

## E.e Office of Civil Rights Compliance

In Oregon, the Department of Education (ODE) is responsible for ensuring compliance among educational providers. Their [website](#) states:

The Oregon Department of Education (ODE) actively supports the mission of the Office for Civil Rights: "to ensure equal access to a high-quality education for all students through the vigorous enforcement of civil rights".

Each year approximately three (3) high schools and two (2) community colleges, are targeted for an onsite review, as required by the US Department of Education (USDOE). Comprehensive reviews are conducted to prevent discrimination and ensure equal access to programs, courses and the information therein, for each Oregon student. ODE also provides technical assistance to help institutions achieve voluntary compliance with the civil rights laws enforced by the USDOE Office for Civil Rights

### Process

Methods of Administration (MOA) Process	<b>Creation of Targeting Plan</b>
Step 1	<ul style="list-style-type: none"><li><input type="checkbox"/> Create and describe a process for identifying sub-recipients to be targeted for on-site reviews during each year of the biennium.</li><li><input type="checkbox"/> Annually, at least 2.5% of the sub-recipients shall receive an on-site review—for <b>Oregon</b>, at least <b>3 school districts</b> and <b>2 community colleges</b> shall receive an on-site review during each year of the biennium.</li><li><input type="checkbox"/> Submit Targeting Plan to U.S. Department of Education, Office for Civil Rights by <b>September 1</b> of each odd numbered year.</li></ul>
Step 2	<b>Select and Notify Targeted Sites of the On-site Review</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Notifying targeted sites of pending on-site review.</li><li><input type="checkbox"/> Conduct follow-up with site to identify review contact. Schedule review orientation meeting.</li><li><input type="checkbox"/> Meet with targeted sites' staff to provide information about the review, discuss the "checklist" and answer questions.</li><li><input type="checkbox"/> Provide technical assistance following review orientation meeting &amp; set actual review schedule.</li></ul>
Step 3	<b>Conduct On-site Review</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Use same on-site review process and compliance checklist as provided.</li><li><input type="checkbox"/> Conduct a comprehensive facilities accessibility review of the site.</li><li><input type="checkbox"/> Address OCR and state expectations, interview the District Superintendent/ Community College President (or designee) &amp; administrators on policy-level compliance.</li><li><input type="checkbox"/> Interview school staff, students</li><li><input type="checkbox"/> Conduct exit interview with appropriate administrative staff and describe post-review reporting (Letter of Findings &amp; Voluntary Compliance Plan)</li></ul>
Step 4	<b>Letter of Findings</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Each on-site review results in a written Letter of Findings which addresses whether or not evidence of a violation was found for each of the civil rights standards reviewed on the visit.</li><li><input type="checkbox"/> In addition to reporting the compliance status for each standard, include overall commendations and recommendations or suggestions in the Letter of Findings.</li><li><input type="checkbox"/> Submit a copy of the Letter of Findings to the targeted site.</li></ul> <b>Voluntary Compliance Plans</b> <ul style="list-style-type: none"><li><input type="checkbox"/> If a violation has been identified, negotiate and prepare a Voluntary Compliance Plan for the site that includes specific corrective actions to remedy the violation, including a date for compliance.</li><li><input type="checkbox"/> Require Voluntary Compliance Plan to be signed by the Superintendent or President.</li><li><input type="checkbox"/> Submit Letter of Findings and signed Voluntary Compliance Plan with the OCR Biennial Report to the U.S. Department of Education.</li><li><input type="checkbox"/> Continually monitor the site's corrective actions on the Voluntary Compliance Plan.</li></ul>
Step 5	<b>Biennial Civil Rights Compliance Report</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Submit Biennial Civil Rights Compliance Report to U.S. Department of Education, Office for Civil Rights by <b>July 1</b> of each odd numbered year.</li></ul>

OCR Visit Checklist

The on-site review [checklist](http://www.ode.state.or.us/wma/teachlearn/cte/moaprocess-(2).pdf) for postsecondary is 23 pages in length, and is available online at [http://www.ode.state.or.us/wma/teachlearn/cte/moaprocess-\(2\).pdf](http://www.ode.state.or.us/wma/teachlearn/cte/moaprocess-(2).pdf). The vast majority of the checklist items are administrative and operational in nature, and are addressed by college staff, practices and procedures. As we prepare for the June 5-7 OCR review site visit, everything on the checklist will be reviewed to assess whether any of our practices need updates or enhancements.

