built or altered between June 4 1977, and January 17, 1991, inclusive</b>		
	Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient is designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities. Conformance with the "American National Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Disabled," published by the American National Standards Institute, Inc. (ANSI A117.1-1961 (R1971) Later versions of ANSI A117.1 do not apply. <i>34 CFR 104.23 (prior to January 18, 1991 amendment)</i>		
	Indicators of Compliance	Documentation:	Yes No
		Observation and measurements	
	Renovation schedules		
	Maintenance records		

<b>2F</b>	<b>New construction under Section 504 –</b>		
	<b>Built or altered between January 18, 1991, and January 26, 1992, inclusive</b>		
	<b>New construction under the ADA and Section 504– Built after January 26, 1992; <u>option to follow UFAS</u></b>		
	Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient or public entity is designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities. Conformance with the Uniform Federal Accessibility Standards (UFAS) (Appendix A to 41 CFR subpart 101-19.6) is encouraged. <i>34 CFR 104.23; 28 CFR 35.151</i>		
	Indicators of Compliance:	Documentation:	Yes No
	Observation and measurements		
	Renovation schedules		
	Maintenance records		

<b>2G</b>	<b>New construction under the ADA Title II and 504 –</b>		
	<b>Built after January 26, 1992; exercising the <u>option to follow ADAAG</u></b>		
	▲ Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient or public entity is designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities. Conformance with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG) (Appendix A to 34 CFR Part 36). <i>34 CFR 104.23; 28 CFR 35.151</i>		
	Indicators of Compliance	Documentation:	Yes No
		Observation and measurements	
	Renovation schedules		
	Maintenance records		
	Work orders or contracts indicating construction start dates		

Lined area for text input.

<b>2H</b>	<b>Maintenance of Accessible Features</b>			
	A public accommodation shall maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities. <i>28 CFR 35.133</i>			
Indicators of Compliance:		Documentation:	Yes	No
Recipient has checklist of accessible features that receive regular maintenance checks.		List of accessible features		
		List of date and person(s) responsible for checking and repairing equipment and accommodations.		

**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 of one sex/gender should be similar in quality and convenience to the facilities for students of the other sex/gender. Any separate facilities for male, female, or students with disabilities should be located in similar proximity to the associated classrooms, shops, or laboratories.				
<b>2I</b>	<b>Comparable Facilities</b>			
	If separate programs or facilities exist for students with disabilities, they are comparable to those for students without disabilities. <i>34CFR104.34(c); Guidelines VI-A</i>			
Indicators of Compliance:		Documentation:	Yes	No
Facilities are comparable		Review of facilities		
Programs are comparable		Comparison of programs and services offered to both students with disabilities and students without disabilities.		
Services are comparable				

**\*\*\*Language Support Services\*\*\***

<b>2J</b>	<b>Language Support Services</b>			
	Access to vocational education programs may <b>not</b> be denied to national origin minority persons with limited English language skills on the grounds that the person cannot participate in and benefit from vocational instruction to the same extent as a student whose primary language is English. Steps must be taken to ensure that vocational programs are open to these students and that language support services are available. <i>34 CFR 100.3; Guidelines IV-L, 44 FR 17166</i>			
Indicators of Compliance:		Documentation:	Yes	No
Limited English language skills are available for students.		Schedule of opportunities for language support services		
		Aide available for language needs		
		<b>Opportunities - Materials available</b>		



**Admissions**

Admission policies, procedures and criteria may not exclude students from vocational programs on the basis of race, color, national origin, sex/gender or disability. Where admissions criteria exclude a disproportionate number of persons of a particular race, color, national origin, sex/gender or persons with disabilities, the criteria should be validated as essential for success in the program. Preadmission inquiries about marital, parental, or disability status should be avoided.

<b>3A</b>	<b><i>Eligibility Based on Numerical Limitations</i></b>	A recipient may not adopt or maintain a system for admission to a secondary vocational education center or program that limits admission to a fixed number of students from each sending school on the basis of race, national origin, sex/gender, or disability. <span style="float: right;"><i>34 CFR 106.21; Guidelines IV-F, 44 FR 17166</i></span>		
Indicator of Compliance		Documentation:	Yes	No
		Enrollment data for each sending school		

<b>3B</b>	<b><i>Admission and Selection Criteria</i></b>	A public entity may not judge candidates for admission to programs, activities, or services on the basis of criteria that have the effect of disproportionately excluding persons of a particular race, color, national origin, sex/gender, or disability. If such disproportionate exclusion occurs, the criteria or standards must be validated as essential to participation. <span style="float: right;"><i>34 CFR 104.4(b)(4); 34 CFR 100.3; 34 CFR 106.21; Guidelines IV-A, 44 FR 17165; 28 CFR 35.130(b)(7)</i></span>		
Indicators of Compliance:		Documentation:	Yes	No
▲ Demographics of career-technical enrollment are similar to demographics of eligible pool or recipient provides a legitimate nondiscriminatory rationale.		Eligibility and admission criteria for vocational:		
		School		
		Facilities, campuses		
▲ Demographics of specific vocational programs are similar to demographics of entire career-technical enrollment or recipient provides a legitimate nondiscriminatory rationale.		Programs		
		Admission policy for career and technical education programs. Description of admission process.		
▲ Admissions procedure, policy, and/or practice for career and technical education program enrollment avoid criteria that disproportionately exclude persons of a particular race, color, national origin, sex/gender, or disability status.		Procedures and criteria for selective admissions for schools and/or career and technical programs (more applicants than can be accommodated)		
		Brochures that describe admission policy and procedures		

