

POSTSECONDARY CHECKLIST FOR ON-SITE CIVIL RIGHTS REVIEWS (DRAFT)

In Utah, we have chosen to use an instrument to simplify the on-site reviews. The benefits are these:

1. Reviewers don't have to be experts in civil rights in order to intelligently pose appropriate questions to schools;
2. Schools know what the reviewers are seeking and can prepare appropriately;
3. All schools will receive the same review and not have reviewers approach them with differing agendas or depths of review.

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 → race, color, national origin discrimination
- Title IX of the Education Amendments of 1972 (Title IX), 34 CFR Part 106 → sex discrimination
- Section 504 of the Rehabilitation Act of 1973 (Section 504), 34 CFR Part 104 → disability discrimination
- 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 (Title II), 28 CFR Part 35 → disability discrimination regardless whether public entities receive federal financial assistance or not.
- Title II of the Americans with Disabilities Act of 2010

CHECKLIST FOR ON-SITE CIVIL RIGHTS REVIEWS (Draft)

1. ADMINISTRATIVE																																			
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation	Yes	No	Status																														
<p>Administrative Issues</p> <p>Recipients need to have certain basic requirements in place to comply with the OCR Guidelines, Title VI, Title IX, Section 504 and 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 Title II and a grievance procedure 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, Title IX and Section 504 coordinators, faculty and students.</p> <p>Suggested Persons to Interview: PR person, some administrators, students, and parents (particularly LEP students and students with sensory impairments).</p>																																			
A. Continuous Nondiscrimination Notice																																			
<p>A recipient must take continuing steps to notify participants, beneficiaries, applicants, elementary and secondary school parents, employees (including those with impaired vision or hearing), and unions or 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, or disability.</p> <p><u>Title IX: 34 CFR 106.9</u> <u>Section 504: 34 CFR 104.8</u></p>	<p>A variety of recipient publications notifies applicants, students, employees and parents that it does not discriminate on the basis of race, color, national origin, sex, or disability.</p>	<p>Is nondiscrimination notice found in the following publications:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">brochures on programs, activities</td><td style="width: 5%;"></td><td style="width: 5%;"></td></tr> <tr><td style="padding: 2px;">student application</td><td></td><td></td></tr> <tr><td style="padding: 2px;">job application</td><td></td><td></td></tr> <tr><td style="padding: 2px;">Catalog</td><td></td><td></td></tr> <tr><td style="padding: 2px;">student handbook</td><td></td><td></td></tr> <tr><td style="padding: 2px;">job announcements</td><td></td><td></td></tr> <tr><td style="padding: 2px;">posters advertising various programs</td><td></td><td></td></tr> <tr><td style="padding: 2px;">recruitment materials</td><td></td><td></td></tr> <tr><td style="padding: 2px;">website</td><td></td><td></td></tr> <tr><td style="padding: 2px;">school newspaper</td><td></td><td></td></tr> </table>	brochures on programs, activities			student application			job application			Catalog			student handbook			job announcements			posters advertising various programs			recruitment materials			website			school newspaper					<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined
brochures on programs, activities																																			
student application																																			
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job announcements																																			
posters advertising various programs																																			
recruitment materials																																			
website																																			
school newspaper																																			
Comments																																			

1. ADMINISTRATIVE					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
B. Persons Responsible For Coordinating Title IX and Section 504					
<p>(1) Each recipient shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Section 504, Title II, and Title IX.</p> <p>(2) The recipient must notify students and employees of the name, office address, and phone number of the designated employee(s). <u>Title IX: 34 CFR 106.8</u> <u>Section 504: 34 CFR 104.7(a)</u></p>	<p>Recipient has assigned a person(s) to coordinate Section 504, Title II, and Title IX activities. This (these) person(s) must be aware of their duties and responsibilities and have the training necessary to carry out their responsibilities.</p> <p>Recipient lists coordinators of Section 504, Title II, and Title IX with their name/title, address, and phone number in the notice of nondiscrimination.</p>	Catalogs			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined
		Handbooks			
		Job descriptions			
		Website			
		Interviews with Section 504, Title II, and Title IX coordinators			
		Interview students, particularly nontraditional and disabled			
		Interview some faculty and administrators			
Comments					

1. ADMINISTRATIVE					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
C. Annual Public Notification					
<p>(1) Prior to the beginning of each school year, recipients must advise students, parents, employees and general public that all ATE opportunities will be offered regardless of race, color, national origin, sex or disability.</p> <p>(2) The notice must include a brief summary of program offerings and admission criteria and the name, office address, and phone number of persons designated to coordinate compliance under Title IX and Section 504. <u>Title IX: 34 CFR 106.8(b)</u> <u>Section 504: 34 CFR 104.7(a)</u> <u>Title II: 28 CFR 35.107(a)</u> <u>Guidelines IV-O</u></p>	<p>Recipient issues annual public notice of nondiscrimination.</p> <p>The notice also is disseminated in the language of any national origin minority community in the service area.</p> <p>Annual notice lists coordinators of Section 504/ADA and Title IX with their name/title, address, and phone number.</p>	Is the notice in:			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined
		local newspapers?			
		institution newspapers?			
		other publications?			
		Does notice have brief description of program offerings and admission criteria?			
		Do publications with notice reach students, employees, and applicants? Describe how distributed. Ask administrators how this process is handled			
		Is notice available to the visually impaired? Describe method used. Ask administrators what is done			
		Does community have national origin minority students with limited English language skills? (Check census data and/or ask administrators, faculty, and students) If yes, is notice available in the language of that national origin minority community?			
How does notice get disseminated to national origin minority community? Ask faculty and administrators about the process					
Comments					

