

# Utah State Board of Education

## *“Methods of Administrating Civil Rights in CTE”*

### Self-Evaluation of Civil Rights Administrative Requirements and Policies of

- District or Institution \_\_\_\_\_
- School Name \_\_\_\_\_

#### INTRODUCTION:

As a foundation to student, parent, and staff civil rights, **persons must KNOW what their rights are and how to find resolution when rights are violated -- whether those rights were violated by another PERSON or by the school SYSTEM.**

Using the following statutes, the Office for Civil Rights in the US Department of Education has issued regulations and guidance on this topic here (with [links](#)):

1. [Vocational Guidelines](#) – The “Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education Programs” (Guidelines), 44 Fed. Reg. 17162 (March 21, 1979). In 1980, OCR incorporated these Guidelines as Appendix B to 34 C.F.R. Part 100 and they draw on the following:
2. [Title VI](#) of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in any program or activity receiving federal financial assistance from the U.S. Department of Education (42 U.S.C. Section 2000 d-i). The federal regulations implementing this authority are located at 34 Code of Federal Regulations (C.F.R.), Part 101.
3. [Title IX](#) of the Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs receiving or benefiting from federal financial assistance (20 U.S.C. Section 1681). The federal regulations implementing this authority are located at 34 C.F.R. Part 100.
4. [Section 504](#) of the Rehabilitation Act of 1973 prohibits discrimination on the basis of handicap in any program or activity receiving federal assistance (29 U.S.C. Section 794). The federal regulations implementing this authority are located at 34 C.F.R. Part 104.

These federally-mandated statutes are consequently binding on Utah recipients of ANY FORM of federal financial assistance from the U.S. Department of Education. Accordingly, technical assistance, monitoring, and other related activities from USBE will take place to assure that career and technical education (CTE) programs and service providers in the State are meeting the basic expectations set forth by the U.S. Department of Education and the above statutes.

LEAs and/or institutions may request civil rights technical assistance (TA). TA requests should be in writing and submitted to USBE/CTE’s Methods of Administration Coordinator (MOAC) at [murray.meszaros@schools.utah.gov](mailto:murray.meszaros@schools.utah.gov).

The checklist below is designed to assist Perkins V subrecipients **to CONDUCT and to REPORT to USBE** the status of their Administrative Requirements as listed under Federal civil rights regulations (see above). Secondary and postsecondary sites are required to assess and to provide sufficient evidence that the requirements below are solidly in place and that staff are functionally aware of how to use the requirements. Therefore, subrecipients are to complete this checklist and [email](#) the completed checklist to Murray Meszaros by **September 15, 2021**, at [murray.meszaros@schools.utah.gov](mailto:murray.meszaros@schools.utah.gov) .

For many situations below, electronic [links](#) as evidence will meet the required “proof.” Add additional comments as needed.