<b>3C</b>	<b><i>Prerequisites</i></b>	An introductory, preliminary, or exploratory course may not be established as a prerequisite for admission to a program unless the course has been and is available without regard to race, color, national origin, sex/gender, and disability. <span style="float: right;"><i>34 CFR 100.3; Guidelines IV-K, 44 FR 17166</i></span>		
Indicators of Compliance:		Documentation:	Yes	No
▲ Prerequisites are essential for program participation.		Catalogues		
		Course Descriptions		
▲ Courses are prerequisite free.		Prerequisites are marked for all students to understand		



<b>3D</b>	<b><i>Preadmission Inquiries</i></b>	<ul style="list-style-type: none"> <li>▲ A recipient may not inquire into an applicant’s marital status, race, color, national origin, sex/gender or disability prior to accepting the applicant for admission except for the purpose of overcoming past discrimination. <b>(Citizenship □ how is this handled?)</b> <span style="float: right;"><i>34 CFR 106.21(c); 34 CFR 104.42; 28 CFR 35</i></span></li> <li>▲ A recipient may not apply any recruitment policy or admissions criterion concerning the actual or potential parental/family, or marital status of students/applicants that treats persons differently on the basis of sex/gender. <span style="float: right;"><i>34 CFR 106.21(c)(4); 34 CFR 104.6</i></span></li> <li>▲ A recipient may not exclude a woman from admission to, or participation in any vocational program on the basis of pregnancy, childbirth, termination of pregnancy or recovery from pregnancy, or treat the pregnancy or childbirth differently from other temporary disabilities. <span style="float: right;"><i>34 CFR 106.21</i></span></li> </ul>	Yes	No
Indicators of Compliance:	Documentation:			
Application forms and materials do not request information about marital, parental, or disability status.	Admissions application form and materials for:			
	Comprehensive Schools/Technology Centers			
	Vocational Programs			

<b>3E</b>	<b><i>Preadmission Inquiries regarding Disabilities – Postsecondary</i></b>	<p>Postsecondary institutions may not make pre-admission inquiries regarding disabling conditions except when taking remedial steps to increase participation when under representation is identified. <span style="float: right;"><i>34 CFR 104.42(b)(4)&amp;(c)</i></span></p>	Yes	No
Indicator of Compliance:	Documentation:			
The recipient does not request information about disability prior to admission.	Student handbook/college catalog			
	Application forms			
	Guidance/counseling forms and procedures			
	Recruitment materials			
	Admission packets			
	Interviews			





3F	<p><b>Secondary Students with Limited English Proficiency</b></p> <ul style="list-style-type: none"> <li>▲ A recipient may not discriminate in its admission practices because the applicant, as a member of a national origin minority group with limited English language skills, cannot participate in and benefit from vocational education to the same extent as students whose primary language is English.</li> <li>▲ A secondary recipient is responsible for identifying applicants with limited English skills. An assessment can identify applicants with limited English language skills and gauge their ability to participate in vocational education. Steps must be taken to ensure that vocational programs are open to students with limited English proficiency.</li> </ul> <p style="text-align: right;"><i>Guidelines IV-L</i></p>		
<p>Indicators of Compliance:</p> <ul style="list-style-type: none"> <li>▲ Recipient has a procedure in place to identify and access applicants with limited English proficiency.</li> <li>▲ LEP enrollment in vocational education is proportional to LEP enrollment in service area.</li> <li>▲ LEP enrollment in specific vocational programs is proportional to LEP enrollment in vocational education overall.</li> </ul>	<p>Documentation:</p> <p>Procedure for LEP identification and placement</p> <p>Summary of steps taken to increase LEP participation in programs where LEP participants traditionally have been underrepresented</p> <p>LEP enrollment</p>	Yes	No
<p>Comments</p>			

3G	<p><b>Postsecondary Students with Limited English Proficiency</b></p> <p>Admission tests are selected and administered to accurately reflect the aptitude or achievement of an applicant with impaired sensory, vocal, or speaking skills, rather than measuring the disability (except where these skills are the factors the test purports to measure).</p> <p style="text-align: right;"><i>34 CFR 104.44 (b)(3); Guidelines IV-L</i></p>		
<p>Indicators of Compliance:</p> <p>Admission tests and their manner of administration are validated for use with persons with impaired sensory, vocal, or speaking skills.</p>	<p>Documentation:</p> <p>Methods/tests used to determine limited English proficiency</p> <p>Description of test administration methods for persons with sensory, vocal, or speaking impairments</p>	Yes	No
<p>Comments</p>			



## Counseling Activities

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/gender, or disability status. Services and materials related to counseling and recruitment must be free of discrimination and stereotyping in language, content, and illustration.