1. ADMINISTRATIVE				
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	
D. Grievance Procedure				
(1) A recipient shall adopt and publish a grievance procedure providing for prompt and equitable resolution of student and employee complaints alleging any discrimination based on sex or disability. <u>Section 504: 34 CFR 104.7(b)</u> <u>Title IX: 34 CFR 106.8(b)</u> <u>Title II: 28 CFR 35.107(b)</u> Reviewer(s): Be sure the grievance procedure (1) currently used is adequate and not missing critical information to ensure prompt and equitable resolution of student and employee complaints alleging any discrimination based on sex or disability and (2) adequately provides students and employees access to and notification of its board-approved grievance procedure	Recipient notifies students and employees that there is a grievance procedure for persons who feel they have been discriminated against based on sex or disability. The procedure is readily available to students and employees and it is prompt and equitable.	Student handbooks		<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined
		Employee handbooks		
		Catalogs		
		Data on complaints		
		Interviews with faculty, students, and administrators		
		Interviews with Section 504/ADA and Title IX coordinators		
Comments				

2. SITE LOCATION AND STUDENT ELIGIBILITY CRITERIA

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	

Site Location and Student Eligibility Criteria Issues

Applied Technology Education Guidelines, Sections IV-A – IV-K, establish standards that 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 ATE facilities, establishing geographic residence requirements, establishing numerical limits on students from sending schools, additions to existing ATE 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

Recipient may not develop, impose, maintain, approve, or implement student admission eligibility criteria that discriminate on the basis of race, color, national origin, sex or disability. <u>Guidelines IV-A</u>	Student eligibility criteria for admission to ATE schools, facilities or programs do not discriminate on the basis of race, color, national origin, sex, or disability.	Eligibility and admission criteria for ATE schools			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Eligibility and admission criteria for ATE facilities, campuses			
		Eligibility and admission criteria for ATE programs			
	Comments				

B. Site Selection and Modifications

Recipient may not select or approve a site that has the purpose or effect of excluding, segregating, or otherwise discriminating on the basis of race, color, or national origin.	ATE sites are readily accessible to minority and nonminority communities and their location does not have a segregative effect.	Maps showing location of ATE facilities			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Enrollment demographics for each facility			
		Demographics of communities surrounding facility			
	Comments				
Recipients must locate ATE facilities at sites that are readily accessible to both minority and nonminority communities and that do not tend to identify the facility or program as intended for minority or nonminority students. <u>Guidelines IV-B</u>					

2. SITE LOCATION AND STUDENT ELIGIBILITY CRITERIA					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
(C) A recipient may not add to, modify, or renovate the physical plan of a ATE facility in a manner that creates, maintains, or increases segregation on the basis of race, color, national origin, sex, or disability. <u>Guidelines IV-D</u>	After modification, the ATE site is readily accessible to minority and nonminority communities and the modification does not have a segregative effect.	Maps showing location of modified ATE facilities			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Student demographics before and after facility modifications			
		Demographics of communities surrounding facility			
		Comments			
D. Residency					
A recipient may not establish, approve, or maintain geographic boundaries that unlawfully exclude students on the basis of race, color, or national origin. <u>Guidelines IV-C</u>	Attendance zones do not have the effect of excluding students on the basis of race, color, or national origin.	Maps of attendance zones			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Demographics of contiguous service areas to the facility			
		Curriculum offerings at contiguous facilities			
		Job placement rates at contiguous facilities			
Comments					

3. RECRUITMENT					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
<p>Recruitment Issues</p> <p>Recruitment activities and materials should convey the message that all ATE 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, sexes and disabilities.</p>					
<p>(A) Recipients must conduct their recruitment activities so as not to exclude or limit opportunities on the basis of race, color, national origin, sex, or disability. <u>Title IX: 34 CFR 106.23 (a)(b) Guidelines V-C</u></p>	<p>All potential students have access to information. Efforts are made to reach underrepresented groups.</p>	Recruitment plans			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		List of recruitment activities and sites			
		Description of recruitment activities			
<p>Comments</p>					
<p>(B) Recruitment materials' description of career and occupational opportunities should not be limited on the basis of race, color, national origin, sex, or disability. <u>Guidelines V-C</u></p>	<p>Descriptions of career opportunities are bias-free and free from stereotyping</p>	Recruitment brochures and marketing materials			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Course catalog			
<p>Comments</p>					

