



Massachusetts Department of
ELEMENTARY & SECONDARY
EDUCATION

School District/Collaborative
Information Package
for Review Based on the

Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education Programs (34 CFR, Part 100, Appendix B) (*Guidelines*)

Massachusetts Department of Elementary and Secondary Education
Career/Vocational Technical Education Unit
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Federal Requirements

The Massachusetts Department of Elementary and Secondary Education by agreement with the United States Department of Education Office for Civil Rights is responsible for reviewing school districts and the collaborative for compliance with the 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, including:

United States Department of Education Regulations implementing:

- Title VI of the Civil Rights Act of 1964 (Title VI), 34 CFR Part 100
- Title IX of the Education Amendments of 1972 (Title IX), 34 CFR Part 106
- Section 504 of the Rehabilitation Act of 1973 (Section 504), 34 CFR Part 104

United States Department of Justice Regulations implementing:

- Title II of the Americans with Disabilities Act of 1990 (Title II), 28 CFR Part 35

Note on Massachusetts Requirements

This review is based solely on the federal **Guidelines**. The expectations of the Massachusetts Department of Elementary and Secondary Education are that school districts and the one collaborative will also adhere to those requirements set forth in the Massachusetts Constitution, law, regulations and guidelines concerning civil rights including, but not limited to the following:

- Massachusetts Constitution, Amendment CXIV (No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subject to discrimination under any program or activity within the commonwealth)
- M.G.L. c.76 Sec. 5 (No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin or sexual orientation)
 - M.G.L.c.149 Sec 105D (the state maternity leave law)
- M.G.L.c.151B (the state primary civil rights law regarding discrimination in employment, housing, credit and mortgage lending; covers race, color, religious creed, national origin, sex, sexual orientation, genetic information and ancestry)
 - M.G.L.c.151B Sec. 3A (the state sexual harassment law)
 - M.G.L.c.151C (the state law regarding civil rights and education; covers race, religion, creed, color, national origin and age)
- M.G.L.c.272, Section 92A, Section 98 and Section 98A (the state public accommodations civil rights law; covers religious sect, creed, class, race, color, denomination, sex, sexual orientation, nationality, deafness, blindness, and any physical or mental disability)

Procedures

Staff from the Massachusetts Department of Elementary and Secondary Education Career/Vocational Technical Education unit will use the criteria contained in this document to determine compliance during an onsite review scheduled with the school district. The district will prepare the required documentation, and will schedule interviews with the individuals as listed under each criterion.

Within approximately 45 business days of the onsite review, the Superintendent will receive a Letter of Finding (LOF) containing specific findings based on the review.

Where criteria are found to require corrective action, the district must propose corrective action(s) to bring those areas into compliance. The corrective action(s) will be included in a Voluntary Compliance Plan (VCP). The VCP will be due to the Department within sixty (60) business days after the issuance of the LOF, and is subject to the Department's review and approval.

The Massachusetts Department of Elementary and Secondary Education will provide technical assistance regarding the implementation of the VCP, as needed.

The Massachusetts Department of Elementary and Secondary Education may require progress reports on dates to be determined.

The LOF and VCP may be submitted by the Massachusetts Department of Elementary and Secondary Education to the United States Department of Education Office for Civil Rights.

A ADMINISTRATIVE CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.
 The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, students pursuing careers that are nontraditional for their gender, students with disabilities, and others as appropriate.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
A1 Continuous Nondiscrimination Notice (Title IX; 34 CFR 106.9 Section 504: 34 CFR 104)		
The district/collaborative shall continually take steps to notify participants, beneficiaries, applicants, employees (including those with impaired vision or hearing), and unions or professional organizations holding collective bargaining or professional agreements with the district/collaborative that it does not discriminate on the basis of race, color, national origin, sex, or disability. <u>Title IX; 34 CFR 106.9, Section 504: 34 CFR 104.8</u>	A variety of district/collaborative publications notify applicants, students, employees and other stakeholders that it does not discriminate on the basis of race, color, national origin, sex, or disability.	district/collaborative newspaper brochures on programs, activities student application employment application catalogs student handbook employment announcements posters advertising various programs recruitment materials program of study website
A1 Department of Elementary and Secondary Education Finding (s)		

A ADMINISTRATIVE CRITERIA

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
A2 Persons Responsible For Coordinating Title IX and Section 504 (Title IX: 34 CFR 106.8 Section 504: 34 CFR 104.7(a))		
<p>The district/collaborative 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 district/collaborative shall notify students and employees of the name, office address, and phone number of the designated employee(s). <u>Title IX: 34 CFR 106.8, Section 504: 34 CFR 104.7(a)</u></p>	<p>District/collaborative has assigned a person(s) to coordinate Section 504/ADA, 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>District/collaborative lists coordinators of Section 504/ADA, Title II, and Title IX with their name/title, address, and phone number in the notice of nondiscrimination.</p>	<p>catalogs</p> <p>handbooks</p> <p>position descriptions</p> <p>program of study</p> <p>website</p>

A2 Department of Elementary and Secondary Education Finding (s)

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
A3 Annual Public Notification (Title IX: 34 CFR 106.8(b) Section 504: 34 CFR 104.7(a) Title II: 28 CFR 35.107(a) Guidelines IV-O)		
<p>Prior to the beginning of the district/collaborative year, the district/collaborative shall advise students, employees and the general public that all career/vocational technical education opportunities will be offered regardless of race, color, national origin, sex or disability. The notice shall 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.</p> <p><u>Title IX: 34 CFR 106.8(b), Section 504: 34 CFR 104.7(a)</u> <u>Title II: 28 CFR 35.107(a), Guidelines IV-O</u></p>	<p>District/collaborative 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>	<p>notice in local newspapers</p> <p>notice on website</p> <p>notice in district/collaborative newspapers</p> <p>notice in other publications</p>

