



Iowa Department of Education

## Equity Site Visit Training for Districts, Schools, and Team Members for 2013-2014

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## PURPOSE OF THE SITE VISIT

The Site Visit Process is set forth in the Code of Iowa 256.11(10) and Iowa Administrative code (Rules) 12.8(4)(a)(2)

- To assess progress with the C-PLAN
- To make recommendations with regard to the visit findings for the purpose of improving educational practices
- To determine that a school or school district is in compliance with the accreditation standards
- To provide a general assessment of educational practices

281—IAC 12.8(4)(a)(2)



Maquoketa Community School District 

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## Purpose of the Equity Review



1. Office for Civil Rights Compliance
2. Recommendations
3. Inclusive environments
4. School Improvement

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FEDERAL  
MONITORING  
RESPONSIBILITY



- NCLB
- Title Programs
- Homeless Programs

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State Monitoring Requirements

- Chapter 12
- Teacher Quality
- Licensure
- Healthy Kids
- Preschool

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Monitoring for both Federal and State

- IDEA
- Equity
- Career/Technical Education

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### Federal Areas/Equity Citations

- Section 504 of the Rehabilitation Act of 1973
- Title IX of the Education Amendments of 1972
- Title VI Civil Rights Act of 1964
- Office of Civil Rights Guidelines of 1979
- Title II – Americans with Disabilities of 1990

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### State Legislation

- Chapter 12 – School Standards
- Chapter 280.4 and 60 – English Language Learners
- Chapter 256.11 – Multicultural and Gender Fair Approaches
- Chapter 280.12 – Anti-Bullying and Harassment

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### Civil Rights Monitoring Process

Office for Civil Rights of the U.S. Department of Education requires state education agencies to develop “Methods of Administration” to reasonably assure that sub-recipients of federal financial assistance are in compliance with federal civil rights laws and to correct areas of non-compliance.

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## Methods of Administration

Methods of administration are to include:

- State policy reviews
- Desk audits of sub-recipient's enrollment and staffing data as well as other equity data
- On-site reviews of local education agencies to assess their degree of compliance
- Technical assistance on equity issues
- Biennial program reports to the United States Office for Civil Rights

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## School Improvement and Equity

- Equity components are incorporated into all school improvement visits
- Blending of two monitoring processes to be as seamless as possible for the district, while maintaining the Department's responsibility to ensure that educational agencies are adhering to civil rights and equity legislation
- Document review, site visit schedule, and interview groups are coordinated

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## Selection Criteria

- Course enrollment data in career and technical programs disaggregated by gender, disability and race
- Changing demographics
- Complaints or referrals
- Time elapsed since last equity review

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## On-Site Review

- Notification in concert with the School Improvement/Accreditation Visit
- Equity Visit Orientation for Districts
- Duration of Site Visit: 3 – 5 days
- Members of the Review Team: 6-15 members, including 3-6 equity team members

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## Role and Function of Equity Coordinator

- Knowledge of Federal and State Civil Rights Laws
- Board Policies and Administrative Procedures
- Dissemination of Information (Notification)
- Facilitating the Grievance Process
- Professional Development
- Documentation and Record Keeping
- Monitoring and Analysis of Disaggregated Data
- Monitoring Diversity on Advisory Committees

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### DESK AUDIT

- A district or school prepares documents to validate state and federal requirements.
- The onsite review extends desk audits such as C-Plan and BEDS.
- The checklist does not include ALL state and federal requirements that may be monitored on the visit. All state and federal requirements are subject to onsite review.

### Pre-Visit Preparation

#### Document Review Checklist

The majority of items will be submitted electronically prior to the visit

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## Equity Google Site

- The Equity Consultants have a dedicated Google site for the 2013 – 2014 site visit season. Links for individual district/school Google document sites will be available on the Equity Consultant’s Google site. <https://sites.google.com/site/equityvisit20122013/home>

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## Equity Related Documents: Document Review Checklist

- Document Review Checklist
- Equity Related Document Review Checklist

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## Equity Data Table

- Data not available from any other source
- Excel spreadsheet to be completed by district at least two weeks prior to the visit

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## On-Site Manual

- Contains information needed to determine compliance with federal and state civil rights laws
- Team will complete before and during the visit through document review and interviews
- Provided as a guide to the district not as a requirement to complete

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## EdInsight Equity Report

- Purpose is to examine student, employment and course data
- Student and course data disaggregated by gender, race, special education, 504 plan, ELL status and socio-economic status (SES)
- Employment data by gender and race
- Originate from multiple sources
- Available from 2009-2010 forward
- Each district has a trained staff person
- AEA can provide training