3. RECRUITMENT					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
(C) To the extent possible, recruiting teams should represent persons of different races, national origins, sexes, and disabilities. <u>Guidelines V-C</u>	Where possible, persons of differing races, genders, and disability are used for recruiting purposes. (But a failure to do so should not be construed as noncompliance.)	Staff demographics by program			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Recruitment team demographics by program			
	Comments				
(D) Recipients must ensure that counselors can effectively communicate with students with limited English proficiency and with students with sensory impairments. <u>Guidelines V-D</u>	The content of materials available to other students and their parents is available to students and parents who speak languages other than English.	Written plan for the provision of services for ESL individuals			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Written plan for provision of services for hearing impaired individuals			
	Formats other than the printed word are available for students with disabilities.				
	Comments				

3. RECRUITMENT					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
(E) Recipients may not undertake promotional efforts in a manner that creates or perpetuates stereotypes or limitations based on race, color, national origin, sex, or disability. Materials that are part of promotional efforts may not create or perpetuate stereotypes through text or illustration. <u>Guidelines V-E</u>	Materials and/or media presentations show persons of varying races, male and female, persons with disabilities, and different national origins. Comments	Promotional materials, including brochures, flyers, newspaper advertising, catalogs			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
(F) If a recipient's service area contains a community with persons of limited English proficiency, information must be available to that community in its language. <u>Guidelines V-E</u>	Process is in place to identify and communicate with language minority communities. Efforts are made to communicate in a commonly understood language. Comments	Verification of limited English proficient community			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Samples of materials in other languages			

4. ADMISSIONS					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation			Status
			Yes	No	
Admission Issues					
Admission policies, procedures and criteria may not exclude students from ATE 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.					
(A) A recipient may not judge candidates for admission to career and technical education programs on the basis of criteria that have the effect of disproportionately excluding persons of a particular race, color, national origin, sex, or disability. If such disproportionate exclusion occurs, the criteria or standards must be validated as essential to participation. <u>Guidelines IV-K</u>	Demographics of career-technical enrollment are similar to demographics of eligible pool or recipient provides a legitimate nondiscriminatory rationale.	Admissions policy for career and technical education programs. Description of the admissions process			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	Demographics of specific ATE programs are similar to demographics of entire career-technical enrollment or recipient provides a legitimate nondiscriminatory rationale.	Procedures and criteria for selective admissions for career and technical programs (where there are more applicants than can be accommodated)			
	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, or disability status.	Demographics of rejected applicants by selection criteria			
	Admissions criteria that disproportionately exclude have been validated as essential to participation.	Demographics of selected applicants by selection criteria			
	Comments				

4. ADMISSIONS					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation			Status
			Yes	No	
(B) Recipients must avoid preadmission inquiries about disability status. <u>Postsecondary</u> (marital, parental) Title IX: 34 CFR 106.21(c) Section 504: 34 CFR 104.42 (b)(4) Title II: 28 CFR 35	Application forms and materials do not request information about marital, parental, or disability status.	Admissions application form and materials.			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	Comments				
(C) A recipient must not deny access to ATE and academic programs or courses to students with a disability on the basis that employment opportunities in any occupation or profession may be more limited for disabled persons than for nondisabled persons. Section 504: 34 CFR 104.10 Section 504: 34 CFR 104.43(c) Guidelines IV-N	The agency does not discourage students with disabilities from participating in programs due to potential workplace discrimination.	Documentation of counseling			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Counseling materials			
		Enrollment data			
		Number of disabled students by program			
		Placement/follow-up data			
		Interviews			
Comments					

4. ADMISSIONS					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation			Status
			Yes	No	
<p>(D) A recipient may not restrict admission to CTE programs because the applicant, as a member of a national origin minority group with limited English language skills, cannot participate in and benefit from career and technical education to the same extent as students whose primary language is English.</p> <p>(E) An elementary and secondary recipient is responsible for identifying applicants with limited English language skills and assessing their ability to participate in CTE.</p> <p>(F) An elementary and secondary recipient must take steps to open all CTE programs to national origin minority students with limited English proficiency. <u>Guidelines IV-L</u></p>	<p>Recipient has a procedure in place to identify and assess applicants with limited English proficiency.</p> <p>LEP enrollment in ATE is proportional to LEP enrollment in the service area</p> <p>LEP enrollment in specific ATE programs is proportional to LEP enrollment in ATE education overall.</p>	Procedure for LEP identification and placement.			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Summary of steps taken to increase LEP participation in programs where they traditionally have been underrepresented.			
		Specific program enrollment demographics by LEP status.			
Comments					