Interviews with counselors, teachers of courses/programs with disproportionate enrollment and students in “nontraditional” courses/programs may clarify compliance.

<b>4A</b>	<p><b>Counseling of Students</b></p> <ul style="list-style-type: none"> <li>▲ Recipients that operate vocational programs must ensure that counselors or other staff that counsel students do not direct or urge any student to enroll in a particular program on the basis of race, color, national origin, sex/gender, or disability. Recipients must also ensure that counseling materials and activities (including student program selection and career/employment selection), promotional, and recruitment efforts do not discriminate on the basis of race, color, national origin, sex/gender, or disability. <i>34 CFR 106.21 (a) (b); 34 CFR 106.36 (a); 34 CFR 106.34; 34 CFR 104.4(a),104.34 (a)(c); 28 CFR 35.1300; Guidelines V-A</i></li> <li>▲ <b>Recipients must ensure that counselors can effectively communicate with limited English proficiency and with students with sensory impairments</b> <i>Guidelines V-D 44 FR 17167</i></li> </ul>		
<p>Indicators of Compliance:</p> <ul style="list-style-type: none"> <li>▲ The written guidance plan, policy, and procedures ensure non-discrimination.</li> <li>▲ The written assessment plan ensures non-discrimination</li> </ul>		<p>Documentation:</p>	<p>Yes    No</p>
		Assessment plan with a list of tests administered	
		Written procedures for evaluation and placement of students with disabilities	
		LEP policy	
		Written plan for the provision of services for ESL individuals	
		Written plan for provision of services for hearing impaired individuals	
		Samples of materials in other languages/formats	

<b>4B</b>	<ul style="list-style-type: none"> <li>▲ Recipients must ensure that counselors do not direct or urge any student to enroll in a particular career or program or measure or predict a student’s prospects for success in any career or program based upon the students race, color, national origin, sex/gender or disabilities. <i>34 CFR 106.34; 34 CFR 104.47(b); Guidelines V-B</i></li> <li>▲ Recipients may not counsel students with disabilities toward more restrictive career objectives than students without disabilities with similar abilities and interests. <i>34 CFR 104.37(b); Guidelines V-B</i></li> </ul>		
<p>Indicators of Compliance:</p> <ul style="list-style-type: none"> <li>▲ Vocational program enrollments by race, national origin, sex/gender, and disability are proportionate to enrollment of these groups in the general student population.</li> <li>▲ Where enrollments are not proportionate; the institution can furnish a legitimate rationale.</li> </ul>		<p>Documentation:</p>	<p>Yes    No</p>
		Admission criteria	
		Enrollment forms	
		Examples of pre-enrollment counseling	



**Recruitment Issues**

Recruitment activities and materials should convey the message that all vocational programs are open to all students without regard to race, color, national origin, sex/gender, 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 race, national origin, sex/gender, and disabilities.

<b>4C</b>	<b>Recruitment of Students</b>	Recipients may not develop, sponsor, or engage in any recruiting activity, including the development or dissemination of recruiting materials, that discriminates against or stereotypes persons on the basis of race, color, national origin, sex/gender, or disability. <span style="float: right;"><i>34 CFR 106.23; Guidelines V-C, 44 FR 17167</i></span>		
Indicators of Compliance:		Recruitment Plans	Yes	No
▲ All potential students have access to information. Efforts are made to reach under-represented groups. ▲ Descriptions of career opportunities are bias-free.		List of recruitment activities and sites		
		Description of recruitment activities		
		Recruitment brochures and marketing materials		
		Course catalog		
Comments:				

<b>4D</b>	<b>Promotional Materials and Activities</b>	A recipient may not sponsor or engage in the development of promotional materials or activities that discriminate against or stereotype persons on the basis of race, color, national origin, sex/gender, or disability. To the extent possible, they should portray males or females, minorities, or persons with disabilities in programs and occupations in which these groups traditionally have not been represented. <span style="float: right;"><i>34 CFR 106.23; Guidelines V-E, 44 FR 17167</i></span>		
Indicators of Compliance:		Documentation:	Yes	No
Materials and/or media presentations show persons of varying races, males, females, persons with disabilities, and different national origins.		Promotional materials including;		
		brochures                      electronic communication                      catalogs		
		flyers                              shop demonstrations                      career days		
		parent nights                      newspaper advertising		

<b>4E</b>	<b>Promotional Activities - National Origins</b>	If a recipient's service area contains a community of national origin minority persons with limited English language skills, any promotional materials must be disseminated to the national origin community in its own language. <span style="float: right;"><i>Guidelines V-E, 44 FR 17167</i></span>		
Indicators of Compliance:		Documentation:	Yes	No
Process is in place to identify and communicate with language minority communities. Efforts are made to communicate in a commonly understood language.		Verification of limited English proficient community		
		Samples of materials in other languages		



