

## **OCR Review Procedures**

### **Why is Vocational Education Receiving Special Civil Rights Emphasis?**

Federal District Court rulings that began in 1973 ordered the United States Department of Health, Education and Welfare (now the Department of Education) to begin enforcing federal civil rights statutes. The series of court cases initiated by the Legal Defense Fund of the National Association for the Advancement of Colored People and later joined by the Women's Equity Action League and the Mexican-American Legal Defense Fund resulted in a court order (Adams vs. Califano) which specifically ordered the federal Office for Civil Rights to establish Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Disability. The Guidelines published in final form on March 21, 1979, require that state agencies, responsible for federal vocational education, develop and implement a compliance program to identify, remedy and prevent discrimination on the basis of race, color, national origin, sex, disability and age in vocational education programs operated by recipients of federal financial assistance.

### **What Federal Regulations are Covered by the Guidelines?**

- Title VI of the Civil Rights Act of 1964

"No person in the United States shall, on the ground of race, color or national origin, be subjected to discrimination under any program or activity receiving federal financial assistance."

- Title IX of the Education Amendments of 1972

"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 of the Rehabilitation Act of 1973

"No otherwise qualified disabled individual in the United States shall, solely by reason of his/her disability, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

### **How is the Ohio Department of Education Implementing The Federal Civil Rights Statutes?**

The Ohio Department of Education, Office of Career-Technical and Adult Education, in 1980 developed the required Methods of Administration (MOA) to implement the directives of the OCR Guidelines for Vocational Education. The activities conducted by the Office of Career-Technical and Adult Education include:

- Collecting and Analyzing civil rights related data of school districts and postsecondary schools receiving federal financial assistance.
- Conducting Periodic Compliance Reviews of selected secondary school districts, postsecondary institutions, and state operated schools and notification of steps needed to attain compliance through voluntary action.
- Providing Technical Assistance to secondary school districts, postsecondary, and state operated schools.
- Periodically Reporting the Division's activities to implement the MOA to the Federal Office for Civil Rights.

**What Division in The Ohio Department of Education has the Responsibility for Administering The Civil Rights Program?**

The Office of Career-Technical and Adult Education, through the office of Planning and Administrative Services, performs periodic reviews of career-technical education programs to ensure compliance with the federal civil rights statutes.

**How are Schools Selected for On-Site Civil Rights Compliance Reviews?**

The schools to be visited are selected on the basis of an OCR computerized audit review. An OCR audit consists of a profile of an educational agency based on student and staff data by race, national origin, sex and disability. An OCR audit is used to identify potential areas of non-compliance with federal civil right statutes. Additional criteria for visitation include complaints of possible non-compliance with civil rights statutes made by private individuals and other organizations or agencies. Schools are notified at least 30 days in advance of an on-site visitation.

**Are Educational Agencies Required to Keep Records and Make Them Available to the Staff of the Office of Career-Technical and Adult Education?**

Educational agencies covered by the civil rights mandates must keep relevant records to show they are complying with the federal regulations. The information will be available to the staff responsible for supervising the Division's compliance program.

A) Effective June 30, 1998, the Ohio Department of Education, OCR Annual Report will be submitted every other year to:

**U.S. Department of Education**

Program Operating Division  
Office for Civil Rights  
330 C Street, S.W.  
Washington, D.C. 20202-1174  
Phone: 202-205-9496

**Regional Office**

U.S. Department of Education  
Office for Civil Rights  
Bank One Center  
600 Superior Avenue East  
Suite 750  
Cleveland, OH 44114-2611  
Phone: 216-522-4970

**Local concerns and questions should be forwarded to:**

Office of Career-Technical and Adult Education  
Planning, Adult and Administrative Services  
25 South Front Street, 6th Floor  
Columbus, Ohio 43215-4183  
Phone: 614-466-4835

However, the Chicago and Cleveland offices (OCR) will continue to handle field investigations concerning alleged civil rights violations in respect to race, color, national origin, sex, disability and age.