4. ADMISSIONS					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation	Yes	No	Status
(G) Postsecondary admission tests are selected and administered in such a way that they 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 tests purports to measure). <u>Section 504: 34 CFR 104.44(b)(3) Guidelines IV-N</u>	Admission tests and their manner of administration are validated for use with persons with impaired sensory, vocal or speaking skills.	Lists of tests used			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Description of test administration methods for persons with sensory, vocal, or speaking impairments			
Comments					
(H) Postsecondary institutions may not make preadmission inquiries regarding disabling conditions except when taking remedial steps to increase participation when underrepresentation is identified. <u>Section 504: 34 CFR 104.42(b)(4) & (c)</u>	The recipient does not request information about disability prior to admission.	Student handbook/college catalog			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Application forms			
		Guidance/counseling forms and procedures			
		Recruitment materials			
		Admissions packets			
		Interviews			
Comments					

5. STUDENT FINANCIAL ASSISTANCE

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status	
		Yes	No		
Financial Assistance Issues					
<p>Colleges 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 college's nondiscrimination policy.</p> <p>A college 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 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.</p> <p><u>While this is primarily a postsecondary issue, secondary schools helping to prepare students for postsecondary experiences can help disadvantaged students by being aware of this requirement because financial aid is often the stumbling block for those historically underrepresented in postsecondary education.</u></p> <p>Interviews with the following persons may clarify compliance with this standard: Financial Aid Director, Financial Aid Counselors, Guidance Counselors, Department Chairs, Title IX Coordinator, 504/ADA Coordinators.</p>					
(A) Financial assistance is available to all students regardless of sex, race, color, national origin, or disability. <u>Title VI: 34 CFR 100.3(b)</u> <u>Title IX: 34 CFR 106.37</u> <u>Section 504: 34 CFR 104.46(a)</u> <u>Guidelines VI-B</u>	Institutional data on financial aid demonstrates that there is equitable distribution of financial aid regardless of sex, race, color, national origin, or disability.	Financial aid data by sex, race, color, national origin, or disability			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Interviews with students			
		Interviews with financial aid staff			
		Interviews with counselors			
	If an apparent disparity exists, the institution offers a legitimate, nondiscriminatory reason.				
Comments					

5. STUDENT FINANCIAL ASSISTANCE

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status	
		Yes	No		
(B) Sex-restricted awards are made only when established by will, trust, bequest, or other legal instrument. The overall effect may not discriminate on the basis of sex. <u>Title IX: 34 CFR 106.37</u> <u>Guidelines VI-B</u>	Documentation is available as to the number and amount of aid given as a result of will, trust, bequest, or other legal instrument. Overall, the institution's financial assistance does not discriminate on the basis of sex.	Review of all financial assistance given as a result of trust, bequest, or other legal instrument			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Review of all sex-restricted financial aid given			
		Review total list of financial aid to ensure the overall effect does not discriminate			
Comments					
(C) Information about financial assistance is equitably written and does not lead students to believe it is awarded on a discriminatory basis. <u>Guidelines VI-B</u>	Materials written provide information equitably. All written materials contain the nondiscrimination statement. 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.	Review materials written for students and families concerning the financial assistance available			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Interviews with students			
		Interviews with financial aid staff			
Comment					

5. STUDENT FINANCIAL ASSISTANCE

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	
(D) National origin minority persons with limited English language skills receive information about financial assistance in their own language. <u>Guidelines VI-B</u>	Community demographics indicate that national origin minority persons with limited English language skills are a part of the population served by the college.	Review written communications		<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Review demographics of the area served by the college		
		Interviews with students		
		Interview bilingual interpreters		
	Communications about financial assistance is available in the home language of these members of the community.			
Comment				

6. COUNSELING AND PRE-C.T.E.. PROGRAMS

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status								
		Yes	No									
<p>Counseling Issues</p> <p>Issues relating to counseling and pre-ATE 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.</p> <p>Interviews with counselors, teachers, or courses /programs with disproportionate enrollment and students in “nontraditional” courses /programs may clarify compliance.</p> <p>List programs or classes with disproportionate enrollment:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Program</th> <th style="width: 50%;">Underrepresented Group</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>					Program	Underrepresented Group						
Program	Underrepresented Group											
<p>(A) Recipients must <u>regularly review counseling materials and activities</u> to ensure that their 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, or disability.</p> <p><u>Title IX: 34 CFR 106.21 (a)(b)</u> <u>Title IX: 34 CFR 106.36 (a)</u> <u>Title IX: 34 CFR 106.34</u> <u>Section 504: 34 CFR 104.4 (a), and 104.34 (a) and (c)</u> <u>Section 504: 34 CFR 104.47 (b)</u> <u>Title II: 28 CFR 35.130</u> <u>Guidelines V-A</u></p>	<p>The written guidance plan, policy, and procedures ensure nondiscrimination.</p> <p>The written assessment plan ensures nondiscrimination.</p>	Guidance plan, policy, and procedure			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A							
		Assessment plan with a list of tests administered										
	Written procedures for evaluation and placement of disabled students											
	Promotional and recruitment materials											
	Enrollment demographics											
	Recruitment, admission policies											
	LEP policy											
	Calendar of counseling and pre-ATE activities											
Comments												

