



Iowa Department of Education

Equity Site Visit Training for Districts for 2015-2016

Iowa Department of Education Website

Equity Education Link on the Webpage:

<https://www.educateiowa.gov/pk-12/accreditation-program-approval/equity-education>

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.

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

Mandatory Elements of a MOA program:

- The required components:
 - Identification/selection (Targeting Plan)
 - Review/Findings (Letter of Findings or Equity Report)
 - Corrective Actions (Voluntary Compliance Plan)
 - Report of State Agency Methods (Biennial Report)

Federal Civil Rights

- [Title IX](#) of the Education Amendments of 1972 (sex equity)
- [Title VI](#) Civil Rights Act of 1964 (race and national origin equity)
- [Section 504](#) of the Rehabilitation Act of 1973 and [Title II – Americans with Disabilities Act](#) of 1990 (disability equity)
- [Office for Civil Rights Guidelines](#) of 1979 (equity in career and technical education, or CTE programs)

Purpose of the Equity Review



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

Vision and Mission

- The vision of the Iowa Department of Education is: "All Iowa students will become productive citizens in a democratic society, and successful participants in a global community."
- "OCR's mission is to ensure equal access to education and to promote educational excellence throughout the nation through vigorous enforcement of civil rights laws."



We are all in this together!

Changes to Equity Visit Process

- Equity visits had been conducted with comprehensive school improvement site visits in past years
- Because of new differentiated accountability system, equity visits will be conducted separately
- Document review, site visit schedule, and interview groups will focus on equity

Selection Criteria

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

Letter from Iowa Department of Education

- Information about Equity Visits
- Selection Criteria Results
- Percent of CTE classes that have 80% or more of the students enrolled that are male or female
- Variance of the percent of total students enrolled in CTE classes by race compared to the total students enrolled by race in the district

Letter Continued

- Variance of the percent of total students enrolled in CTE classes by disability status compared to total students enrolled in the district by disability status
- Difference in percent of minority students over last five years
- Complaints or referrals
- Years since last visit (never to eight)

EdInsight Equity Report

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

Letter of Findings Equity Report Format

Eight Sections of Equity On-Site Manual:

- Administrative Requirements;
- Recruitment, Admissions and Counseling;
- Accessibility;
- Comparable Facilities;
- Services for Students with Disabilities;
- Financial Assistance;
- Work-study, Cooperative Programs, and Job Placements; and
- Employment

Letter of Findings/Equity Report

- Strength Statements
- Recommendations for Improvement
- Noncompliance issues

On-Site Manual

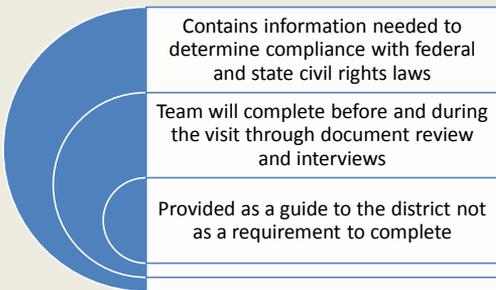
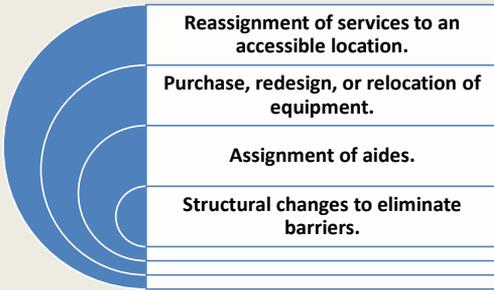


Table of Contents

- Eight Sections of Equity On-Site Manual:
- Administrative Requirements;
 - Recruitment, Admissions and Counseling;
 - Accessibility;
 - Comparable Facilities;
 - Services for Students with Disabilities;
 - Financial Assistance;
 - Work-study, Cooperative Programs, and Job Placements; and
 - Employment

Methods of Compliance



I. Administrative Requirements

- Nondiscrimination Policies
- Annual and Continuous Notice of Nondiscrimination
- Designation of Equity Coordinator
- Grievance Procedures
- Harassment, Bullying and Hazing Policies and Procedures

2015-2016 Guidance for Nondiscrimination Notices

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

New Guidance

The Iowa Department of Education (IDOE) and the Iowa Association of School Boards (IASB) are issuing new guidance on three policies and related procedures related to educational equity based on guidance provided by the Office for Civil Rights (OCR), U.S. Department of Education. Because of the timing of the release of this new guidance, districts will have up to one year to implement the changes to current policies and procedures. By September 1, 2016 districts will be accountable for implementing the new policies and procedures.

Annual and Continuous Notice of Nondiscrimination

Beginning September 1, 2015, the new guidance for the publication of the annual and continuous notice of nondiscrimination indicates there are two different notice requirements:

- The annual notice of nondiscrimination
- The continuous notice of nondiscrimination

Civil Rights Grievance Procedure

Beginning September 1, 2015, the new IASB sample policy and related procedures include steps required by OCR. The new procedures have been simplified and align more closely with related bullying and harassment complaint procedures.

Anti-Bullying and Harassment Policy and Procedures

Based on guidance from OCR and research in best practice, the new IASB sample policy and related procedures will remove the first step for the complainant to “Communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so.” The complaint procedure aligns more closely with related grievance procedures in the case of discriminatory harassment.