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## 2013-2014 Protected Classes Chart

- Nondiscrimination for protected classes
- Program and Employment
- Anti-Bullying and Harassment
- Annual Notice to All Community Members
- Continuous Notice in Major Publications

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## Required Interview Groups

All required groups from School Improvement, plus additional:

- Equity Coordinator(s)
- Middle and High School Counselors
- English As A Second Language Teacher(s)
- Athletic Director, Coaches and PE Teachers
- Human Resource Coordinator
- Physical Facilities Staff

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## Building Accessibility Tour

- District will submit the list of all buildings in the 2013-2014 Educational Equity Review Data Table
- District will complete the ADA Checklist
- The Physical Facilities Staff and the DE Consultant will tour the facilities

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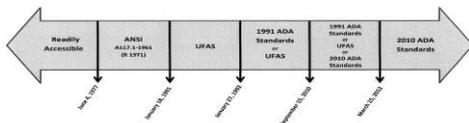
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### Accessibility Standards

Important to use the correct standards for when the building/addition/renovation was constructed

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## Accessibility Standards by Date

STANDARD	DATES
Readily Accessible (Existing Facilities)	Prior to June 4, 1977
American National Standards Institute (ANSI) A117.1-1961 (R 1971)	June 4, 1977 to January 17, 1991
Uniform Federal Accessibility Standards (UFAS)	January 18, 1991 to January 26, 1992
1991 Title II Americans with Disabilities Act (ADA) or UFAS	January 27, 1992 to September 14, 2010
1991 ADA or UFAS or 2010 ADA	September 15, 2010 to March 14, 2012
2010 ADA	March 15, 2012

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## Existing Facilities

- » U.S. Dept of Education, Office for Civil Rights (OCR) considers facilities constructed prior to June 4, 1977 as existing facilities.
- Facilities constructed after June 4, 1977 are considered new construction.

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## Title II of the ADA-Nondiscrimination on the Basis of Disability by Public Entities

- Two parts:
  - State and local governments
  - Public transportation
- Prohibits **all** public entities – even those independent from federal funding – from discriminating against people with disabilities.
- USDE Office for Civil Rights (OCR) enforces Title II in public elementary and secondary education, higher education, and vocational education.
- People with disabilities are assured of access to **all** programs and services provided by state and local government agencies.

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### Program Accessibility

- Public school systems must ensure that programs, services, and activities are accessible to and usable by individuals with disabilities.
- Both Title II of the ADA and Section 504 prohibit school systems from denying people with disabilities equal opportunity to participate in programs, services, and activities because their facilities are inaccessible to, or unusable by, them.

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### Program Accessibility

- School districts do not have to make all classroom buildings accessible to students with disabilities.
- Programs in inaccessible classroom buildings must be also available in other accessible schools in the district.
- Accessible schools must be comparable in convenience to those available to students without disabilities.
- Both structural and nonstructural methods of achieving program accessibility are acceptable.

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### Methods of Compliance

- **Reassignment of services to an accessible location.**
- **Purchase, redesign, or relocation of equipment.**
- **Assignment of aides.**
- **Structural changes to eliminate barriers.**

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### Existing Facilities

- Title II of the ADA and Section 504 require covered entities to operate each program so that, when viewed in its entirety, the program is readily accessible to and usable by people with disabilities.
- Must make programs and activities accessible unless the school district can demonstrate that required modifications would result in a fundamental alteration of the program or in undue financial and administrative burdens.
- **Neither** regulation requires a barrier free environment **if** there is program accessibility.

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### New or Altered Facilities

- New construction and alterations require focus on providing physical access to buildings and facilities rather than on providing access to programs and services.

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### Transition Plans

- School systems must develop a transition plan that documents identified structural barriers and how they will be removed.
  - List physical barriers in facilities that limit accessibility to programs, activities, or services.
  - Describe methods to remove barriers to make facilities accessible.
  - Develop schedule and timeline to achieve Title II compliance – if longer than one year, identify interim steps for each year.
  - Identify official responsible for plan's implementation

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### FACILITY CHECKLIST for Equity Site Visits

- Parking
- Passenger Loading Zones
- Exterior Route of Travel
- Ramps
- Stairs
- Lifts
- Entrances
- Elevators
- Rooms and Spaces
- Restrooms
- Shower Rooms
- Assembly Areas
- Cafeterias
- Libraries
- Lobbies and Corridors

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### Resources

U.S. Department of Justice  
[www.ada.gov](http://www.ada.gov)