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
A3 Department of Elementary and Secondary Education Finding (s)		

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
A4 Grievance Procedure (Section 504: 34 CFR 104.7(b) Title IX: 34 CFR 106.8(b) Title II: 28 CFR 35.107(b))		
The district/collaborative 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), Title IX: 34 CFR 106.8(b)</u> <u>Title II: 28 CFR 35.107(b)</u>	District/collaborative notifies students and employees that there is a grievance procedure for persons who feel they have been discriminated against based on sex or a disability. The procedure is readily available to students and employees and it is prompt and equitable.	student handbooks employee handbooks catalogs data on complaints program of study website

A4 Department of Elementary and Secondary Education Finding (s)

B SITE LOCATION AND STUDENT ELIGIBILITY CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview students, facilities manager, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
B1 Student Eligibility (Guidelines IV-A)		
The district/collaborative shall 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 district/collaborative with career/vocational technical education programs, or individual career/vocational technical education programs do not discriminate on the basis of race, color, national origin, sex, or disability.	eligibility and admission criteria for the district/collaborative eligibility and admission criteria for career/vocational technical education programs

B1 Department of Elementary and Secondary Education Finding (s)

B SITE LOCATION AND STUDENT ELIGIBILITY CRITERIA

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
B2a Site Selection and Modifications (Guidelines IV-B, Guidelines IV-D)		
<p>The district/collaborative shall not select or approve a location for career/vocational technical education programs that has the purpose or effect of excluding, segregating, or otherwise discriminating on the basis of race, color, or national origin. District/collaborative must locate career/vocational technical education programs at locations that are readily accessible to both minority and non-minority communities and that do not tend to identify the facility or program as intended for minority or non-minority students. <u>Guidelines IV-B</u></p>	<p>Locations for district/collaborative career/vocational technical education programs are readily accessible to minority and non-minority communities and their location does not have a segregative effect.</p>	<p>maps showing locations for career/vocational technical education programs enrollment demographics for each facility demographics of communities surrounding facility</p>
<p>B2a Department of Elementary and Secondary Education Finding (s)</p>		

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
B2b Site Selection and Modifications (Guidelines IV-B, Guidelines IV-D)		
The district/collaborative shall not add to, modify, or renovate the physical plan of a career/vocational technical education 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 career/vocational technical education facility is readily accessible to minority and non-minority communities and the modification does not have a segregative effect	maps showing locations for career/vocational technical education programs
		maps showing location of modified career/vocational technical education facilities
		student demographics before and after facility modifications

B2b Department of Elementary and Secondary Education Finding (s)

B SITE LOCATION AND STUDENT ELIGIBILITY CRITERIA

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
B3 Residency (Guidelines IV-C)		
The district/collaborative shall 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>	After modification, the career/vocational technical education facility is readily accessible to minority and non-minority communities and the modification does not have a segregative effect	maps showing locations for career/vocational technical education programs maps showing location of modified career/vocational technical education facilities student demographics before and after facility modifications
B3 Department of Elementary and Secondary Education Finding (s)		

C RECRUITMENT CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview students, recruiters, bilingual interpreters, admissions staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty and others as appropriate.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
C1 Recruitment Activities (Title IX: 34 CFR 106.23 (a)(b) Guidelines V-C)		
The district/collaborative shall conduct all recruitment activities so as not to exclude or limit opportunities on the basis of race, color, national origin, sex, or disability. Title IX: 34 CFR 106.23 (a)(b), <u>Guidelines V-C</u>	All potential students have access to information. Efforts are made to reach underrepresented groups.	recruitment plans
		list of recruitment activities and sites
		description of recruitment activities
		admission policy

C1 Department of Elementary and Secondary Education Finding (s)		
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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
C2 Recruitment Materials (Guidelines V-C)		
<p>Recruitment materials' description of career/vocational technical education opportunities shall not be limited on the basis of race, color, national origin, sex, or disability. <u>Guidelines V-C</u></p> <p>To the extent possible, recruiting teams shall represent persons of different races, national origins, sexes, and disabilities. <u>Guidelines V-C</u></p>	<p>Descriptions of career/vocational technical education program opportunities are bias-free and free from stereotyping.</p> <p>Where possible, persons of differing races, sexes, and disability are used for recruiting purposes. (But a failure to do so should not be construed as noncompliance).</p>	<p>recruitment brochures and marketing materials</p> <p>catalog</p> <p>program of study</p> <p>website</p> <p>admission policy</p> <p>staff demographics by program</p> <p>recruitment team demographics by program</p>
C2 Department of Elementary and Secondary Education Finding (s)		

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
C3 Counselor Communications (Guidelines V-D)		
The district/collaborative shall 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 is available to students who speak languages other than English.	written plan for the provision of services for individuals with LEP
	Formats other than the printed word are available for students with disabilities.	written plan for provision of services for individuals with hearing impairments
		samples of materials in other languages/formats

C3 Department of Elementary and Secondary Education Finding (s)