6. COUNSELING AND PRE-C.T.E.. PROGRAMS

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status	
		Yes	No		
(B) Counselors must not direct students into programs based on their race, color, national origin, sex, or disability. 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 student's race, color, national origin, sex, or disability. <u>Title IX: 34 CFR 106.34</u> <u>Section 504: 34 CFR 104.47(b) Guidelines V-B</u>	ATE program enrollments by sex, race, national origin, and disability are proportionate to enrollment of these groups in the general student population.	Admission criteria			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Enrollment forms			
		Enrollment demographics by class/program			
	Where enrollments are not proportionate, the institution can furnish a legitimate, nondiscriminatory rationale.				
Comments					
(C) Recipients may not counsel disabled students toward more restrictive career objectives than nondisabled students with similar abilities and interests. <u>Section 504: 34 CFR 104.37(b) Guidelines V-B</u>	Disabled students have equal access to all programs and classes based on abilities and interests.	Examples of pre-enrollment counseling			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Enrollment data			
	Comments				

6. COUNSELING AND PRE-C.T.E.. PROGRAMS

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
(D) 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. Title IX: 34 CFR 106.36 Guidelines V-B	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, nondiscriminatory rationale.	Examples of pre-enrollment counseling		<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Enrollment data		
		Examples of revised counseling materials or activities in response to disproportionate enrollments		
Comments				

7. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation	Yes	No	Status
Services For Students with Disabilities Issues					
<p>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 upon the premise that students with disabilities will be integrated with their nondisabled peers 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 disabled students are different from the requirements for services for postsecondary disabled students.</p> <p>Interviews with the following persons may clarify compliance with this standard: Agency CEO, Guidance Counselors, Department Chairs, ADA and 504 Coordinators, Coordinator for Disabled Student Services, Facilities Director. In addition to interviews, a visual inspection of facilities should be conducted.</p>					
(A) 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. <u>Section 504: 34 CFR 104.4(a)</u> <u>Title II: 28 CFR 35.130(a)</u> <u>Guidelines IV-N</u>	The agency implements policies and procedures ensuring access for students with disabilities to programs, services, and activities.	Board policy			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Student handbooks			
		Membership lists in clubs and activities			
		Procedures for selection into clubs, activities, programs			
		Criteria for admission into courses, programs, services, and activities			
Comments					

7. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation			Status
			Yes	No	
(B) Disabled students must not be excluded from ATE, 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. <u>Guidelines IV-N</u>	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 adapted			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		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			
		Enrollment data by program			
		Number of disabled students denied admission			
		Student handbook/college catalog			
		Policies governing use of guide dogs, tape recorders, note takers			
		Interviews			
		Comments			

7. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation	Yes	No	Status
C. Elementary And Secondary 504 Services					
<p>(1) A recipient that operates an elementary or secondary program or activity must provide a free, appropriate public education (FAPE) to each qualified disabled person in its jurisdiction.</p> <p>The recipient must have a system in place for the identification, evaluation and educational placement of these disabled persons.</p> <p>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.</p> <p>The recipient must provide procedural safeguards through which parents or guardians may obtain an impartial review of the evaluation and placement actions.</p> <p><u>Section 504: 34 CFR 104.33, 35, and 36</u></p>	<p>The FAPE policies and procedures provide for the identification, evaluation, and placement of disabled persons and include procedural safeguards. Evaluation and placement records of individual students with disabilities indicate that placement decisions are fully documented and timely re-evaluations are conducted. Persons who are knowledgeable about placement options in ATE programs participate in ATE placement decisions.</p>	FAPE policies and procedures			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		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 ATE programs who participate in FAPE placement decisions for ATE programs			
		Section 504 plans, placement records, IEPs, and similar records of disabled students placed in ATE programs			
Comments					

7. SERVICES FOR STUDENTS WITH DISABILITIES

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation			Status
			Yes	No	
(3) Course examinations or other procedures for evaluating students' academic achievements are administered in such a way that disabled students' aptitudes or achievement levels or other relevant factors are measured and not the disability. <u>Section 504: 34 CFR 104.44(c)</u> <u>Title II: 28 CFR 35.130(b)(8)</u> <u>Guidelines IV-N</u>	The agency accommodates needs of students with disabilities during testing.	Lists of modifications to tests or test administration			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Location of testing; facility accessible, auditory/lighting adequate			
		Procedures for determining need			
		Interviews			
	Comments				

8. ACCESSIBILITY

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation	Yes	No	Status
504/ADA Accessibility Issues					
<p>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.</p>					
<p>Interviews with the following persons may clarify compliance with this standard: Agency CEO, Guidance Counselors, Department Chairs, ADA and 504 Coordinators, Coordinator for Disabled Student Services, Facilities Director. In addition to interviews, a visual inspection of facilities should be conducted. Blueprints. Construction contracts. Work orders.</p>					
<p>Applicable accessibility standards are determined by the date the facility was constructed or last renovated by the institution.</p>					
<ul style="list-style-type: none"> • 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/ ADA (28 CFR 35.151) - construction or alteration initiated on or after 1/27/92 - ADAAG or UFAS 					
<p>(A) List each facility reviewed with the date of construction or last renovation and the ATE programs offered therein.</p>					
<u>(building)</u>	<u>(date)</u>	<u>(programs)</u>			
_____	_____	_____			
_____	_____	_____			
_____	_____	_____			