<b>4F</b>	<p><b><i>Disproportionate Enrollments</i></b>                  If disproportionate enrollments occur, efforts must be made to ensure that counseling services and materials are not responsible. Recipients must take steps to ensure that any disproportionate enrollment does not result from unlawful discrimination in counseling activities.  <i>34 CFR 106.36(c); Guidelines V-B, 44FR17167</i></p>		
Indicators of Compliance:  Recipient has process in place to identify disproportionate enrollment. When disproportionate enrollment occurs, recipient assesses counseling materials and activities and makes appropriate revisions or can articulate a legitimate, non-discriminatory rationale.	Documentation:	Yes	No
	Process to identify disproportionate enrollment		
	Examples of revised counseling materials or activities in response to disproportionate enrollments		

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Interviews with the following persons may clarify compliance with this standard: Agency CEO, Guidance Counselors, Department Chairs, the ADA and 504 Coordinators, Coordinator for Students with Disabilities Services, Facilities Director.

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## Setting and Services for Students with Disabilities

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 the ADA (Title II) are based upon the premise that students with disabilities will be integrated with their peers without disabilities as much as possible. Historically, the assumption was made that persons with disabilities would not be able to function and the able-bodied should not put them in a position where they might be “uncomfortable.” However, research shows that gains made by persons with disabilities in the educational setting are enhanced when they are integrated with the appropriate aids and services. The Section 504 requirements for services for elementary and secondary students with disabilities are different from the requirements for services for postsecondary students with disabilities.

<b>5A</b>	<b>General Prohibitions Against Discrimination of Individuals with Disabilities</b>	<ul style="list-style-type: none"> <li>▲ No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity or be subjected to discrimination by any public entity. <span style="float: right;"><i>28 CFR 35.130(b)(1); 34 CFR 104.4(b)(1)</i></span></li> </ul>		
Indicators of Compliance:		Documentation:	Yes	No
<ul style="list-style-type: none"> <li>▲ The school implements policies and procedures ensuring access for students with disabilities to programs, services, and activities.</li> </ul>		Board policy		
		Student handbooks		
		Procedures for selection into clubs, activities, programs		
		Criteria for admission into courses, programs, services, and activities		

<b>5B</b>	<b>Free and Appropriate Public Education (FAPE) — Secondary</b>	<ul style="list-style-type: none"> <li>▲ A recipient that operates secondary vocational programs shall provide a free and appropriate education (FAPE) to each qualified person with a disability in its jurisdiction. The recipient must have a system in place for the identification, evaluation, and educational placement of these persons with a disability and services that are designed to meet individual educational needs of these persons with a disability. Placement decisions must be made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation, data, and the placement options. The recipient must provide procedural safeguards through which parents or guardians may obtain an impartial review of the evaluation and placement actions. One means of meeting this standard is implementation of an individual education program (IEP) developed in accordance with the Individuals with Disabilities Education Act (IDEA). <span style="float: right;"><i>34 CFR 104.33, 35, 36</i></span></li> <li>▲ A recipient that operates secondary vocational programs shall annually take appropriate steps to notify students with disabilities and their parents or guardians of the school district’s duty to provide a free and appropriate public education designed to meet the individual’s needs to the same extent that the needs of the students without disabilities are met. The notification should describe provisions found within federal regulations. <span style="float: right;"><i>34 CFR 104.31-104.4</i></span></li> </ul>		
Indicator of Compliance:		Documentation:	Yes	No
<ul style="list-style-type: none"> <li>▲ The FAPE policies and procedures provide for the identification, evaluation, and placement of disabled persons and include procedural safeguards.</li> <li>▲ Evaluation and placement records of individual students with disabilities indicate that placement decisions are fully documented and timely re-evaluations are conducted.</li> </ul>		FAPE policies and procedures		
		A description or list of the materials and persons relied upon in the evaluation and placement process		
		Description of the system of procedural safeguards		
		List of persons with knowledge of vocational programs who participate in FAPE placement decisions for vocational programs		
		Section 504 plans, placement records, IEPs, and similar records of students with disabilities placed in vocational programs		



<p><b>5C</b> <b>Dropouts</b></p> <p>▲ Recipients operating vocational programs shall take steps to ensure that protected group students do not drop out of vocational education programs before completion due to unequal treatment or because of a lack of services to meet language or disability related needs. <i>34 CFR 100.3; 34 CFR 104.4; 34 CFR 106.31</i></p>	Documentation:	Yes	No	
	Indicator of Compliance:			
	▲ Recipient has a plan to counsel students regarding dropping vocational programs.	List of students who have dropped out of vocational programs		
		Procedures regarding the dropout process.		