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
C4 Promotional Efforts (Guidelines V-E)		
The district/collaborative shall 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. <i>Guidelines V-E</i>	Materials and/or media presentations show persons of varying races, male and female, persons with disabilities, and different national origins.	promotional materials, including brochures, flyers, newspaper advertising, catalogs and website

C4 Department of Elementary and Secondary Education Finding (s)

C RECRUITMENT CRITERIA

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The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview students, recruiters, bilingual interpreters, admissions staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
C5 Community of Persons with Limited English Proficiency (<i>Guidelines V-E</i>)		
If the district/collaborative service area contains a community with persons of limited English proficiency, information shall 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.	verification of limited English proficient community samples of materials in other languages

C5 Department of Elementary and Secondary Education Finding (s)

D ADMISSION CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview students, bilingual interpreters admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, facilities manager, and others as appropriate.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
D1 Admission Criteria - Race, Color, National Origin, Disability (Guidelines IV-K)		
<p>The district/collaborative shall not judge candidates for admission to career/vocational 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></p>	<p>Demographics of career/vocational technical education program enrollment are similar to demographics of eligible pool or recipient provides a legitimate nondiscriminatory rationale. Demographics of specific career/vocational technical education programs are similar to demographics of entire career/vocational technical education enrollment or recipient provides a legitimate nondiscriminatory rationale. Admissions procedure, policy, and/or practice for career/vocational technical education program enrollment avoid criteria that disproportionately exclude persons of a particular race, color, national origin, sex, or disability status. Admissions criteria that disproportionately exclude have been validated as essential to participation.</p>	<p>admission policy procedures and criteria for selective admissions for career/vocational technical educational programs (where there are more applicants than can be accommodated) demographics of rejected applicants by selection criteria demographics of selected applicants by selection criteria</p>

D1 Department of Elementary and Secondary Education Finding (s)

D ADMISSION CRITERIA

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The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview students, bilingual interpreters admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, facilities manager, and others as appropriate.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
<p>D2 Admission Criteria – Marital, Parental, or Disability Status (Title IX: 34 CFR 106.21(c) Section 504: 34 CFR 104.42 (b)(4) Title II: 28 CFR 35) Section 504: 34 CFR 104.42(b)(4) & (c) Section 504: 34 CFR 104.44(b)(3) Guidelines IV-N</p>		
<p>The district/collaborative shall avoid preadmission inquiries about marital, parental, or disability status. <u>Title IX: 34 CFR 106.21(c) Section 504: 34 CFR 104.42 (b)(4)</u> <u>Title II: 28 CFR 35</u> The district/collaborative shall not make preadmission inquiries regarding disabling conditions except when taking remedial steps to increase participation when under-representation is identified. <u>Section 504: 34 CFR 104.42(b)(4) & (c)</u> The district/collaborative placement 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</u></p>	<p>Application forms and materials do not request information about marital, parental, or disability status.</p> <p>The district/collaborative does not request information about disability prior to admission.</p> <p>Admission tests and the manner of administration are validated for use with persons with impaired sensory, vocal or speaking skills.</p>	<p>admission application form and materials. student handbook/district/collaborative catalog application forms guidance/counseling forms and procedures recruitment materials admissions packets lists of tests used description of test administration methods for persons with sensory, vocal, or speaking impairments</p>

D2 Department of Elementary and Secondary Education Finding (s)

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
D3 Admission Criteria – Employment Opportunities Based on Disability (Section 504: 34 CFR 104.10 Section 504: 34 CFR 104.43(c) Guidelines IV-N)		
The district/collaborative shall not deny access to career/vocational technical education 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 persons with disabilities than for persons without disabilities Section 504: 34 CFR 104.10, Section 504: 34 CFR 104.43(c) <u>Guidelines IV-N</u>	The district/collaborative does not discourage students with disabilities from participating in career/vocational technical education programs due to potential workplace discrimination.	documentation of counseling counseling materials enrollment data number of students with disabilities by program placement/follow-up data

D3 Department of Elementary and Secondary Education Finding (s)

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
D4 Admission Criteria - Limited English Language Skills (Guidelines IV-L)		
The district/collaborative shall not restrict admission to career/vocational technical education 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/vocational technical education programs to the same extent as students whose primary language is English. <u>Section 504: 34 CFR 104.44(b)(3), Guidelines IV-N</u>	District/collaborative has a procedure in place to identify and assess applicants with limited English proficiency. LEP enrollment in career/vocational technical education is proportional to LEP enrollment in the service area. LEP enrollment in specific career/vocational technical education programs is proportional to LEP enrollment in career/vocational technical education overall.	procedure for LEP identification and placement. summary of steps taken to increase LEP participation in programs where they traditionally have been underrepresented. specific program enrollment demographics by LEP status.

