

Civil Rights

Methods of Administration

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PURPOSE of the **MOA Program**

*To ensure students enjoy
equal access to CTE
programs and
activities regardless of race,
color, national origin, sex, or
disability.*

The MOA Coordinator is responsible for conducting targeted compliance reviews of secondary institutions that provide CTE programs based on the Vocational Education Guidelines as well as the regulations implementing Title IX, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act (ADA) of 1990.

MOA Selection Criteria

1. Race
2. Disability
3. Sex
4. Non-Traditional CTE Enrollment
5. Date of Last Review (3 years)
6. CTE Courses
7. Civil Rights Complaints

Targeting Plan

Ranking Procedures

Banding System Used for Criterion 1

| Group | Point Distribution |
|----------------------|--------------------|
| First ten schools | 10 points |
| Second group of ten | 8 points |
| Third group of ten | 6 points |
| Fourth group of ten | 4 points |
| Fifth group of ten | 2 points |
| Remainder of schools | 0 points |

Although all four primary criteria will be ranked, data relating to students with disabilities (Criterion 1) will be weighted more heavily than the other criteria.

A banding approach which assigns points to each criterion will be used as illustrated below. Every sub-recipient is assigned points for each criterion. These criterion points are added to create an overall point value. Then the sub-recipient universe will be ranked from highest to lowest based on each sub-recipient's overall point value. The pool of possible visitation sites is selected from sub-recipients with the highest rankings.

Targeting Plan

Ranking Procedures

Banding System Used for Criterion 2

| Group | Point Distribution |
|----------------------|--------------------|
| First ten schools | 8 points |
| Second group of ten | 6 points |
| Third group of ten | 4 points |
| Fourth group of ten | 2 points |
| Fifth group of ten | 1 points |
| Remainder of schools | 0 points |

Although all four primary criteria will be ranked, data relating to students with disabilities (Criterion 1) will be weighted more heavily than the other criteria.

A banding approach which assigns points to each criterion will be used as illustrated below. Every sub-recipient is assigned points for each criterion. These criterion points are added to create an overall point value. Then the sub-recipient universe will be ranked from highest to lowest based on each sub-recipient's overall point value. The pool of possible visitation sites is selected from sub-recipients with the highest rankings.

Targeting Plan

Ranking Procedures

Banding System Used for Criterion 3

| Group | Point Distribution |
|----------------------|--------------------|
| First ten schools | 6 points |
| Second group of ten | 4 points |
| Third group of ten | 2 points |
| Remainder of schools | 0 points |

Although all four primary criteria will be ranked, data relating to students with disabilities (Criterion 1) will be weighted more heavily than the other criteria.

A banding approach which assigns points to each criterion will be used as illustrated below. Every sub-recipient is assigned points for each criterion. These criterion points are added to create an overall point value. Then the sub-recipient universe will be ranked from highest to lowest based on each sub-recipient's overall point value. The pool of possible visitation sites is selected from sub-recipients with the highest rankings.

Targeting Plan

Ranking Procedures

Banding System Used for Criterion 4

| Group | Point Distribution |
|---|--------------------|
| Last review five or more school years prior to plan | 4 points |
| Last review four school years prior to plan | 2 points |
| Reviewed within three school years prior to plan | 0 points |

Although all four primary criteria will be ranked, data relating to students with disabilities (Criterion 1) will be weighted more heavily than the other criteria.

A banding approach which assigns points to each criterion will be used as illustrated below. Every sub-recipient is assigned points for each criterion. These criterion points are added to create an overall point value. Then the sub-recipient universe will be ranked from highest to lowest based on each sub-recipient's overall point value. The pool of possible visitation sites is selected from sub-recipients with the highest rankings.