<p><b>5D</b> <b>Educational Settings for Students with disabilities</b></p> <p>▲ Students with disabilities must not be excluded from vocational, career, or academic programs, courses, services, or activities due to equipment barriers or because necessary related aids and services or auxiliary aids are not available. <i>Guidelines IV-N</i></p> <p><b>Student Organizations</b></p> <p>▲ Membership in vocational education student organizations operated, administered, or sponsored by a recipient shall be available to all students in the instructional program without regard to race, color, national origin, sex/gender, or disability. <i>34 CFR 100.3; 34 CFR 104.37; 34 CFR 106.31</i></p>	Documentation:	Yes	No	
	Indicator of Compliance:			
	▲ The agency provides appropriate aids and services for students with disabilities and does not have policies that limit participation of students with disabilities.	Example(s) of equipment that has been adapted		
		Description of policy for providing aids and services		
		Description of aids and services available/provided/denied		
		List of materials/resources available for seeing or hearing impaired		
		<b>Number of students with disabilities denied admission</b>		
	Policies governing use of guide dogs, tape recorders, note takers			

<p><b>5E</b> <b>Secondary students with disabilities</b> must be placed in the regular environment of any vocational, academic, or other school program or activity to the maximum extent appropriate to their needs with the use of supplementary aids and services. <i>34 CFR 104.34; Guidelines VI-A, 44 FR 17167</i></p>	Documentation:	Yes	No	
	Indicator of Compliance:			
	▲ Section 504 plan, placement record, or IEP reflects the group or team’s determination that the vocational education program is appropriate setting for the individual student.	Evaluation procedures		
		Placement criteria and procedures		
		Section 504 plans, placement records, IEPs and similar records		

<p><b>5F</b> <b>Evaluation Procedures</b></p> <p>▲ A recipient that operates a <b>secondary vocational program</b> shall conduct an evaluation of any person, who because of disability needs or is believed to need special education or related services, before taking any action with respect to the initial placement of the person in a regular or special education program and any subsequent significant change in placement. <i>34 CFR 104.44(c); 28 CFR 35.130(b)(8); Guidelines IV-N</i></p>	Documentation	Yes	No	
	Indicator of Compliance:			
	▲ The school system accommodates needs of students with disabilities during evaluation.	Tests and other evaluative materials are validated and administered by trained personnel		
		Tests administered to a student with impaired sensory, manual, or speaking skills do not reflect the student’s disability if that is not what it purports to measure.		
	Location of testing; facility accessible, auditory/lighting adequate			



**Postsecondary — Institutions of Higher Education**

<p><b>5G</b></p>	<p><b>Postsecondary students – 504 Services</b></p> <p>▲ If academic requirements that are essential to the career and technical program have the effect of discriminating against applicants or students on the basis of a disability, the institution should provide academic adjustments, including modified course examinations and auxiliary aids and services, for qualified persons with a disability to complete a degree program and/or licensure requirements. <i>34 CFR 104.44 (a)</i></p>													
<p>Indicator of Compliance:</p> <p>▲ List of academic adjustments available to students with disabilities who need such modifications in order to succeed in a career and technical education program.</p> <p><b>Please note:</b> This list should also identify the providers of such services.</p>	<p>Documentation:</p> <p><b>Interviews with students with disabilities services coordinator and faculty</b></p> <p>Records or equipment schedules for the provision of auxiliary aids and services to individuals with disabilities</p> <p>Interviews with students with disabilities</p> <p>Number of students with disabilities in various courses and programs</p> <p>Programs in which essential requirements or licensing requirements have prevented access</p>	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Yes	No										
Yes	No													

<p><b>5H</b></p>	<p><b>Housing in Postsecondary Institutions</b></p> <p>▲ Students receive equitable opportunities to benefit from housing programs regardless of their sex/gender, national origin, color, race, or disability. <i>34 CFR 100.3(b), 34 CFR 106.32 34 CFR 104.45; Guidelines VI-C</i></p>											
<p>Indicator of Compliance</p> <p>▲ The on-campus housing reflects the demographics of the general student population. If an apparent disparity exists, the institution offers a legitimate nondiscriminatory reason.</p>	<p>Documentation</p> <p>Data of those living on campus</p> <p>Interviews with students</p> <p>Interviews with residence hall staff</p>	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Yes	No								
Yes	No											

<p><b>5I</b></p>	<p><b>Housing – Comparable, Convenient, and Accessible</b></p> <p>▲ The institution offers students with disabilities on-campus or off-campus housing that is comparable, convenient, and accessible to students with disabilities, at the same cost and under the same conditions as offered to students without disabilities. <i>34 CFR 104.45; Guidelines VI-C</i></p>									
<p>Indicator of Compliance</p> <p>▲ The housing program meets 504 and the ADA Title II accessibility requirements.</p> <p>▲ Students with disabilities can choose from a full range of features and prices.</p>	<p>Documentation</p> <p>Interviews with students</p> <p>Audit of features and prices</p>	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Yes	No						
Yes	No									