D4 Department of Elementary and Secondary Education Finding (s)

E STUDENT FINANCIAL ASSISTANCE CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview bilingual interpreters, students, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
E1 Availability to All Students Title VI: 34 CFR 100.3(b) Title IX: 34 CFR 106.37 Section 504: 34 CFR 104.46(a) Guidelines VI-B		
Financial assistance is available to all students regardless of sex, race, color, national origin, or disability. <u>Title VI: 34 CFR 100.3(b), Title IX: 34 CFR 106.37, Section 504: 34 CFR 104.46(a), 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. If an apparent disparity exists, the institution offers a legitimate, nondiscriminatory reason.	financial aid data by sex, race, color, national origin, or disability

E1 Department of Elementary and Secondary Education Finding (s)

E STUDENT FINANCIAL ASSISTANCE CRITERIA

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
E2 Restricted Awards (Title IX: 34 CFR 106.37 Guidelines VI-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 review of all sex-restricted financial aid given review total list of financial aid to ensure the overall effect does not discriminate

E2 Department of Elementary and Secondary Education Finding (s)		
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E STUDENT FINANCIAL ASSISTANCE CRITERIA

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Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
E3 Equitably Written Information (Guidelines VI-B)		
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.	materials designed for students and families concerning the financial assistance available

E3 Department of Elementary and Secondary Education Finding (s)

E STUDENT FINANCIAL ASSISTANCE CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.
 The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview bilingual interpreters, students, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
E4 Assistance for National Origin Minority Persons (Guidelines VI-B)		
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 district/collaborative. Communications about financial assistance is available in the home language of these members of the community.	written communications demographics of the area served by the district/collaborative

E4 Department of Elementary and Secondary Education Finding (s)

F COUNSELING CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview counselors, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate. The district/collaborative will list career/vocational technical education programs with disproportionate enrollment:

Program(s): **Underrepresented Group(s):**

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
F1 Counseling Materials and Activities (Title IX: 34 CFR 106.21 (a)(b) Title IX: 34 CFR 106.36 (a) Title IX: 34 CFR 106.34 Section 504: 34 CFR 104.4 (a), and 104.34 (a) and (c) Section 504: 34 CFR 104.47 (b) Title II: 28 CFR 35.130 Guidelines V-A)		
The district/collaborative shall ensure that its 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. <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>	The written guidance plan, policy, and procedures ensure nondiscrimination.	guidance plan, policy, and procedure
		assessment plan with a list of tests administered
	The written assessment plan ensures nondiscrimination.	written procedures for evaluation and placement of students with disabilities
		promotional and recruitment materials
		enrollment demographics
		recruitment and admission policies
		LEP policy
	calendar of counseling and pre-career/vocational technical education activities	

F COUNSELING CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview counselors, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate. The district/collaborative will list career/vocational technical education programs with disproportionate enrollment:

Program(s):

Underrepresented Group(s):

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
F1 Department of Elementary and Secondary Education Finding (s)		

F COUNSELING CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview counselors, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
F2 Program and Course Selection Process – All Students (Title IX: 34 CFR 106.34 Section 504: 34 CFR 104.47(b) Guidelines V-B)		
Counselors shall not direct students into programs or courses based on their race, color, national origin, sex, or disability. District/collaborative shall ensure that counselors do not direct or urge any student to enroll in a particular career/vocational technical education 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. Title IX: 34 CFR 106.34, Section 504: 34 CFR 104.47(b), Guidelines V-B	Career/vocational technical education program enrollments by sex, race, national origin, and disability are proportionate to enrollment of these groups in the general student population. Where enrollments are not proportionate, the district/collaborative can furnish a legitimate, nondiscriminatory rationale.	admission policy application forms enrollment demographics by program

F2 Department of Elementary and Secondary Education Finding (s)

F COUNSELING CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview counselors, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
F3 Counseling Materials and Activities – Students with Disabilities (Section 504: 34 CFR 104.37(b) Guidelines V-B)		
The district/collaborative may not counsel students with disabilities toward more restrictive career objectives than students without disabilities with similar abilities and interests. <u>Section 504: 34 CFR 104.37(b), Guidelines V-B</u>	Students with disabilities have equal access to all programs and classes based on abilities and interests.	examples of pre-enrollment counseling enrollment data

F3 Department of Elementary and Secondary Education Finding (s)

F COUNSELING CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview counselors, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
F4. Disproportionate Enrollments (Title IX: 34 CFR 106.36 Guidelines V-B)		
If disproportionate enrollments occur, efforts must be made to ensure that counseling services and materials are not responsible. The district/collaborative shall take steps to ensure that any disproportionate enrollment does not result from unlawful discrimination in counseling activities. Title IX: 34 CFR 106.36, <i>Guidelines V-B</i>	District/collaborative 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 enrollment data examples of revised counseling materials or activities in response to disproportionate enrollments

F4 Department of Elementary and Secondary Education Finding (s)

G SERVICES FOR STUDENTS WITH DISABILITIES CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview district/collaborative president, coordinator for services for student with disabilities, counselors, facilities manager, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate. In addition, the district/collaborative shall arrange for a visual inspection of facilities.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
G1 Nondiscrimination for Students with Disabilities (Section 504: 34 CFR 104.4(a) Title II: 28 CFR 35.130(a) Guidelines IV-N)		
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), Title II: 28 CFR 35.130(a), Guidelines IV-N</u>	The district/collaborative implements policies and procedures ensuring access for students with disabilities to programs, services, and activities.	school committee policy student handbook membership lists in clubs and activities procedures for selection into clubs, activities and programs criteria for admission into programs, services and activities

G1 Department of Elementary and Secondary Education Finding (s)

G SERVICES FOR STUDENTS WITH DISABILITIES CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview district/collaborative president, coordinator for services for student with disabilities, counselors, facilities manager, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate. In addition, the district/collaborative shall arrange for a visual inspection of facilities.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
G2 Provision of Elementary and Secondary 504 Services (Section 504: 34 CFR 104.33, 35, 36)		
<p>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. The recipient must have a system in place for the identification, evaluation and educational placement of these disabled persons. 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. The recipient must provide procedural safeguards through which parents or guardians may obtain an impartial review of the evaluation and placement actions. <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 persons with disabilities 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 vocational programs participate in vocational placement decisions.</p>	<p>FAPE policies and procedures 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 vocational programs who participate in FAPE placement decisions for career/vocational programs Section 504 plans, placement records, IEPs, and similar records of students with disabilities placed in career/vocational programs</p>