8. ACCESSIBILITY					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation			Status
			Yes	No	
B. Existing facility under 504 – Built or altered beginning June 3, 1977, or earlier					
<p>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. <u>Section 504: 34 CFR 104.22</u></p>	<ul style="list-style-type: none"> • redesign of equipment • reassignment of classes or other services to accessible buildings • assignment of aides to beneficiaries (but no carrying) • home visits • alteration of existing facilities and construction of new facilities in conformance with the requirements for new construction or • any other methods that result in making its program or activity accessible to persons with disabilities 	• Observations and measurements			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		• Blueprints and plans			
		• Renovation schedules			
		• Maintenance records			
		• Work orders or contracts indicating construction start dates			
Comments					

8. ACCESSIBILITY					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation			Status
			Yes	No	
C. New construction under 504 – Built or altered between June 4, 1977, and January 17, 1991, inclusive					
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. <u>Section 504: 34 CFR 104.23</u> (prior to January 18, 1991 amendment)	4.1 Grading	• Observations and measurements			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	4.2 Walks	• Blueprints and plans			
	4.3 Parking lots	• Renovation schedules			
	5.1 Ramps and gradients	• Maintenance records			
	5.2 Entrances	• Work orders or contracts indicating construction start dates			
	5.3 Doors and doorways				
	5.4 Stairs				
	5.5 Floors				
	5.6 Toilet rooms				
	5.7 Water fountains				
	5.8 Public phones				
	5.9 Elevators				
	5.10 Controls				
	5.11 Identification				
5.12 Warning signals					
5.13 Hazards					
Comments					

8. ACCESSIBILITY					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation			Status
			Yes	No	
D. New construction under 504 – Built or altered between January 18, 1991, and January 26, 1992, inclusive New construction under ADA Title II and 504 – Built after January 26, 1992; exercising the option to follow 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 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). Departures from particular technical and scoping requirements permitted where substantially equivalent or greater access to and usability of the building is provided. <u>Section 504: 34 CFR 104.23</u> <u>Title II: 28 CFR 35.151</u>	4.1 Minimum requirements	• Observations and measurements			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	4.2 Space allowance and reach ranges	• Blueprints and plans			
	4.3 Accessible route	• Renovation schedules			
	4.4 Protruding objects	• Maintenance records			
	4.5 Ground and floor surfaces	• Work orders or contracts indicating construction start dates			
	4.6 Parking and passenger loading zones				
	4.7 Curb ramps				
	4.8 Ramps				
	4.9 Stairs				
	4.10 Elevators				
	4.11 Platform lifts				
	4.12 Windows				
	4.13 Doors				
	4.14 Entrances				
	4.15 Drinking fountains and water coolers				
	4.16 Water closets				
	4.17 Toilet stalls				
	4.18 Urinals				
	4.19 Lavatories and mirrors				
	4.20 Bathtubs				
	4.21 Shower stalls				
	4.22 Toilet rooms				
	4.23 Bathrooms, bathing facilities, and shower rooms				
	4.24 Sinks				
	4.25 Storage				
	4.26 Handrails, grab bars, tub and shower seats				
	4.27 Controls and operating mechanisms				
	4.28 Alarms				
	4.29 Tactile warnings				
	4.30 Signage				

8. ACCESSIBILITY					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation			Status
			Yes	No	
	4.31 Phones 4.32 Seating, tables, and work surfaces 4.33 Assembly areas 4.34 Dwelling units Other requirements				
	Comments				

8. ACCESSIBILITY					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation	Yes	No	Status
E. New construction under ADA Title II and 504 – Built after January 26, 1992; exercising the option to follow ADAAG					
<p>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). Departures from particular requirements permitted when it is clearly evident that equivalent access to the facility or part of the facility is thereby provided. <u>Section 504: 34 CFR 104.23</u> <u>Title II: 28 CFR 35.151</u></p>	4.1 Minimum requirements	• Observations and measurements			
	4.2 Space allowance and reach ranges	• Blueprints and plans			
	4.3 Accessible route	• Renovation schedules			
	4.4 Protruding objects	• Maintenance records			
	4.5 Ground and floor surfaces	• Work orders or contracts indicating construction start dates			
	4.6 Parking and passenger loading zones				
	4.7 Curb ramps				
	4.8 Ramps				
	4.9 Stairs				
	4.10 Elevators				
	4.11 Platform lifts (wheelchair lifts)				
	4.12 Windows				
	4.13 Doors				
	4.14 Entrances				
	4.15 Drinking fountains and water coolers				
	4.16 Water closets				
	4.17 Toilet stalls				
	4.18 Urinals				
	4.19 Lavatories and mirrors				
	4.20 Bathtubs				
	4.21 Shower stalls				
	4.22 Toilet rooms				
	4.23 Bathrooms, bathing facilities, and shower rooms				
	4.24 Sinks				
	4.25 Storage				
	4.26 Handrails, grab bars, tub and shower seats				
	4.27 Controls and operating mechanisms				
	4.28 Alarms				
	4.29 Detectable warnings				
	4.30 Signage				
	4.31 Phones				