**Effective Communications in Employment, Programs, and Services**

<b>6A</b>	<b>Appropriate Steps</b>	<ul style="list-style-type: none"> <li>▲ A public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. <span style="float: right;"><i>28 CFR 35.160</i></span></li> <li>▲ People with visual, hearing, and speech disabilities must all have the opportunity to receive and present communication in a manner that is appropriate and effective. <span style="float: right;"><i>28 CFR 35.160(a)</i></span></li> <li>▲ Communication support must be provided in a manner that enables people with disabilities to participate on an equal basis with all others, unless to do so would result in a fundamental alteration in the nature of a service, program, or activity or in an “undue” financial or administrative burden. <span style="float: right;"><i>28 CFR 35.164</i></span></li> </ul>		
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Indicator of Compliance: ▲ The recipient has taken steps to ensure communication is available for all students ▲ A plan is available that describes the methods of appropriate communication.	Documentation	Yes	No
	Process/plan to determine communication is or is not effective		
	Equipment available for effective communication for persons with visual, hearing and/or speech disabilities.		

<b>6B</b>	<b>Auxiliary Aids and Services</b>	<ul style="list-style-type: none"> <li>▲ A public entity shall furnish auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity. <span style="float: right;"><i>28 CFR 35.160(b)(1)</i></span></li> <li>▲ Auxiliary aids and services include a wide range of services, equipment, and devices that provide effective communication to people with visual, hearing, or speech disabilities. In determining what type of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of the individual with disabilities. <span style="float: right;"><i>28 CFR 35.160(b)(2)</i></span></li> </ul>		
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Indicators of Compliance ▲ Recipient has procedures that provide easy access to auxiliary aids and services	Documentation	Yes	No
	Auxiliary aids and services that are currently available		

<b>6C</b>	<b>Sign Language <math>\square</math>Hearing Impaired</b>	<ul style="list-style-type: none"> <li>▲ ADA Title II requires that a “qualified interpreter” provide sign language interpretation. Under Title II, the term “qualified interpreter” is defined as an individual who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.</li> </ul>		
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Indicator of Compliance: ▲ The recipient has a list of local qualified interpreters that are available.	Documentation	Yes	No
	List of qualified interpreters		
	Procedures for communication		
	List of equipment available for communication		

<b>6D</b>	<b>Telecommunication Systems <math>\square</math>Hearing Impaired</b>	<ul style="list-style-type: none"> <li>▲ Where a public entity communicates by telephone with applicants or beneficiaries, TDDs or equally effective telecommunications systems shall be used to communicate with individuals with impaired hearing or speech. <span style="float: right;"><i>28 CFR 35.161</i></span></li> </ul>		
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Indicator of Compliance: ▲ The recipient has a TDD or equally effective telecommunications system.	Documentation	Yes	No
	TDD equipment or effective telecommunications systems		
	Procedures for communication		

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<b>6E</b>	<p><b>Obtaining Information About Assistance</b>                  A public entity shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities. <i>28 CFR 35.163(a)</i></p>	
<p>Indicators of Compliance:                  ▲ Recipient has procedures that can be easily accessed.</p>	<p>Documentation</p> <p>Signs noting location of information</p> <p>Notation in student handbooks of location of information</p>	<p>Yes</p> <p>No</p>

<b>6F</b>	<p><b>Signage</b>                  ▲ A public entity shall provide signage at all inaccessible entrances to each of its facilities directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each accessible entrance of a facility. <i>28 CFR 35.163(b)</i>                  ▲ A public entity shall designate accessible parking spaces as reserved by a sign showing the international symbol of accessibility. Such signs shall be located so a vehicle parked in the space cannot obscure them. Parking spaces designated for vans shall have an additional sign “Van-Accessible” mounted below the symbol of accessibility. <i>28 CFR 36</i></p>	
<p>Indicator of Compliance:                  ▲ The recipient has placed signage that provides directions to accessible entrances or to a means to locate information about accessibility features.                  ▲ The international symbol for accessible is used.</p>	<p>Documentation</p> <p>Map of each site that designates location of signage</p> <p>List of signage with location and schedule for review of the signage</p>	<p>Yes</p> <p>No</p>



**Programs, Services, Activities**

<b>7A</b>	<b>Financial Assistance</b>	<p>▲ Recipients may not award <b>financial assistance in the form of loans, grants, scholarships, special funds, subsidies, compensation for work, or prizes</b> to vocational education students on the basis of race, color, national origin, sex/gender, or disability, except to overcome the effects of past discrimination. <i>34 CFR 100.3; 34 CFR 104.46; 34 CFR 106.37; Guidelines VI-B, 44 FR 17167</i></p> <p>▲ Sex-restricted awards are made only when established by will, trust, bequest, or any similar legal instrument. The overall effect of financial assistance awarded may not discriminate on the basis of sex or gender. <i>34 CFR 106.37</i></p>		
Indicator of Compliance		Documentation:	Yes	No
<p>▲ Institutional data on financial aid demonstrates that there is equitable distribution of financial aid regardless of sex/gender, race, color, national origin, or disability.</p>		Review of financial awards given as a result of trust, bequest, or other legal instrument.		
		Review total list of financial awards to ensure the overall effect does not discriminate		
		Review of all sex-restricted financial awards		
		Interviews with students		

