

Desk Audit Compliance Audit Checklist

OCR - Non-discrimination Notices

District/Charter: _____ **Reviewer:** _____

School: _____ **Desk Audit Review Date(s):** Begin September 15 End October 30

Date that data/documentation is available:

October 15

Legislation/Regulation Authority:

1. Title VI of the Civil Rights Act of 1964 (Title VI), 34 CFR Part 100 which prohibits discrimination on the basis of race, color, and national origin by recipients of federal financial assistance.
2. Title IX of the Education Amendments of 1972 (Title IX), 34 CFR Part 106 which prohibits discrimination on the basis of sex in any educational program or activity that receives federal financial assistance.
3. Section 504 of the Act of 1973 (Section 504), 34 CFR Part 104 which prohibits discrimination on the basis of disability by recipients of federal financial assistance.
4. Title II of the Americans with Disabilities Act of 1990 (Title II), 28 CFR Part 35 which prohibits discrimination on the basis of disability by public entities.
5. 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)

Intent of the Legislation/Regulation:

The Delaware Department of Education (DOE) is responsible for ensuring that sub-recipients of Federal financial assistance that offer Career and Technical Education (CTE) programs do not discriminate against students, employees and other potential beneficiaries on the basis of race, color, national origin, sex or disability status.

Non-discrimination notification: [Title IX: 34 CFR 106.9; Section 504: 34 CFR 104.8; Guidelines IV-O]

A recipient must take continuing steps to notify participants, beneficiaries, applicants, elementary and secondary school parents, employees (including those with impaired vision or hearing), and unions or professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of race, color, national origin, sex, or disability.

Focus of Review:

Verification that LEAs are providing adequate notification of non-discrimination as required by federal regulation.

Method of Assessment: (Check all that apply)

- Document Review
 - Requires district submission
 - Resides at DOE
- Data Analysis
 - Requires district submission
 - Resides at DOE

From 2007 to 2009 what guidance, technical assistance, and/or professional development has been offered to the districts and charters regarding this regulation?

Annual workshop offered specifically for LEAs identified for on-site compliance reviews.

Required District and Charter School Compliance Items of Non-discrimination Notices	Check in 2009-10? (Y/N)	Evidence	Compliance			Comments
			Yes	No	N/A	
1.1. <u>Annual Notice of Non-discrimination</u> with list of CTE pathway offerings is published in media that reach all potential beneficiaries in the service area.	Y	1. Copy of current year published notice, in <u>English</u> . 2. Copy of current year published notice, in <u>other languages</u> depending on size of linguistic minorities served.				
1.2 <u>Continual Notice of Non-discrimination</u> published prominently in student and employee publications, websites, notices and letterheads.	Y	1. Notices include the title, addresses and phone number of a district contact in publications made available to: students, parents/guardians, employees, and general public.				
2.1 <u>Title IX Coordinator</u> is formally designated and contact information is publicly notified.	Y	1. Current documentation indicating the name and phone number of Section 504 coordinator communicated to: students, parents/guardians, and employees. 2. Notices are translated into <u>other languages</u> as required.				

<p>2.2 <u>Section 504 Coordinator</u> is formally designated and contact information is publicly notified.</p>	<p>Y</p>	<p>1. Current documentation indicating the name and phone number of Section 504 coordinator communicated to: students, parents/guardians, and employees. 2. Notices are translated into <u>other languages</u> as required.</p>				
<p>2.1 <u>Title IX Grievance Procedures</u> are adopted and published for prompt and equitable resolution of complaints.</p>	<p>Y</p>	<p>1. Current documentation containing Title IX grievance procedures communicated to: students, parents/guardians, and employees. 2. Procedure is translated into <u>other languages</u> as required.</p>				
<p>2.2 <u>Section 504 Grievance Procedures</u> are adopted and published for prompt and equitable resolution of complaints.</p>	<p>Y</p>	<p>1. Current documentation containing Section 504 grievance procedures are communicated to: students, parents/guardians, and employees. 2. Procedure is translated into <u>other languages</u> as required.</p>				