G2 Department of Elementary and Secondary Education Finding (s)

G SERVICES FOR STUDENTS WITH DISABILITIES CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview district/collaborative president, coordinator for services for student with disabilities, counselors, facilities manager, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate. In addition, the district/collaborative shall arrange for a visual inspection of facilities.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
<p>G3 Supplementary Aids, Services and Support (Section 504: 34 CFR 104.3(a) (b) Section 504: 34 CFR 104.44 (a) Title II: 28 CFR 35.130(d) Guidelines IV-A) Section 504: 34 CFR 104.44(a) Title II: 28 CFR 35.130(b)(7) Guidelines IV-N Section 504: 34 CFR 104.44(c) Title II: 28 CFR 35.130(b)(8) Guidelines IV-N)</p>		
<p>Students with disabilities must not be excluded from career/vocational technical education 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>Section 504: 34 CFR 104.3(a) (b), Title II: 28 CFR 35.130(d), Guidelines IV-A</u> If academic requirements that are essential to the career/vocational technical education programs have the effect of discriminating against applicants or students on the basis of a disability, the institution should provide academic adjustments, including modified course examinations and auxiliary aids and services, for qualified persons with disabilities to complete a degree program and/or licensure requirements <u>Section 504: 34 CFR 104.44 (a)</u> The district/collaborative must adjust academic requirements to meet the needs of individual students with a disability. <u>Section 504: 34 CFR 104.44(a), Title II: 28 CFR 35.130(b)(7), Guidelines IV-N</u></p>	<p>The district/collaborative provides appropriate aids and services for students with disabilities and does not have policies that limit participation of students with disabilities.</p> <p>List of academic adjustments available to disabled students who need such modifications in order to succeed in a career/vocational technical education program. <u>Please note:</u> This list should also identify the providers of such services.</p> <p>The district/collaborative adjusts academic requirements as appropriate to meet the needs of students with disabilities.</p>	<p>example(s) of equipment adapted</p> <p>description of policy for providing aides and services</p> <p>description of aids and services available/provided/denied</p> <p>list of materials/resources available for seeing or hearing impaired</p> <p>enrollment data by program</p> <p>number of students with disabilities denied admission</p> <p>student handbook/district/collaborative catalog</p> <p>policies governing use of guide dogs, tape recorders and note takers</p> <p>records or equipment schedules for the provision of auxiliary aids and services to individuals students with disabilities</p> <p>number of students with disabilities in various courses and programs</p>

G SERVICES FOR STUDENTS WITH DISABILITIES CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview district/collaborative president, coordinator for services for student with disabilities, counselors, facilities manager, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate. In addition, the district/collaborative shall arrange for a visual inspection of facilities.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
<p>Course examinations or other procedures for evaluating students' academic achievements are administered in such a way that students with disabilities aptitudes or achievement levels or other relevant factors are measured and not the disability.</p> <p><u>Section 504: 34 CFR 104.44(c),</u> <u>Title II: 28 CFR 35.130(b)(8),</u> <u>Guidelines IV-N</u></p>		

G3 Department of Elementary and Secondary Education Finding (s)

G SERVICES FOR STUDENTS WITH DISABILITIES CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview district/collaborative president, coordinator for services for student with disabilities, counselors, facilities manager, students pursuing careers nontraditional for their gender, admissions staff, financial aid staff, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, and others as appropriate. In addition, the district/collaborative shall arrange for a visual inspection of facilities.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
G4 Free and Appropriate Education (FAPE) – Career/Vocational Technical Education (Section 504: 34 CFR 104.35(a), Guidelines VI-A)		
Secondary students with disabilities are placed in a vocational education program only when the 504 FAPE requirements for evaluation, placement, and procedural safeguards have been satisfied. Section 504: 34 CFR 104.35(a), <i>Guidelines VI-A</i>	Section 504 plan, placement record or IEP reflects the group’s or team’s determination that the vocational education program is appropriate setting for the individual student	sample placement records for students with disabilities evaluation procedures placement criteria and procedures procedural safeguards interviews with parents/guardians and students

G4 Department of Elementary and Secondary Education Finding (s)

H HOUSING

This criterion is not applicable to the school district.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
H1 Equitable Housing Opportunities (Title VI: 34 CFR 100.3(b) Title IX: 34 CFR 106.32 Section 504: 34 CFR 104.45 Guidelines VI-C)		
Students receive equitable opportunities to benefit from housing programs regardless of their sex, national origin, color, race, or disability. <u>Title VI: 34 CFR 100.3(b), Title IX: 34 CFR 106.32, Section 504: 34 CFR 104.45, Guidelines VI-C</u>	The on-campus housing reflects the demographics of the general student population. If an apparent disparity exists, the college offers a legitimate, nondiscriminatory reason	data of those living on campus
H1 Department of Elementary and Secondary Education Finding (s)		

H HOUSING

This criterion is not applicable to the school district.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
H2 Off-Campus Housing (Section 504: 34 CFR 104.45, Guidelines VI-C)		
If an off-campus housing service is provided for students by arrangement with the college, there is evidence that it is serving all students regardless of their sex, race, color, national origin or disability. <u>Title VI: 34 CFR, Title IX: 34 CFR, Section 504: 34 CFR, Guidelines VI-C</u>	The college has nondiscriminatory agreements in place with off-campus housing providers. The college acts to resolve allegations of discrimination against off-campus housing providers operating under contract or similar arrangement.	review of contracts and agreements data showing who is using the off campus housing service

