



## **Civil Rights Review 2019–20 Program Instrument California Department of Education October 2019**

### **CRR 01: Continuous Nondiscrimination Notice**

- 1.0 Recipients 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.

Title IX; 34 Code of Federal Regulations (CFR) Section 106.9  
504: 34 CFR Section 104.8 Title VI, 34 CFR Section 100.6(d)  
Title II, 28 CFR Section 35.106

Related California Law:

Related California laws also provide added protection on the basis of actual or perceived ancestry, age, ethnicity, gender, gender identity, gender expression, immigration status, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics:

Education Code (EC) sections 200 and 220  
Title 5 California Code of Regulations (5 CCR) Section 4622, 4960(b), 4900 et seq.

### **Evidence Requests**

#### **Brochures on Programs and Activities**

Abbreviation: Brchrsprgmactvts

Description: Brochures related to all programs and activities offered. The brochures must contain the continuous nondiscrimination notice.

Item Instructions:

Related Items: CRR 01

## 2019–20 CRR Program Instrument (Continued)

### Catalogs

Abbreviation: Ctlgs  
Description: Catalogs related to all programs and activities offered.  
Item Instructions: CRR 01: Indicate the page number of the continuous nondiscrimination notice.  
Related Items: CRR 01, CRR 02, CRR 04

### Employee Handbook(s)

Abbreviation: EmplHndbks  
Description: Employee handbook(s).  
Item Instructions: CRR 01: Which contains the name, title, address and phone number of the Title II, CCR Title 5, Title IX, and 504 Coordinator(s).  
Related Items: CRR 01, CRR 02, CRR 04, CRR 24

### Job Announcements

Abbreviation: JbAncmnts  
Description: Sample job announcements for classified and certificated positions that contain the nondiscrimination notice.  
Item Instructions:  
Related Items: CRR 01, CRR 24

### Job Applications

Abbreviation: JbAplctns  
Description: Sample job applications for classified and certificated positions that contain the nondiscrimination notice.  
Item Instructions:  
Related Items: CRR 01, CRR 24

## 2019–20 CRR Program Instrument (Continued)

### Posters Advertising CTE Programs

Abbreviation: PstrsAdvtsngCTEPgms  
Description: Posters advertising or announcing Career Technical Education programs and activities offered.  
Item Instructions:  
Related Items: CRR 01

### School Newspaper

Abbreviation: SchINwspr  
Description: School newspaper(s) with the nondiscrimination notice.  
Item Instructions:  
Related Items: CRR 01

### Student Applications

Abbreviation: StdntAplctns  
Description: Student applications, if applicable, that contain the nondiscrimination notice.  
Item Instructions:  
Related Items: CRR 01

### Student Handbooks

Abbreviation: StdntHndbk  
Description: Student handbook(s) with the nondiscrimination notice.  
Item Instructions:  
Related Items: CRR 01, CRR 02, CRR 04

### Webpage

Abbreviation: WbPg  
Description: Legible screenshot of the district and school web sites which shows the nondiscrimination notice.  
Item Instructions:  
Related Items: CRR 01

## 2019–20 CRR Program Instrument (Continued)

### **CRR 02: Persons Responsible For Coordinating 504, Title II, Title IX and CCR Title 5**

- 2.0 Each recipient shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under 504, Title II, and Title IX.
- 2.1 The recipient must notify students and employees of the name or title, office address, and phone number of the designated employee(s).
- 2.2 This (these) person(s) must be aware of their duties and responsibilities and have the necessary training to carry out their responsibilities.

Title IX: 34 CFR Section 106.8(a); 504: 34 CFR Section 104.7(a);  
Title II: 28 CFR Section 35.107(a).

Related California Law:

Recipients shall identify a single coordinator for compliance with CCR, Title 5. Announcements shall include the name, office address, and office telephone number of the responsible officer.

5 CCR, Section 4961.

### **Evidence Requests**

#### **Catalogs**

- Abbreviation: Ctlgs
- Description: Catalogs related to all programs and activities offered.
- Item Instructions: CRR 02: Indicate the page numbers containing the name, title, address and phone number of the Title II, CCR Title 5, Title IX and 504 Coordinator(s).
- Related Items: CRR 01, CRR 02, CRR 04

#### **Employee Handbook(s)**

- Abbreviation: EmplHndbks
- Description: Employee handbook(s).
- Item Instructions: CRR 02: Handbook(s) must contain the nondiscrimination notice and contact information of the Title II, CCR Title 5, Title IX, and 504 Coordinator(s).
- Related Items: CRR 01, CRR 02, CRR 04, CRR 24

## 2019–20 CRR Program Instrument (Continued)

### Job Description(s)

Abbreviation: JobDscrptnss

Description: A copy of the job descriptions for the recipient's Title II, CCR Title 5, Title IX, and 504 Coordinator(s).