A. ADMINISTRATIVE PROCEDURAL REQUIREMENTS	Checklist		REQUIRED DOCUMENTATION FROM SITES
	YES	NO	
<p>1. <b>ANNUAL Notification</b> Vocational Guidelines IV-O; Title IX: 34 CFR 106.8(b); Section 504: 34 CFR 104.7(a); Title II: 28 CFR 35.107(a).</p> <p><b>This section is the sole responsibility of CTE staff. All other requirements on following pages likely belong to other district and/or school staff ... or institution staff, but CTE staff must be fully aware of and conversant in the next requirements as well.</b></p> <p>a. <b>Key factors:</b> (1) Prior to the beginning of <i>each</i> school year, students, parents, and employees are to be notified that <u>all CTE programs</u> will be offered to students without regard to race, color, national origin, sex or disability? <b>Yes/No →</b></p> <p>(2) The notice must include the Title IX and 504 Coordinator office and contact information (<i>and preferably Title VI and II as well</i>). [34 C.F.R. 100.6, 106.9, and 104.22(f); OCR Guidelines IV-O] <b>Yes/No →</b></p> <p>b. Are notifications available to persons with limited English language skills in the community? [34 CFR 100.5(a)-(i) and 100.6(d)] <b>Yes/No →</b></p> <p>In Utah, the second notification language is, at minimum, <b>Spanish (S)</b>.</p> <p>c. (1) Is the nondiscrimination policy disseminated to students, parents, and employees <u>annually</u>? <b>AND/OR</b> <b>Yes/No →</b></p> <p>(2) For <b>at least</b> one month, is it available on the school’s website in English and Spanish? <b>Yes/No →</b></p> <p>d. <b>Key Factor:</b> Does the notice <u>list</u> CTE <u>programs</u> offered <u>and</u> the prerequisites for admissions into CTE programs? <b>Yes/No →</b></p>			<p>e. <b>Key Factor:</b> the notice must say that the school will take steps to assure that the <u>lack of English language skills</u> will NOT be a barrier to admissions and participation in CTE programs.</p> <p style="text-align: center;">Yes _____ No _____</p> <p>-----</p> <ul style="list-style-type: none"> <li>For an “annual notice” <b>guidance</b>, please see last page of this document.</li> </ul> <p><b>Please provide</b> electronic examples (links) of annual notice <b>OR</b> announcements and/or correspondence regarding the annual notice of non-discrimination and dissemination methods (i.e., copies of press releases, newspaper articles, mail outs, websites, etc.)</p> <p>If posted to district, school &amp; institution websites; please <b>provide all links</b> below.</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <ul style="list-style-type: none"> <li><b>In Notes or as attachments</b>, please provide <b>evidence or samples</b> of notification(s) in other languages (i.e.: Spanish, Navajo, Tongan, etc.) <b>if they exist</b>.</li> <li><b>In Notes</b>, please describe <b>dissemination processes</b> including, but not limited to, student handbooks, online, etc.</li> <li>Also, if still uncertain, please see this <b>linked example</b> – <b>not</b> THE perfect example, but is moving in the right direction. 😊</li> </ul>

○ **If not already evident in documents requested above**, please list or give the links showing who the Coordinators for Title IX & Section 504 are ... and **preferably also** for Title VI... **OR** ... please list who they are (name, address, phone, title, email) if they are not found in site’s websites.

**NOTES:**

A. ADMINISTRATIVE PROCEDURAL REQUIREMENTS	Checklist		<b>REQUIRED DOCUMENTATION FROM SITES</b>		
	YES	NO			
<p>2. <b>CONTINUOUS</b> Notice of Non-Discrimination Policy (long &amp; short forms)</p> <p>a. (1) Where does the school/institution have a <b>long</b> (full) form of the <b>continuous</b> notice of non-discrimination that states that its educational programs and services are available to all students without regard to race, color, national origin, sex, age, or disability? <b>Yes/No →</b></p> <p>(2) Does the notice include the Title IX and 504 Coordinator (and preferably Title VI) names, offices, and contacts' information? [34 C.F.R. 100.6, 106.9, and 104.22(f); Vocational Guidelines IV-O] <b>Yes/No →</b></p> <p>Please see OCR guidance here:  <a href="https://www2.ed.gov/about/offices/list/ocr/docs/nondisc.html">https://www2.ed.gov/about/offices/list/ocr/docs/nondisc.html</a></p> <p>(3) Does notice include nondiscrimination in employment practices? <b>Yes/No →</b></p> <p>(4) Does the policy include a notice of access to facilities for designated youth groups' (<b>Secondary Schools Only</b>) <b>Yes/No →</b></p> <p>(5) Is the same notice used in <b>all</b> schools of the district? <b>Yes/No →</b>  <b>(Secondary Schools Only)</b></p>			<p><b>Long form</b> – Sites where this policy should be found are school, district, and institution policies and procedures, student, staff, and parent handbooks, syllabus/course guides, bulletins, site websites, district website, counselors' guiding documents, bulletin boards, etc.</p> <p><b>Short form</b> – These should be found on posters, in registration forms, admissions forms, etc.</p> <p>The <b>short form</b> EXAMPLE can say something like <i>"In X School/Institution, all programs and services are open to all persons regardless of their race, color, national origin, sex, age, and disabilities."</i></p> <p>Please list <b>physical locations</b> where the long and short form are found:</p> <div data-bbox="1161 578 2003 724" style="border: 1px solid black; height: 90px;"></div> <p>Please list where policy is <b>posted to website(s)</b> in <b>English</b>.</p> <div data-bbox="1161 789 2003 935" style="border: 1px solid black; height: 90px;"></div>		
<p>b. Are notifications available to persons with limited English language skills in the community? [34 CFR 100.5(a)-(i) and 100.6(d)] <b>Yes/No →</b></p> <ul style="list-style-type: none"> <li>In Utah, second notification language is, at minimum, <b>Spanish (S)</b>.</li> </ul>	E	S	E	S	<ul style="list-style-type: none"> <li>In <b>NOTES</b>, please describe how sites determine which "language communities" receive notices in languages other than English.</li> </ul>
<p>c. Is this notice available to persons who have visual, hearing, or other disabilities? [34 CFR 104.22(f)] <b>Yes/No →</b></p>			<ul style="list-style-type: none"> <li>In <b>NOTES</b>, please describe procedures for notifying those who have visual, hearing, or other impairments and example(s) of notification(s).</li> </ul>		