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

II. Recruitment, Admissions and Counseling

- A summary of attendance center and course enrollment data, disaggregated by sex, racial/ethnic background, and disability.
- A description of how these data are collected and used, with what frequency, by whom, and for what purposes.
- Evidence that staff members are taking steps to recruit students who have been under-represented.

III. Accessibility for Students with Disabilities

Section 504 and Title II of the Americans with Disabilities Act requires district to provided access to buildings and/or programs to students and staff with disabilities.

Building Accessibility Tour

- Buildings to be Reviewed: High School(s) and Middle School(s) with career and technical education programs and District Central Office
- Submit the list of buildings in the 2015-2016 Educational Equity Review Table
- District will complete the ADA checklist
- The Facilities Staff and the DE consultant will tour the facilities

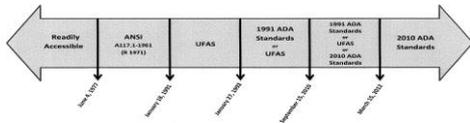
Program Accessibility

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.

Program Accessibility

- School districts do not have to make all classroom buildings accessible to students with disabilities.
- Programs in inaccessible classroom buildings must also be 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.



Accessibility Standards

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

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 (district identifies)	January 27, 1992 to September 14, 2010
1991 ADA or UFAS or 2010 ADA (district identifies)	September 15, 2010 to March 14, 2012
2010 ADA	March 15, 2012

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.

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.

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

- 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.

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

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



Resources

U.S. Department of Justice
www.ada.gov

- The U.S. Department of Justice website at: www.ada.gov site provides copies of the Title II regulations
- 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 (Regulations with bolded, integrated text)



U.S. Access Board

(800) 872-2253 (voice)

(800) 993-2822 (TTY)

E-mail: ta@access-board.gov

www.access-board.gov



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

- 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

Iowa

National Headquarters

IV. Comparable Facilities

- Districts must provide changing rooms, showers, and other facilities for students of one sex that are comparable to those provided to students of the other sex and facilities for students with disabilities comparable to students without disabilities.

V. Services for Students with Disabilities

- Least Restrictive Environment
- Access to CTE Courses
- Section 504 Procedures and Accommodations
- Students receiving special education services generally reflect the district population in terms of sex, race and national origin

VI. Financial Assistance

Districts may not award financial assistance in the form of loans, grants, scholarships, special funds, subsidies, compensation for work, or prizes to CTE students on the basis of race, color, national origin, sex or disability, except to overcome the effects of past discrimination.

VII. Work Study, Cooperative Programs, and Job Placement

Students enrolled in workplace learning programs reflect the demographics of the district on the basis of race, color, national origin sex and disability.

Employers do not discriminate on these bases.

VIII. Employment

- Nondiscrimination Policies and Notifications
- Recruitment Practices
- Relevant Labor Market
- Salary Policies
- Employment Opportunities for Persons with Disabilities
- Recruitment, Hiring and Assignment of Faculty

Document Review

- The Equity Document Review Checklist provides guidance about documents which will be reviewed during the site visit process.
- Items on the Equity Document Review Checklist are those documents needed to validate state and federal requirements.

Document Review

- Most documents will be submitted electronically prior to the visit.
- Documents can be found [here](#).





Google sites have been prepared for document uploads

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

2015-2016 Required Interview Groups

Changes to Note:
 Interview groups of High School Students and Parents of High Schools students will be selected by the DE prior to the visit from a random sample of students in grades 9-12 representing a wide range of demographics groups including English Language Learners, students with disabilities, students enrolled in CTE courses and students not enrolled in CTE courses.

High School Students (new procedure) (group of 10-12 students)

The DE will send the list of students to be interviewed to the district prior to the visit. The district will contact the students to ask them to participate.

Parents/Guardians of High School Students (new procedure) (group of 10-12)

Prior to the visit, the DE will send a list of student names to the district (a different list than the student interview group) whose *parents* are to be interviewed. The district will contact the parents and ask them to participate.

Parents/Guardians of High School ELL students (new procedure)

The parents/guardians of high school ELL students will be randomly selected by the DE and will reflect parents of students who are receiving services through the English as a Second Language program, especially parents of ELL students enrolled in CTE courses. Prior to the visit, the DE will send to the district a list of student names whose parents are to be interviewed. The district is asked to contact parents inviting them to participate.

Site Visit Schedule

- Work with Equity Consultant to determine time frame
- Create schedule including all required interview groups
- Determine locations for interviews
- Allow time for any remaining document review, travel, and team member conversations

Schedule



Keep in mind

We're All In This Together!

Interview Questions

Interview questions will be based on information in the Equity On-Site Manual. OCR does not allow sharing specific interview questions prior to the visit. Districts are encouraged to share the Manual with interview groups so they become familiar with questions that may be asked in the interviews.

OVERVIEW PRESENTATION

The district/school will prepare a presentation for the visiting team to be shared early in the visit. This is the team's introduction to the district/school.

Using the eight areas of the equity review for focus, this presentation will provide information about the district through an equity lens.



Post Review Activities

- The Letter of Finding will be issued within 60 calendar days
- Voluntary Compliance Plan is due within 45 calendar days
- Monitoring and Follow Up
- Technical Assistance

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 45 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

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.

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
- After successful completion of all noncompliance items, the district's equity file will be closed

Consequences of Continued Noncompliance

- 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 the 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

Close Equity File

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

Contact

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THANK YOU!
QUESTIONS?

Site Visit Training