8. ACCESSIBILITY					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation			Status
			Yes	No	
	4.32 Fixed or built-in seating or tables 4.33 Assembly areas 4.34 Automatic teller machines 4.35 Dressing and fitting rooms Other requirements				
	Comments				

9. COMPARABLE FACILITIES				
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status
		Yes	No	
<p>Comparable Facilities Issues:</p> <p>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 should be similar in quality and convenience to the 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.</p>				
<p>(A) If separate programs or facilities exist for <u>students with disabilities</u>, they are comparable to those for students without disabilities.</p> <p>(B) If separate programs or facilities exist for <u>LEP students</u>, they are comparable to those students who are fully proficient in English</p> <p><u>Section 504: 34 CFR 104.34(c) Guidelines VI-A</u></p>	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.			
Comments				

- Compliance
- Noncompliance
- Undetermined
- N/A

9. COMPARABLE FACILITIES					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation	Documentation		Status
			Yes	No	
(C) Changing rooms, showers, and other facilities for students of one sex are comparable to those provided to students of the other sex. (D) Changing rooms, showers, and other facilities for students with disabilities are comparable to those provided to students without disabilities. <u>Title IX: 34 CFR 106.33</u> <u>Section 504: 34 CFR 104.4(b)(ii)</u> <u>Guidelines VI-D</u>	Locker rooms have approximately the same space and amenities for both males and females. If there is disparity, the institution provides a legitimate, nondiscriminatory rationale. Changing rooms, shower, bathrooms, and other facilities near the ATE areas are comparable for both men and women. Persons with disabilities have convenient access to changing facilities and shower facilities.	Visual examination of the facilities			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Interviews with students			
		Interviews with staff			
	Comments				

10. WORK BASED LEARNING EDUCATION, JOB PLACEMENT, AND APPRENTICE TRAINING					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status	
		Yes	No		
<p>Work Study Cooperative Education, Job Placement, and Apprentice Training Issues</p> <p>An agency 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 sex, race, national origin, or disability of the student. It is also illegal to cooperate with an employer that requests 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 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>					
<p>(A_ Opportunities in work study, cooperative education, and job placement programs are available to all students regardless of race, color, national origin, sex, or disability. <u>Title VI: 34 CFR 100.3(b)</u> <u>Title IX: 34 CFR 106.31(d)</u> <u>Section 504: 34 CFR 104.4(b)</u> <u>Guidelines VII-A</u></p>	<p>Students in the work-study, cooperative education, and job placement programs are representative of the demographics of the school or program.</p> <p>If there is disparity, the institution provides a legitimate, nondiscriminatory rationale.</p>	Review of enrollment data in the work-study, cooperative education, and job placement programs			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Interviews with students			
		Interviews with staff			
Comment					

10. WORK BASED LEARNING EDUCATION, JOB PLACEMENT, AND APPRENTICE TRAINING					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation	Documentation		Status
			Yes	No	
(B) A recipient that assists employers and prospective employers in making employment opportunities available to any of its students must ensure that the employer does not discriminate on the basis of race, color, national origin, sex, or disability in recruitment, hiring, placement, assignment to work tasks, hours of employment, levels of responsibility, and pay. <u>Title VI: 34 CFR 100.3(b)</u> <u>Title IX: 34 CFR 106.38</u> <u>Section 504: 34 CFR 104.46(b)</u> <u>Guidelines VII-A</u>	Workplace agreements contain an assurance of nondiscrimination 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, or sex.	Review of workplace assignments, hours of work, and job assignments			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Interviews with students			
		Interviews with staff			
Comment					

11. APPRENTICESHIP TRAINING PROGRAM				
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation		Status
		Yes	No	
Apprenticeship Training Program Issues				
<p>In the same way that an employer may not discriminate and the educational agency may not work with any that do discriminate, it also has the responsibility to ensure that entities sponsoring apprenticeship programs such as unions do not discriminate. To be a partner in that discrimination is illegal. 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. It is necessary to review apprenticeship assurance forms, the assignments of students presently in such programs and the placement process to see whether any such patterns exist.</p>				
(A) Schools may not enter into an agreement for the provision or support of apprentice training for students or union members with any labor union or other sponsor that discriminates against its members or applicants on the basis of race, color, national origin, sex, or disability. <u>Title VI: 34 CFR 100.3(c)</u> <u>Title IX: 34 CFR 106.31(d)</u> <u>Section 504: 34 CFR 104.11(a)(4)</u> <u>Guidelines VII-A</u>	Verification that staff understands this requirement.	Policy or written procedure		<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	Verification that the staff has not honored any request.	Interview with students		
		Interview with staff		
		Interview with sponsors of apprenticeship programs		
Comment				
(B) A written agreement between the institution and the labor union or other sponsor includes an assurance of nondiscrimination on the basis of race, color, national origin, sex, or disability. <u>Guidelines VII-A</u>	Written agreement between apprenticeship program and the agency contains the nondiscrimination statement that is signed by both parties.	Review of the written agreement		<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Comment		