○ **For Spanish and other Language(s):** Please list locations where LONG and SHORT forms of notice are found:

**Notes:**

A. ADMINISTRATIVE PROCEDURAL REQUIREMENTS	Checklist		REQUIRED DOCUMENTATION FROM SITES
	YES	NO	
<p><b>3. Grievance Procedures</b></p> <p>a. Has the school/district/institution adopted a grievance <b>policy and aligned procedures</b> for <b>promptly (timelines) and equitably</b> resolving complaints of alleged discrimination by students, parents, and employees? <b>Yes/No →</b></p> <p>b. Does the policy also address safety measures and potential retaliation matters? [34 CFR 100.6(d), 100.7(e), 104.7(b), and 106.8(b)] <b>Yes/No →</b></p> <p>c. Has the school/district/institution taken steps to notify students, parents, and employees of appropriate procedures to follow for filing a grievance? [34 CFR 100.6(d), 104.7(a), and 106.8(b)] <b>As needed, please explain below.</b> <b>Yes/No →</b></p> <p>d. Is the name, address, phone number, and email of the district's/institution's Title IX and 504 Coordinator(s) available to students, parents, and employees? [34 CFR 104.8(a), and 106.8(a); Guidelines, Section IV-O] <b>Yes/No →</b></p> <p>e. What assurance(s) does the school/district/institution give that persons handling Sec. 504 and Title IX training of staff, etc. and grievances <b>are trained and without conflicts of interest</b>. An <b>example</b> of conflict of interests is a Title IX Director is also Superintendent or a school's Sports Director. <b>Please explain below.</b></p>			<p>In NOTES below, <b>PLEASE PPROVIDE information</b> about the following:</p> <p>a. Copies of grievance policy and procedures in English and Spanish including timelines for processing grievances (<b>links and/or hard copies</b>)</p> <p>b. Examples of dissemination methods (i.e., student handbooks, catalogs, course outlines, regulation information and descriptions, etc.).</p> <p>c. Names and contact information of Title IX and 504 Coordinator(s), and preferably, Title VI and II contacts. Methods of dissemination and example documents provided.</p> <p>d. Proof of (ongoing) training of designees.</p> <p>e. What situations would require designated persons to be removed from handling particular grievances?</p> <p>f. Is Denver office of OCR listed as an option for technical assistance and for persons wish to file grievances? <b><i>This is highly recommended.</i></b></p> <p style="text-align: right;">Yes _____ No _____</p>

English/Spanish/Other Language(s) samples:

NOTES -- explanations for any items above:

# Sample

## Annual CTE Public Notification of Nondiscrimination

1. (District/School/Institution) offers Career and Technical Education (CTE) programs in (link to all CTE programs offered).
2. Admission to these programs is based on (link to admission standards for CTE programs).
3. It is the policy of (district/school/institution) not to discriminate based on race, color, national origin, sex or disabilities in its CTE programs, services or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972 ; and Section of 504 of the Rehabilitation Act of 1973, as amended.
4. It is the policy of (district/school/institution) not to discriminate based on race, color, national origin, sex, and disabilities or age in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; The Age Discrimination Act of 1975, as amended; and Section 504 the Rehabilitation Act of 1973, as amended.
5. (District/School/Institution) will take steps to assure that the **lack of English skills will not be a barrier to admission and participation** in all educational and CTE programs.
6. For more information about your rights or grievance procedures, contact the Title IX Coordinator at (physical address of Coordinator); (email address of Title IX Coordinator); (phone number of Title IX Coordinator); and the Section 504 Coordinator at (physical address of Coordinator); (email address of Section 504 Coordinator); (phone number of Section 504 Coordinator).