Virginia Department of Education

Office of Career and Technical Education

# Overview of the CTE Civil Rights Review Process

Laws and Regulations Required by the U.S. Department of Education, Office for Civil Rights (OCR), and Enforced by Virginia Department of Education (VDOE):

* Title VI of the Civil Rights Act of 1964 (prohibiting discrimination based on race, color, and national origin) *34 CFR Part 100*
* Title IX of the Education Amendments of 1972 (prohibiting discrimination based on sex) *34 CFR Part 106*
* *U.S. Department of Education Title IX Final Rule (carries the force and effect of law as of August 14, 2020)*
* Section 504 of the Rehabilitation Act of 1973 (prohibiting discrimination based on disability) *34 CFR Part 104*
* Title II of the Americans with Disabilities Act of 1990 (prohibiting discrimination based on disability) *28 CFR Part 35*
* Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin and Handicap (Guidelines) *34 CFR Part 100 Appendix B*

## Targeting Plan Criteria for Identifying Four School Divisions for Review from the Targeting Pool Cycle

| **Indicator*s*** | **Point Values** |
| --- | --- |
| 1. The number of schools that offer career and technical education (CTE) programs (career centers, alternative schools, regional career and technical centers, and any other facilities offering CTE programs) | **+1** assigned to each school that offers CTE program |
| 1. The number of CTE programs that have unrepresentative enrollment of either sex (over 75% or under 25%) | **+3** assigned to each program that is unrepresentative by sex |
| 1. The enrollment percentage of students with disabilities (SWD) in CTE courses compared to the school division’s (SD) enrollment percentage of students with disabilities | **+1** assigned for each percentage point difference between % enrollment of SWD in CTE courses and % of SWD in the school division |
| 1. The number of English Learner (EL) subgroups that comprise 5% or more of the school division’s enrollment | **+5** assigned to each EL subgroup that comprises 5% or more of the enrollment |
| 1. The total, actual performance, percentage point deficit between Special Populations and All Completers for Technical Attainment | Percentage (%) point deficit:  **+0** (0 to 1 % points)  **+1** (1.1 to 2 % points)  **+2** (2.1 to 3 % points)  **+3** (3.1 to 4 % points)  **+4** (4.1 to 5 % points)  **+5** (5.1 + % points) |
| 1. The enrollment percentage of students with minority status in CTE courses compared to the school division’s secondary enrollment percentage of students with minority status | **+1** assigned for each percentage point difference between % enrollment of students with minority status in CTE courses and % in the school division |
| 1. Number of years since the school division’s last on-site civil rights review | **+0** (6 years or less)  +**5** (7 to 12 years)  **+10** (13 to 15 years)  **+15** (15 to 20 years)  **+20** (21 to 25 years)  **+25** (26 to 30 years)  **+30** (31+ years) |

## Review Structure

**Desk Review**: Enrollment (school-wide and CTE), student race/ethnic/sex/disability demographics (school-wide and CTE), CTE admission requirements and programming, websites (division and secondary schools), staff demographics/pay, policy/procedures manuals (staff and parents/students), student and staff recruitment materials (including applications), work-based learning materials/applications, and information provided on buildings and grounds to determine accessibility standard.

**On-Site Visit**: Interview central office administration, building administration, CTE teaching staff, Section 504 building coordinator, EL/LEP lead teacher/building coordinator, transition specialist, special education lead teacher/building coordinator, school counselors, and CTE students; and, perform accessibility walkthrough of building and grounds

## Post On-Site Visit

**Letter of Findings**: School divisions receive a written draft Letter of Findings (LOF) containing findings, recommendations, and commendations within 45 calendar days following the review. The LOF covers the following OCR designated required areas:

* Administrative
* Site Location and Student Eligibility
* Recruitment
* Access and Admission
* Student Financial Assistance
* Counseling and Career Awareness
* Services for Students with Disabilities
* Facility Accessibility
* Comparable Facilities
* Work-Based Learning, Job Placement, and Apprentice Training
* Employment

School divisions have 14 calendar days to review and respond to the draft LOF. If there are questions, technical assistance will be provided. If no response is received from the division, the draft report will become final after 14 calendar days.

**Voluntary Compliance Plan:** If the development of the Voluntary Compliance Plan (VCP) occurs on schedule, the finalized VCP should be submitted to VDOE a maximum of 30 calendar days from the date of the LOF.

**Letter of Closure**: Upon receipt of the documentation that supports the successful completion of the entire VCP, a letter of closure of the civil rights review will be sent to the school division Superintendent.