<b>7B</b>		<p>If a recipient’s service area contains a community of national-origin minority persons with limited English language skills, financial assistance information must be disseminated to that community in its language. <i>34 CFR 100.3; Guidelines VI-B, 44 FR 17167</i></p>		
Indicator of Compliance		Documentation	Yes	No
<p>▲ Communications about financial assistance is available in the home language for all members of the community.</p>		Review written communications for LEP community		
		Review demographics of the area served by the recipient		
		Interviews with students		
		Interview bilingual interpreters		

<b>7C</b>		<p>▲ Materials and information used to notify students of opportunities for financial assistance may not contain language or examples that would lead applicants to believe the assistance is provided on a discriminatory basis. <i>Guidelines VI-B, 44 FR 17167</i></p>		
Indicator of Compliance		Documentation	Yes	No
<p>▲ Materials written provide information equitably and contain the non-discrimination statement.</p> <p>▲ Institutional awards provided as a result of the group being historically underrepresented or as a result of a bequest, trust or other legal instrument is acknowledged as such in the written materials.</p>		Review materials written for students and families concerning the financial assistance available		
		Interviews with students		
		Interviews with financial aid staff		



**Work Study Cooperative Education, Job Placement, and Apprenticeship Training Issues**

<p><b>7E</b></p>	<p><b><i>Cooperative Vocational Education, Work Study, Apprenticeship, and Job Placement</i></b>                  ▲ A recipient shall make opportunities available in its work-study, cooperative vocational education, and job placement programs to students without regard to race, color, national origin, sex/gender, or disability.  <i>34 CFR 100.3; 34 CFR 104.4; 34 CFR 106.31; Guidelines VII-A, 44 FR 17167</i></p>															
<p>Indicator of Compliance                  ▲ Students in the work-study cooperative education and job placement programs are representative of the demographics of the school or program.                  ▲ If there is disparity, the institution provides a legitimate nondiscriminatory rationale.</p>	<p>Documentation                  Review of enrollment data per race, sex/gender, and disabilities in the work-study cooperative education programs                  Review of job placement per race, sex/gender, and disabilities                  Interviews with staff                  Interviews with students</p>	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> </tbody> </table>	Yes	No												
Yes	No															

<p><b>7F</b></p>	<p>A recipient that assists employers and prospective employers in making employment opportunities available to any of its students must ensure that the <b>employer does not discriminate on the basis of race, color, national origin, sex/gender, or disability in recruitment, hiring, placement, assignment to work tasks, hours of employment, levels of responsibility, and pay.</b>  <i>34 CFR 100.3(b); 34 CFR 106.38; 34 CFR 104.46(b); Guidelines VII-A</i>   <b><i>Limited Opportunities of Employment</i></b>                  Access to vocational programs <b>may not be denied to persons with disabilities</b> on the grounds that employment opportunities in any profession or occupation may be more limited for persons with disabilities than for persons without disabilities.  <i>34 CFR 104.10(b); Guidelines IV-N, 44 FR 1716</i></p>															
<p>Indicator of Compliance                  ▲ Workplace agreements contain an assurance of non-discrimination that is signed by both the employer and the agency.                  ▲ The recipient does not honor any employer’s requests for students who are free of disabilities or for students of a particular race, color, national origin, sex/gender, or disability.</p>	<p>Documentation                  Review of training and clinical agreements to ensure the agreements contain appropriate language to ensure employer does not discriminate on factors stated in laws                  Review of workplace assignments, hours of work, and job assignments.                  Interviews with staff                  Interviews with students</p>	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> </tbody> </table>	Yes	No												
Yes	No															

<p><b>7G</b></p>	<p><b><i>Limited Opportunities of Employment</i></b>                  Access to vocational programs <b>may not be denied to persons with disabilities</b> on the grounds that employment opportunities in any profession or occupation may be more limited for persons with disabilities than for persons without disabilities.  <i>34 CFR 104.10(b); Guidelines IV-N, 44 FR 1716</i></p>															
<p>Indicator of Compliance                  ▲ The recipient does not honor any employer’s requests for students who are free of disabilities or for students of a particular race, color, national origin, sex/gender, or disability.</p>	<p>Documentation                  Review training agreements that show placement of persons with disabilities.                  Interviews with students                  Interviews with staff</p>	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> </tbody> </table>	Yes	No												
Yes	No															



## Employment of Faculty and Staff

**8A**    **Employment of Faculty and Staff**  
 ▲ Recipients may not engage in any employment practice that discriminates against any employee or applicant for employment on the basis of race, sex/gender, or disability.  
 ▲ Recipients may not make pre-employment inquires concerning disability, marital, or parental status.  
 ▲ Recipients must notify every source of faculty that it does not discriminate on the basis of race, color, national origin, sex/gender, or disability.  
*34 CFR 100.3 (c); 34 CFR 104.13; 34 CFR 106.51; Guidelines VIII-A*