- The U.S. Department of Justice website at: [www.ada.gov](http://www.ada.gov) site provides copies of the Title II regulations
- [http://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_fr.pdf](http://www.ada.gov/regs2010/titleII_2010/titleII_2010_fr.pdf) (As published in Federal Register with Appendix)
- [http://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_withbold.htm](http://www.ada.gov/regs2010/titleII_2010/titleII_2010_withbold.htm) (Regulations with bolded, integrated text)
- [http://www.ada.gov/regs2010/titleII\\_2010/titleII\\_techredits\\_fr.pdf](http://www.ada.gov/regs2010/titleII_2010/titleII_techredits_fr.pdf) (Corrects to Regulations)

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### U.S. Access Board

(800) 872-2253 (voice)  
(800) 993-2822 (TTY)

E-mail: [ta@access-board.gov](mailto:ta@access-board.gov)  
[www.access-board.gov](http://www.access-board.gov)

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**Office for Civil Rights (OCR)**



- The OCR office for Iowa is located at:
- Chicago Office  
Office for Civil Rights  
U.S. Department of Education  
Citigroup Center  
500 W. Madison Street, Suite 1475  
Chicago, IL 60661
- Telephone: 312-730-1560  
FAX: 312-730-1576; TDD: 877-521-2172  
Email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)
- The OCR National Headquarters is located at:
- U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson  
Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100
- Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 877-521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Iowa      National Headquarters

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### On The Last Day of the Visit

- School Improvement Consultant and Equity Consultant will meet with Superintendent at the end of the visit to share noncompliances
- Team shares highlights of strengths and recommendations with Superintendent and other school staff

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### Post Review Activities

- Letter of Findings/Equity Report From On-Site Review
- Voluntary Compliance Plan
- Monitoring and Follow-up Visit
- Close Equity File

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## REPORTING FORMAT Seven Characteristics of Improving Schools

1. Vision, Mission, and Goals
2. Leadership
3. Collaborative Relationships
4. Learning Environment
5. Curriculum and Instruction
6. Professional Development
7. Monitoring and Accountability

In most cases, each of the seven characteristics will contain strength statement and recommendation statements.

Non-Compliance issues will be in a matrix at the end of the report and in WEB-BASED format.

The Data Appendix will be added to the final report.

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## Letter of Findings Equity Report Format

Seven Sections of Equity On-Site Manual:

- Equity Policy and Process
- Equity, School Improvement and the Educational Program
- Physical Education, Extra-Curricular Activities and Athletics
- Access, Integration and Inclusion
- Support Services for Special Populations
- Climate and Discipline
- Employment, Personnel, and Advisory Committees

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## Letter of Findings/Equity Report

- Strength Statements
- Recommendations for Improvement
- Noncompliance issues – in a chart in the report

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- Draft reports may be sent to team members and will be reviewed internally by DE staff
- The school improvement and equity consultant will collaborate and finalize
- The final determination of the equity noncompliances will be made by DE staff
- Final equity report will be sent to the district/school within 60 calendar days

Equity Report

## FINAL EQUITY REPORT

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## Voluntary Compliance Plan

- The LEA will develop a voluntary compliance plan (VCP) addressing any non-compliance issues and send the plan to the DE within 60 calendar days of the date of the Letter of Finding
- The Equity Consultant will notify the LEA if revisions to the plan are needed and will approve the final plan

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## Plan Components

- Noncompliances will be provided in the Letter of Finding in the sample format in Appendix A
- VCP must contain the statement of noncompliance; district action plan to remedy each of the areas of noncompliance; the evidence of correction that will be submitted; the staff person(s) responsible for each action; and a reasonable projected timeline for completing the action, including the month and year. The plan must be signed and dated by superintendent.

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## Monitoring and Follow Up

- Documentation of evidence of remedies will be submitted to the equity consultant
- A follow up visit to monitor completion of all items, including accessibility, will occur about a year after the visit

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## Consequences of Continued Non-Compliance

- In the event a district does not submit a voluntary compliance plan, or does not show good faith effort to complete its voluntary compliance plan, the State Director, on behalf of the State Board, will take one of following actions:
- Notify the U.S. Department of Education Office for Civil Rights
- Notify the Iowa Civil Rights Commission or the Attorney General's Office
- Inform the school accreditation process

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## Close Equity File

- When all noncompliance items in the VCP are completed, the equity file will be closed at the DE and the district will receive notice
- However, the Office for Civil Rights can re-open files at any time

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## Iowa Department of Education Website

- Equity Education Link on the Website:

[http://educateiowa.gov/index.php?option=com\\_content&task=view&id=485&Itemid=1213](http://educateiowa.gov/index.php?option=com_content&task=view&id=485&Itemid=1213)

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## Contact

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Office: 515-281-3769  
Cell: 515-402-2739  
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## Questions



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