12. EMPLOYMENT

Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation		Status																																								
		Yes	No																																									
<p>Employment Issues</p> <p>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. Specific issues include employment policies, recruitment and selection matters, salary establishment and administration, reasonable accommodation, and overcoming the effects of past discrimination.</p> <p>Suggested Persons to Interview: Personnel Director/Human Resources Director/Human Director, Recruiters or Personnel Staffing Specialists, Affirmative Action Officer, Top Managers, Members of Recruitment and Selection Teams or Committees, Recent hires, Union Officers or Negotiators, Staff who are members of protected groups.</p>																																												
<p>(A) Recipients may not engage in any employment practice that discriminates against any employee or applicant for employment on the basis of sex or disability. Recipients may not engage in any employment practice that discriminates on the basis of race, color, or national origin if such discrimination tends to result in segregation, exclusion, or other discrimination against students.</p> <p>Recipients may not make pre-employment inquires concerning disability, marital, or parental status.</p> <p><u>Title VI: 34 CFR 100.3(c)</u> <u>Title IX: 34 CFR 106.51, 106.57, and 106.60</u> <u>Section 504: 34 CFR 104.13 and 104.14</u> <u>Guidelines VIII-A</u></p>	<p>Recipient's employment practices are conducted without regard to race, color, national origin, sex, or disability of applicants or employees.</p> <p>Application forms and materials are free from prohibited questions concerning disability or marital or parental status.</p>	<p>Employment practices documents including:</p> <table border="1"> <tr><td>hiring policies and procedures</td><td></td><td></td></tr> <tr><td>advancement policies and procedures</td><td></td><td></td></tr> <tr><td>employee handbooks</td><td></td><td></td></tr> <tr><td>application materials and forms</td><td></td><td></td></tr> <tr><td>screening committee policies and procedures</td><td></td><td></td></tr> <tr><td>rating systems</td><td></td><td></td></tr> <tr><td>job announcements</td><td></td><td></td></tr> <tr><td>recruitment policies</td><td></td><td></td></tr> </table>	hiring policies and procedures			advancement policies and procedures			employee handbooks			application materials and forms			screening committee policies and procedures			rating systems			job announcements			recruitment policies			<table border="1"> <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> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> </table>																	<p><input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A</p>
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12. EMPLOYMENT					
Equity Requirement/ Legal Cites	Indicators of Compliance	Documentation	Documentation		Status
			Yes	No	
(B) The recipient must notify every source of faculty that it does not discriminate on the basis of race, color, national origin, sex, or disability. <u>Guidelines VIII-B</u>	Local agency or postsecondary institution notifies its sources of faculty that it does not discriminate on the basis of race, color, national origin, sex, or disability.	Application form for employment			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Vacancy announcements and advertisements			
		Recruitment letters or contacts			
		Personnel web site and other related recruitment documents			
		Published nondiscrimination statement in newspapers, student handbooks, other college materials			
Comments					
(C) The recipient should establish and maintain faculty salary scales on the basis of the conditions and responsibilities of employment without regard to race, color, national origin, sex, or disability. <u>Title IX: 34 CFR 106.54</u> <u>Section 504: 34 CFR 104.11 and 12</u> <u>Guidelines VIII-D</u>	Faculty salary scales and policy are based upon the conditions and responsibilities of employment without regard to race, color, national origin, sex, or disability. Faculty assignment patterns are nondiscriminatory on the basis of race, color, national origin, sex, or disability. Non-faculty salary administration is based upon the conditions of employment without regard to race, color, national origin, sex, or disability.	Faculty salary schedules and related policies			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
		Faculty assignment information by race/ethnic group, sex, and disabled staff			
		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			
Comments					

12. EMPLOYMENT					
Equity Requirement/ <u>Legal Cites</u>	Indicators of Compliance	Documentation	Documentation		Status
			Yes	No	
(D) Recipients must provide equal employment opportunities for teaching and administrative positions to disabled applicants who can perform the essential functions of the positions and make reasonable accommodations for the physical or mental limitations of disabled (otherwise qualified) applicants unless it can be demonstrated that such accommodations would impose undue hardship. <u>Section 504: 34 CFR 104.12 Guidelines VIII-E</u>	Recipient's employment policies do not unlawfully discriminate against the disabled.	Number of disabled staff			<input type="checkbox"/> Compliance <input type="checkbox"/> Noncompliance <input type="checkbox"/> Undetermined <input type="checkbox"/> N/A
	Disabled persons are employed in teaching and administrative positions and are not treated differently in promotion and tenure decisions.	Copies/description of policies, procedures, and criteria considered for hiring, promotion, retention, and tenure including professional and non-professional applications			
Comments					