Indicator of Compliance	Documentation	Yes	No
▲ Recipient’s employment practices are conducted without regard to race, color, national origin, sex/gender, or disability of applicants for employees. ▲ Application forms and materials are free from prohibited questions concerning disability, or marital or parental status.	Employment materials including hiring polices and procedures		
	Job descriptions		
	Employee handbook		
	Application materials and forms		
	Screening committee policies and procedures		
	Rating systems		

**8B**    **Recruitment**  
 ▲ Recipients may not limit their recruitment for employees to schools, communities, or companies that are disproportionately composed of persons of a particular race, color, national origin, sex/gender, or disability except for the purpose of overcoming the effects of past discrimination.  
*34 CFR 100.3; 34 CFR 106.53; 34 CFR 104.11; Guidelines VIII- B, 44 FR 17168*

Indicator of Compliance	Documentation	Yes	No
▲ Local agency or postsecondary institution notifies its sources of faculty that it does not discriminate on the basis of race, color, national origin, sex/gender, or disability.	Vacancy announcements and advertisements		
	Recruitment letters or contacts		
	Personnel web site and other related recruitment documents		

**8C**    **Salary Policies**  
 Recipients must establish and maintain faculty salary scales and policy based upon the conditions and responsibilities of employment without regard to race, color, national origin, sex/gender, or disability.  
*34 CFR 100.3; 34 CFR 106.54; 34 CFR 104.11*

Indicator of Compliance	Documentation	Yes	No
▲ Faculty assignment patterns are nondiscriminatory on the basis of race, color, national origin, sex/gender, or disability. ▲ Non-faculty salary processing is based upon the conditions of employment without regard to race color, national origin, sex/gender, or disability.	Faculty salary schedules and related policies		
	A non-faculty classification/compensation system is in place that evaluates jobs and places them in appropriate salary ranges according to working conditions and levels of employment responsibility.		
	Faculty report by race/ethnic group, sex/gender, and disabled staff		





<b>8D</b>	<p><b><i>Employment of Disabled Persons</i></b></p> <p>▲ Recipients must provide employment opportunities for teaching and administrative positions to applicants with disabilities who can perform the essential functions of the positions and make reasonable accommodations for the physical or mental limitations of disabled (otherwise qualified) applicants unless it can be demonstrated that such accommodations would impose undue hardship. <span style="float: right;"><i>34 CFR 104.12,13(a); Guidelines VIII-E</i></span></p> <p>▲ It is unlawful for a covered entity to limit, segregate, or classify a job applicant or employee in a way that adversely affects his or her employment opportunities or status on the basis of disability. <span style="float: right;"><i>29 CFR 1630.5; 34 CFR 104.11 (3)</i></span></p>		
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<p>Indicator of Compliance</p> <p>▲ Recipient’s employment policies do not unlawfully discriminate against the disabled.</p> <p>▲ Disabled persons are employed in teaching and administrative positions and are not treated differently in promotion and tenure decisions.</p>	<p>Documentation</p> <p>Number of staff with a disability</p> <p>Copies/description of policies, procedures, and criteria considered for hiring, promotion, retention, and tenure including professional and non-professional applicants.</p>	Yes	No

<b>8E</b>	<p><b><i>Administration of Tests</i></b></p> <p>▲ It is unlawful for a covered entity to fail to select and administer tests concerning employment in the most effective manner to ensure that, when a test is administered to a job applicant or employee who has a disability that impairs sensory, manual, or speaking skills, the test’s results accurately reflect the skills, aptitude, or whatever other factor of the applicant or employee that the test purports to measure, rather than reflecting the impaired sensory, manual, or speaking skills of such employee or applicant (except where such skills are the factor that the test purports to measure). <span style="float: right;"><i>29 CFR 1630.11; 34 CFR 104.13 (b)</i></span></p>		
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<p>Indicator of Compliance</p> <p>▲ If tests are administered, recipient administers tests to all persons that apply for positions.</p>	<p>Documentation</p> <p>Copies/description of tests that are administered concerning employment (other than required state testing, i.e. bus drivers)</p>	Yes	No

<b>8F</b>	<p><b><i>Contractual or Other Relationships</i></b></p> <p>In general, it is unlawful for a covered entity to participate in a contractual or other arrangement or relationship that has the effect of subjecting the covered entity’s own qualified applicant or employee with a disability to the discrimination prohibited by this part. <span style="float: right;"><i>29 CFR 1630.6; 34 CFR 104.11 (4)</i></span></p>		
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<p>Indicator of Compliance</p> <p>▲ Recipient includes non-discrimination policies in contractual or other relationships</p>	<p>Documentation</p> <p>Copy of policy regarding contracts</p>	Yes	No