H2 Department of Elementary and Secondary Education Finding (s)

H HOUSING

This criterion is not applicable to the school district.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
H3 Off-Campus Housing for Students with Disabilities (Title VI: 34 CFR Title IX: 34 CFR Section 504: 34 CFR Guidelines VI-C)		
<p>The college offers students with disabilities on-campus or off-campus housing that is comparable, convenient, and accessible to students with disabilities, at the same cost and under the same conditions as offered to students without disabilities. <u>Section 504: 34 CFR 104.45, Guidelines VI-C</u></p> <p>The college does not cooperate with any property owner who discriminates on the basis of race, color, national origin, sex, or disability. <u>Title VI: 34 CFR, Title IX: 34 CFR, Section 504: 34 CFR, Guidelines VI-C</u></p>	<p>The housing program meets 504 and Title II accessibility requirements.</p> <p>Students with disabilities have a full range of features and prices from which to choose.</p> <p>Written “contract” with the property owner that includes the notification of nondiscrimination.</p> <p>Timely investigation initiated and corrective action taken in response to any complaint.</p>	<p>disaggregated demographic study of who is living in the residence halls</p> <p>audit of features and prices</p> <p>Review of the written contracts with property owners</p>
H3 Department of Elementary and Secondary Education Finding (s)		

I 504/ADA ACCESSIBILITY CRITERIA

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation	
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Preparation: The school district will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance. The district shall provide the team with a list that includes the name of each high school facility with the date of construction, or last alteration. **Note:** Parking lots are separate facilities with their own construction/alteration dates (being the dates when the lots were last re-surfaced and/or re-stripped.)

The district shall arrange for the team to visually inspect each facility with the district’s facilities manager.

The district will prepare a schedule for the team to interview the district facilities manager, coordinator for services for student with disabilities, counselors, students, admissions staff, Title II, Title IX and Section 504/ADA coordinators, faculty, guidance counselors, department chairs, ADA and 504 coordinators.

APPLICABLE ACCESSIBILITY STANDARDS

Applicable accessibility standards are determined by the date the facility was constructed or last renovated by the district. The standards that apply to existing facilities and new facilities are given below.

Existing Facilities: Existing facilities are those for which construction or alteration initiated before June 4, 1977. In reviewing such existing facilities, the Department uses the following:

- Code Federal Regulations (CFR) Part 104 Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance Subpart C, Section 104.22. This document may be found at <http://www.ed.gov/policy/rights/reg/ocr/34cfr104.pdf>.

New Facilities: New facilities are those for which construction or alteration by, for, or on behalf of the district began on or after June 4, 1977. In reviewing such new facilities, the Department uses the following:

- American National Standards Institute (ANSI) A117.1-1961 (R1971) standards for construction or alteration commencing between June 4, 1977 and January 17, 1991. This document is under copyright and out of print, however copies will be available at the Massachusetts Department of Elementary and Secondary Education Career/Vocational Technical Education Professional Development Center at Minuteman Regional Vocational Technical School, Lexington, MA.
- Uniform Federal Accessibilities Standards (UFAS) for construction or alteration commencing between January 18, 1991 and January 26, 1992. The UFAS may be found at www.access-board.gov/ufas/ufas-html/ufas.htm
- UFAS or the American with Disabilities Act Accessibility Guidelines (ADAAG) (28 CFR Part 36 Appendix A) for construction or alteration commencing on or after January 27, 1992. (Note that the Department will use the one designated by the district. The UFAS may be found at www.access-board.gov/ufas/ufas-html/ufas.htm The ADAAG may be found at <http://www.usdoj.gov/crt/ada/adastd94.pdf>

I 504/ADA ACCESSIBILITY CRITERIA

Preparation: Refer to the previous page

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
<p>I 1 Existing facilities under Section 504 with construction or alteration commencing before June 4, 1977. Code Federal Regulations (CFR) Part 104 Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance Subpart C, Section 104.22.</p>		
<p>The district/collaborative shall operate its program or activity so that when each part is viewed in its entirety, it is readily accessible to persons with disabilities. The district/collaborative 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 	<p>observations and measurements</p> <p>blueprints and plans</p> <p>renovation schedules</p> <p>maintenance records</p> <p>work orders or contracts indicating construction start dates</p>
<p>I 1 Department of Elementary and Secondary Education Finding (s)</p>		

I 504/ADA ACCESSIBILITY CRITERIA

Preparation: Refer to the first page regarding 504/ADA ACCESSIBILITY CRITERIA

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
I 2 New facilities under Section 504 with construction or alteration commencing between June 4, 1977, and January 17, 1991. American National Standards Institute (ANSI) A117.1-1961 (R1971) Standards		
<p>Each facility or part of a facility constructed by, on behalf of, or for the use of the district/collaborative 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), <u>Title II:28 CFR 25.151</u></p>	<p>4.1 Grading 4.2 Walks 4.3 Parking lots 5.1 Ramps and gradients 5.2 Entrances 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</p>	<p>observations and measurements blueprints and plans renovation schedules maintenance records work orders or contracts indicating construction start dates</p>
I 2 Department of Elementary and Secondary Education Finding (s)		