Targeting Plan

Number to be visited

2.5% of the total sub-recipient universe will be reviewed. 55 school districts, 7 multi-county centers and 1 specialized facility.

$$63 \times 2.5\% = 1.48$$

2 per year

The number of sites to receive an on-site visit will be based on the Memorandum of Procedures (MOP). According to that document, 2.5% of the total sub-recipient universe will be reviewed. West Virginia has 55 school districts, 7 multi-county centers and 1 specialized facility. With the total number of these sites equaling 63, the number of sites visited will be 1 review per year ($63 \times 2.5\% = 1.48$).

2015-16 Visits

Lincoln County
Pocahontas County

2016-17 Visits

? County

? County

What we look for:

- Annual Public Notice: Non-discrimination statement
- Continuous notice: Must be included on website, brochures, recruiting materials, posters, publications, handbooks, etc.
- Grievance Procedures
- Evidence of equity in employment practices/salaries
- Compliance in counseling, recruitment, enrollment, access, admissions
- Services for students with disabilities and facility accessibility

EQUAL OPPORTUNITY Onsite Self-Evaluation & Review Checklist

Federal Compliance Requirements

U.S. Department of Education regulations implementing:

- Title VI of the Civil Rights Act of 1964 (Title VI), 34 CFR Part 100
- Title IX of the Education Amendments of 1972 (Title IX), 34 CFR Part 106
- Section 504 of the Rehabilitation Act of 1973 (Section 504), 34 CFR Part 104
- Vocational Education Programs Guidelines For Eliminating Discrimination and Denial Of Services On The Basis Of Race, Color, And National Origin, Sex And Handicap (Guidelines), 34 CFR Part 100 Appendix B

U.S. Department of Justice regulations implementing:

- Title II of the Americans with Disabilities Act of 1990 (ADA), 28 CFR Part 35

1. ADMINISTRATIVE

Administrative Issues

Recipients need to have certain base requirements in place to comply with the OCR Guidelines, Title VI, Title IX and Section 504. These basic procedures include an annual public notice, continuous notification, designation of a person(s) to coordinate activities under Title IX and Section 504, and a grievance procedure that will allow students an avenue for dealing with discrimination from faculty, fellow students and administrators. To verify this, it will be necessary to review many documents and to interview administrators, Title IX and Section 504 coordinators, faculty and students.

| Equity Requirement/ <u>Legal Cites</u> | Indicators of Compliance | Documentation | District Use | | | State Use Only (Comments/Action) |
|--|--|--|--------------|----|----------|--|
| | | | Yes | No | Not Sure | |
| A. Annual Public Notification | | | | | | |
| 1. Prior to the beginning of each school year, recipients must advise students, parents, employees and general public that all vocational opportunities will be offered regardless of race, color, national origin, sex or disability. | Recipient issues annual public notice of nondiscrimination. The notice also is disseminated in any language other than English as needed. | Is the notice in: | | | | <input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A |
| | | Local newspapers? | | | | |
| | | Institution newspapers? | | | | |
| | | Other publications? | | | | |
| | | Does notice have brief description of program offerings and admission criteria? | | | | |
| | | Do publications with notice reach students, parents, employees and applicants? Describe method used. | | | | |

MOA Civil Rights Process

- Work with the district to select Onsite Review date(s)
- Ask the district about the documentation preparation and checklist
- Ask for as much information to be submitted to you in advance for review, especially facility construction and alteration dates and student demographics

MOA Civil Rights Process

- Periodically check in with the district to see if they have any questions
- Prior to the MOA Civil Rights Onsite Review, set up a time with the CTE Director and Team to discuss the draft agenda to finalize
- Provide ongoing technical assistance

MOA Civil Rights Process

- Entrance meeting with district representatives
- Review documentation
- Interviews with CTE Director, teachers, administrative team, may include student focus group, counselor(s)
- Accessibility review

MOA Civil Rights Process

- Exit meeting
- Follow up
- Letter of Finding – 30 days after onsite review
- Voluntary Compliance Plan – 45 days for districts to respond when found out of compliance
- Monitoring Closure

Biennial Report

- Submitted to US Dept. of Education/Office for Civil Rights
- Due July 1, 2017