



Objectives

- Become familiar with federal laws that govern public schools receiving federal funding from the U. S. Department of Education.
- Expectations from Office of Civil Rights (OCR) as it relates to educational programs, including CTE.
- Apply federal laws to common local school issues.

And the laws are...

- Title VI of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973
- Age Discrimination Act of 1975
- Title II of the Americans with Disabilities Act of 1990
- Boy Scouts of America Equal Access Act

Title VI (Civil Rights Act)

- No person in the US shall, on the ground of **race, color, or national origin**, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title IX

- No person in the United States shall, on the basis of **sex**, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance...

Section 504

- Guarantees rights to people with **disabilities**.

Age Discrimination

- Prohibits discrimination based on the **age** in programs or activities that receive federal financial assistance.

Title II (ADA)

- Title II prohibits disability discrimination by **all public entities** at the local (*i.e.* school district, municipal, city, county) and state level.
- Disability is defined by the ADA as "...a physical or mental impairment that substantially limits a major life activity."

Boy Scouts

- No school receiving Department of Education funds shall **deny equal access or a fair opportunity to meet to, or discriminate against**, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in title 36 of the United States Code (as a **patriotic society**)....

Guidelines

- Vocational Educational Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National

How LEAs are Selected

- The 1996 *Memorandum of Procedures* requires that the selection criteria include an analysis of data to identify a subrecipient's vocational educational programs with disproportionate enrollments by race, national origin, sex, and disability.
- Other factors included by North Carolina are:
 - Total enrollment compared to CTE enrollment
 - Limited English Proficiency
 - Last year of onsite review

Civil Rights Compliance Topics

- Annual, Continuous & Public Notices
- Site Location & Student Eligibility
- Recruitment
- Admissions
- Student Financial Assistance
- Counseling

Civil Rights Compliance Topics

- Services for Students w/ Disabilities
- Accessibility
- Comparable Facilities
- Cooperative Education, Job Placement, Apprenticeship
- Employment

Common Problems-Program Review

- Non-discrimination statements
 - Annual notice vs Continuous notice
 - Section 504, Title IX & Title II contacts
- Materials available for visually and hearing impaired
- Translated written material for limited English speaking communities

Common Problems-Facilities Review

- Bathrooms/toilet rooms
 - Main entrance doors
 - Coat hooks
 - Dispensers (ie. Paper towels, toilet paper, soap)
 - Designated “accessible” toilet
 - Grab bars
 - Maneuvering space
 - Sink counters & sink pipes

Common Problems-Facilities Review

- Handicap accessible entrances not identified
- Routes to building entrances
 - Route(s) have steps but no ramp.
 - Ramps are too steep or go too long without level rest areas.
 - Handrails are not provided on both sides.

Common Problems-Facilities Review

- Parking
 - Too few “accessible” spaces.
 - No van accessible spaces.
 - No access aisles, or access aisles are too narrow
 - Built-up curb ramps in access aisles.
 - No signs, or signs are placed so they can be obstructed by parked vehicles.

Common Problems-Facilities Review

- Signage
 - Some signs – such as permanent room signs- are required to have Braille, high contrast, and raised lettering and must be located on the wall to the latch side of the appropriate door.
 - Handicapped entrances not marked

Common Problem- Facilities Review

- Area of Rescue/Refuge Assistance
- Applies to multi-story buildings
 - In the event of an emergency (ie. Fire), is there a meeting place for handicapped persons if they are on the upper levels?

Common Problem- Facilities Review

- Path of travel
 - Definition (Title II 28 CFR § 35.151(b)(4))
 - Paths of travel should be firm, stable, smooth and slip-resistant
 - Disproportionate costs
 - A public entity is not required to spend more than 20% of the cost of the original alteration on making the path of travel accessible.
 - Priority areas

Legal Eagle Group Activity

Each group will receive a case study based on the laws presented.

- Review your case and state which law(s) (if any) are being violated and why. Prepare to present your case.
- Feel free to use the internet to research specific verbiage relating to your scenario.

Resources

- US Department of Education (www.ed.gov)
- US Department of Justice
(www.justice.gov)
- Titleix.info website (www.titleix.info)
- US Government Printing Office
(www.gpo.gov)