I 504/ADA ACCESSIBILITY CRITERIA

Preparation: Refer to the first page regarding 504/ADA ACCESSIBILITY CRITERIA

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
I 3 New facilities under Section 504 with construction or alteration commencing between January 18, 1991, and January 26, 1992. Uniform Federal Accessibilities Standards (UFAS)		
<p>Each facility or part of a facility constructed by, on behalf of, or for the use of the district/collaborative 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, Title II: 28 CFR 35.151</u></p>	<ul style="list-style-type: none"> 4.2 Space allowance and reach ranges 4.3 Accessible route 4.4 Protruding objects 4.5 Ground and floor surfaces 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 4.31 Phones 4.32 Seating, tables, and work surfaces 4.33 Assembly areas 4.34 Dwelling units Other requirements 	<ul style="list-style-type: none"> observations and measurements blueprints and plans renovation schedules maintenance records work orders or contracts indicating construction start dates

I 504/ADA ACCESSIBILITY CRITERIA

Preparation: Refer to the first page regarding 504/ADA ACCESSIBILITY CRITERIA

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
I 3 Department of Elementary and Secondary Education Finding (s)		

I 504/ADA ACCESSIBILITY CRITERIA

. **Preparation:** Refer to the first page regarding 504/ADA ACCESSIBILITY CRITERIA

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
I 4 New facilities under ADA Title II and Section 504 with construction or alteration commencing on or after January 26, 1992. UFAS or the American with Disabilities Act Accessibility Guidelines (ADAAG) (28 CFR Part 36 Appendix A)		
<p>Each facility or part of a facility constructed by, on behalf of, or for the use of the district/collaborative 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, Title II: 28 CFR 35.151</u></p>	<ul style="list-style-type: none"> 4.1 Minimum requirements 4.2 Space allowance and reach ranges 4.3 Accessible route 4.4 Protruding objects 4.5 Ground and floor surfaces 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 4.32 Fixed or built-in seating or tables 4.33 Assembly areas 4.34 Automatic teller machines 4.35 Dressing and fitting room Other requirements 	<ul style="list-style-type: none"> observations and measurements blueprints and plans renovation schedules maintenance records work orders or contracts indicating construction start dates

I 504/ADA ACCESSIBILITY CRITERIA

. Preparation: Refer to the first page regarding 504/ADA ACCESSIBILITY CRITERIA

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
I 4 Department of Elementary and Secondary Education Finding (s)		

J COMPARABLE FACILITIES CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview facilities manager, students, coordinator for services for student with disabilities, counselors, facilities manager, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, other staff as appropriate. In addition, the district/collaborative shall arrange for a visual inspection of facilities.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
J1 Separate Programs or Facilities (Section 504; 34 CFR 104.34(c), Guidelines VI-A)		
Separate facilities for students with disabilities shall be similar in quality and convenience to facilities for students without disabilities. <u>Section 504; 34 CFR 104.34(c), Guidelines VI-A</u>		comparison of facilities for both students with disabilities and students without disabilities

J1 Department of Elementary and Secondary Education Finding (s)		
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J COMPARABLE FACILITIES CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview facilities manager, students, coordinator for services for student with disabilities, counselors, facilities manager, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, other staff as appropriate. In addition, the district/collaborative shall arrange for a visual inspection of facilities.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
J2 Changing Rooms, Showers and Other Facilities (Title IX: 34 CFR 106.33, Section 504: 34 CFR 104.4(b)(ii), Guidelines VI-D)		
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 students with disabilities should be located in similar proximity to the associated classrooms, shops or laboratories. LEP/ELL program facilities should be comparable to those for non-LEP students. <u>Title IX: 34 CFR 104.33(c), Section 504: 34 CFR 104.4(b)(ii), Guidelines VI-D</u>		comparison of facilities for students or both sexes and with and without LEP

J2 Department of Elementary and Secondary Education Finding (s)

K WORK STUDY COOPERATIVE EDUCATION, EMPLOYMENT PLACEMENT, AND APPRENTICE TRAINING CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview students, cooperative education coordinator, placement coordinator, coordinator for services for student with disabilities, counselors, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, other staff as appropriate

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
K1 Work-based Learning Opportunities (Title VI: 34 CFR 100.3(b) (c) Title IX: 34 CFR 106.31(d) Section 504: 34 CFR 104.4(b) 34 CFR 104.11 (a)(4) (Guidelines VII-A)		
Opportunities in work-study, cooperative education, apprenticeship and employment placement programs are available to all students regardless of race, color, national origin, sex, or disability. <u>Title VI: 34 CFR 100.3(b) (c), Title IX: 34 CFR 106.31(d),</u> <u>Section 504: 34 CFR 104.4(b) 34 CFR 104.11 (a)(4),</u> <u>Guidelines VII-A</u>	Students in the work-study, cooperative education, apprenticeship and employment placement programs are representative of the demographics of the district/collaborative or program. If there is disparity, the district/collaborative provides a legitimate, nondiscriminatory rationale.	review of enrollment data in the work-study, cooperative education, apprenticeship and employment placement programs

K WORK STUDY COOPERATIVE EDUCATION, EMPLOYMENT PLACEMENT, AND APPRENTICE TRAINING CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview students, cooperative education coordinator, placement coordinator, coordinator for services for student with disabilities, counselors, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, other staff as appropriate

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
K1 Department of Elementary and Secondary Education Finding (s)		