Below are excerpted requirements from the checklist which are also of relevance to the Board

**Civil Rights On-Site Review  
Self-Assessment for Community Colleges**

1. Administrative		
Equity Requirement/ Legal Citation	Indicators of Compliance	Suggested Documentation
<b>Civil Rights Assurance</b>		
<p>The community college has a statement of assurance (signed by the college CEO and/or Board Chair) for Title VI, Title IX and Section 504.  <u>Title VI of the Civil Rights Acts of 1964 [34 C.F.R., 100.4(a) thru (d)].</u>  <u>Title IX of the Education Amendments of 1972 [34 C.F.R., 106.4]</u> and  <u>Section 504 of the Rehabilitation Act of 1973 [34 C.F.R. 104.5]</u></p> <p style="text-align: center;">Investigation Does <input type="checkbox"/>   Does Not <input type="checkbox"/>                      reveal evidence of a violation</p>	<p>A signed copy of assurance for Title VI of the Civil Rights Acts of 1964 [34 C.F.R., 100.4(a) thru (d)], Title IX of the Education Amendments of 1972 [34 C.F.R., 106.4] and Section 504 of the Rehabilitation Act of 1973 [34 C.F.R. 104.5] is on file in the institution.</p>	<ul style="list-style-type: none"> <li>▪ A copy of the signed Title VI, Title IX, Section 504 or a combined assurance document.</li> <li>▪ A copy of College Board minutes authorizing the assurance.</li> <li>▪ A copy of the application for federal Carl D. Perkins Career &amp; Technical Education funds. Signatures on application signify compliance.</li> </ul>

1. Administrative		
Equity Requirement/ Legal Citation	Indicators of Compliance	Suggested Documentation
<b>Grievance Procedure</b>		
<p>The college 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></p> <p style="text-align: center;">Investigation Does <input type="checkbox"/>   Does Not <input type="checkbox"/>                      reveal evidence of a violation</p>	<p>The college notifies students and employees that there is a grievance procedure for persons who feel they have been discriminated against based on sex or disability.</p> <p>The procedure is readily available to students and employees and it is prompt and equitable.</p>	<ul style="list-style-type: none"> <li>▪ A copy of the grievance procedure</li> <li>▪ Board minutes adopting the procedure</li> <li>▪ Student handbooks</li> <li>▪ Employee handbooks</li> <li>▪ Catalogs</li> <li>▪ Data on complaints</li> <li>▪ Interviews with faculty, students and administrators</li> <li>▪ Interviews with Section 504/ADA and Title IX coordinators</li> </ul>

5. Services for Students with Disabilities		
Equity Requirement/ Legal Cites	Indicators of Compliance	Suggested Documentation
<b>No Exclusion Based on Disability</b>		
<p>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></p> <p>Investigation Does <input type="checkbox"/>   Does Not <input type="checkbox"/>            reveal evidence of a violation</p>	<p>The college implements policies and procedures ensuring access for students with disabilities to programs, services, and activities</p>	<ul style="list-style-type: none"> <li>▪ Board policy</li> <li>▪ Student handbooks</li> <li>▪ Membership in clubs &amp; activities</li> <li>▪ Procedures for selection into clubs, activities, programs</li> <li>▪ Criteria for admission into courses, programs, services and activities</li> <li>▪ Public notification that all services, activities, and facilities are accessible for individuals with disabilities.</li> </ul>

<b>Persons Responsible For Coordinating Title II, Title IX and Section 504</b>		
<p>Each college 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>The recipient must notify students and employees of the name, office address, and phone number of the designated employee(s).  <u>Title II: 28 CFR 35.107 (a)</u>  <u>Title IX: 34 CFR 106.8</u>  <u>Section 504: 34 CFR 104.7(a)</u></p> <p>Investigation Does <input type="checkbox"/>   Does Not <input type="checkbox"/>            reveal evidence of a violation</p>	<p>The college 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>The college lists coordinators of Section 504, Title II, and Title IX with their name/title, address, and phone number in the notice of nondiscrimination.</p>	<ul style="list-style-type: none"> <li>▪ Copies of information identifying the Title II, Title IX &amp; Section 504 Coordinators:</li> <li>▪ Catalogs</li> <li>▪ Handbooks</li> <li>▪ Job descriptions</li> <li>▪ Website</li> <li>▪ Interviews with Section 504, Title II, and Title IX coordinators</li> <li>▪ Interviews with students, particularly nontraditional and students with disabilities</li> <li>▪ Interviews with some faculty and administrators</li> </ul>
<b>Notice of Contact for Special Needs</b>		
<p>The college has and uses an approved statement notifying the public who they should contact for special accommodations, by title, phone and address.  <u>Title II/ADA Federal Code, Subpart E, Communications, 35.160 General (b) (1) (a)</u></p> <p>Investigation Does <input type="checkbox"/>   Does Not <input type="checkbox"/>            reveal evidence of a violation</p>	<p>The college provides a public notice to interested parties regarding the existence and location of services, activities and location of facilities that are accessible to and usable by individuals with disabilities</p>	<ul style="list-style-type: none"> <li>▪ Public notification statement of who to contact for special needs, by name/title, address/phone number and advance notice deadline.</li> <li>▪ Copy of an event notice with the special needs statement.</li> </ul>