K WORK STUDY COOPERATIVE EDUCATION, EMPLOYMENT PLACEMENT, AND APPRENTICE TRAINING CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview students, cooperative education coordinator, placement coordinator, coordinator for services for student with disabilities, counselors, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, other staff as appropriate

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
K2 Partnering Employers and Prospective Employers (Title VI: 34 CFR 100.3(b) Title IX: 34 CFR 106.38 Section 504: 34 CFR 104.46(b) Guidelines VII-A)		
If the district/collaborative assists employers and prospective employers in making employment opportunities available to any of its students it 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), Title IX: 34 CFR 106.38</u> <u>Section 504: 34 CFR 104.46(b), Guidelines VII-A</u>	Workplace agreements contain an assurance of nondiscrimination that is signed by both the employer and the district/collaborative. The district/collaborative 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 employment assignments

K WORK STUDY COOPERATIVE EDUCATION, EMPLOYMENT PLACEMENT, AND APPRENTICE TRAINING CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview students, cooperative education coordinator, placement coordinator, coordinator for services for student with disabilities, counselors, administrators, Title II, Title IX and Section 504/ADA coordinators, faculty, other staff as appropriate

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
K2 Department of Elementary and Secondary Education Finding (s)		

L EMPLOYMENT CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview personnel director/human resources director, recruiters or personnel staffing specialists, affirmative action officer, top-level managers, members of recruitment and selection teams or committees, recent hires, union officers or negotiators, and staff who are members of protected groups.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
L1 Notification to Faculty and Staff (Title VI: 34 CFR 100.3(c) Title IX: 34 CFR 106.51, 106.57, and 106.60 Section 504: 34 CFR 104.13 and 104.14 Guidelines VIII-A Guidelines VIII-B)		
<p>The district/collaborative shall not engage in any employment practice that discriminates against any employee or applicant for employment on the basis of sex or disability. The district/collaborative shall 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. The district/collaborative shall not make pre-employment inquires concerning disability, marital, or parental status. <u>Title VI: 34 CFR 100.3(c), Title IX: 34 CFR 106.51, 106.57, and 106.60 Section 504: 34 CFR 104.13 and 104.14, Guidelines VIII-A</u></p> <p>The district/collaborative shall 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></p>	<p>District/collaborative employment practices are conducted without regard to race, color, national origin, sex, or disability of applicants or employees. Application forms and materials are free from prohibited questions concerning disability or marital or parental status.</p> <p>District/collaborative notifies its sources of faculty that it does not discriminate on the basis of race, color, national origin, sex or disability</p>	<p>hiring policies and procedures advancement policies and procedures employee handbooks application materials and forms screening committee policies and procedures rating systems employment announcements recruitment policies published nondiscrimination statement in newspapers, student handbooks, & other vacancy announcements recruitment letters</p>

L1 Department of Elementary and Secondary Education Finding (s)

L EMPLOYMENT CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview personnel director/human resources director, recruiters or personnel staffing specialists, affirmative action officer, top-level managers, members of recruitment and selection teams or committees, recent hires, union officers or negotiators, and staff who are members of protected groups.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
L2 Salary Scales and Other Benefits of Employment (Title IX: 34 CFR 106.54 Section 504: 34 CFR 104.11 and 12 Guidelines VIII-D)		
The district/collaborative shall 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. Title IX: 34 CFR 106.54, Section 504: 34 CFR 104.11 and 12, <u>Guidelines VIII-D</u>	Faculty salary scales and policy are The district/collaborative shall 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. Title IX: 34 CFR 106.54 Section 504: 34 CFR 104.11 and 12 <u>Guidelines VIII-D.</u>	faculty salary schedules and related policies faculty assignment information by race/ethnic group, sex, and staff with disabilities non-faculty classification/compensation system

L2 Department of Elementary and Secondary Education Finding (s)

L EMPLOYMENT CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview personnel director/human resources director, recruiters or personnel staffing specialists, affirmative action officer, top-level managers, members of recruitment and selection teams or committees, recent hires, union officers or negotiators, and staff who are members of protected groups.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
L3 Equal Employment Opportunities for Persons with Disabilities (Section 504: 34 CFR 104.12 Guidelines VIII-E)		
The district/collaborative shall provide equal employment opportunities for teaching and administrative positions to applicants with disabilities who can perform the essential functions of the positions and make reasonable accommodations for the physical or mental limitations of applicants (otherwise qualified) unless it can be demonstrated that such accommodations would impose undue hardship. <u>Section 504: 34 CFR 104.12, Guidelines VIII-E</u>	District/collaborative employment policies do not unlawfully discriminate against persons with disabilities. Persons with disabilities are employed in teaching and administrative positions and are not treated differently in promotion and tenure decisions.	number of staff with disabilities copies/description of policies, procedures, and criteria considered for hiring, promotion, retention, and tenure including professional and non-professional applications

L EMPLOYMENT CRITERIA

Preparation: The district/collaborative will make available to the Department of Elementary and Secondary Education onsite review team the documentation that will provide evidence of compliance.

The district/collaborative will prepare a schedule for the Department of Elementary and Secondary Education onsite review team to interview personnel director/human resources director, recruiters or personnel staffing specialists, affirmative action officer, top-level managers, members of recruitment and selection teams or committees, recent hires, union officers or negotiators, and staff who are members of protected groups.

Equity Requirement/ Legal Citations	Indicators of Compliance	Examples of Documentation
L3 Department of Elementary and Secondary Education Finding (s)		