Item Instructions:

Related Items: CRR 02

### Student Handbooks

Abbreviation: StdntHndbk

Description: Student handbook(s) with the nondiscrimination notice.

Item Instructions: Handbook(s) must include the grievance procedures, nondiscrimination notice, and contact information for the 504, Title II, Title IX, and CCR Title 5 Coordinator(s).

Related Items: CRR 01, CRR 02, CRR 04

### Web Posting (Coordinator)

Abbreviation: WbPstngTtIIIVIX504Crdrtrs

Description: Legible screenshot(s) of the district and school web sites which contain the name, title, address and phone number of the Title II, CCR Title 5, Title IX and 504 Coordinator(s).

Item Instructions:

Related Items: CRR 02

### CRR 03: Annual Public Notification

- 3.0 Prior to the beginning of each school year, recipients must advise students, parents, employees, and general public that all vocational or Career Technical Education (CTE) opportunities will be offered regardless of race, color, national origin, sex, or disability.
- 3.1 If the subrecipient's service area(s) contains a community of national origin minority person with limited English language skills, public notification materials must be disseminated to that community in its language and must state that the subrecipient will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in CTE programs.

## 2019–20 CRR Program Instrument (Continued)

- 3.2 The notice must include a brief summary of program offerings and admission criteria and the name, office address, and phone number of the person(s) designated to coordinate Title IX and Section 504 compliance activity.
- 3.3 Recipient issues annual public notice of nondiscrimination related to opportunities in its CTE programs.
- 3.4 The notice also is disseminated in the language of any national origin minority community in the service area.
- 3.5 Annual notice lists coordinators of Section 504, Title IX, and CCR Title 5 with their name/title, address, and phone number.

Guidelines: 34 CFR Section 100 Appendix B (IV–O).

### Related California Law:

Related California laws also provide added protection on the basis of actual or perceived ancestry, age, ethnicity, gender, gender identity, gender expression, immigration status, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

5 CCR, Title 5, sections 4622, 4961 et seq.; *EC* sections 200 and 220.

## Evidence Requests

### Annual Public Notification

Abbreviation: AnIPblcNtfctn

Description: Annual public notification that includes the nondiscrimination notices for programs/activities and the contact information for the 504, Title II, Title IX, and CCR Title 5 Coordinator(s).

Item Instructions:

Related Items: CRR 03

### Local Newspaper

Abbreviation: LclNspr

Description: Local community newspaper that contains the notice of nondiscrimination in all recipient programs and the contact information of for the 504, Title II, Title IX, and CCR Title 5 Coordinator(s).

Item Instructions:

Related Items: CRR 03

## 2019–20 CRR Program Instrument (Continued)

### Recipient Newspaper

Abbreviation:	RcpntNwspr
Description:	Recipient newspaper which contains the notice of nondiscrimination in all recipient programs and the contact information for the 504, Title II, Title IX, and <i>CCR</i> Title 5 Coordinator(s).
Item Instructions:	
Related Items:	CRR 03

### CRR 04: Grievance Procedure

- 4.0 A recipient 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.

Title II: 28 CFR Section 35.107(b); Title IX: 34 CFR Section 106.8(b); 504: 34 CFR Section 104.7(b).

Related California Law:

Related California laws also provide added protection on the basis of actual or perceived ancestry, age, ethnicity, gender, gender identity, gender expression, immigration status, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

All complaints or allegations of discrimination will be kept confidential during any informal and/or formal complaint procedures except when disclosure is necessary during the course of an investigation in order to take subsequent remedial action and to conduct ongoing monitoring.

5 *CCR*, sections 4621, 4960 et seq.; *EC* sections 200,220, and 260.

### Evidence Requests

#### Catalogs

Abbreviation:	Ctlgs
Description:	Catalogs related to all programs and activities offered.
Item Instructions:	Must contain the grievance procedure, nondiscrimination notice, contact information for the 504, Title II, Title IX, and <i>CCR</i> Title 5 Coordinator(s).
Related Items:	CRR 01, CRR 02, CRR 04

## 2019–20 CRR Program Instrument (Continued)

### Data on Complaints

Abbreviation:	DtaCmplnts
Description:	Data related to the number of complaints alleging any form of discrimination over the last two (2) years. The data must include the outcome of any complaint investigations.
Item Instructions:	Do not upload complaints into CMT.
Related Items:	CRR 04

### Employee Handbook(s)

Abbreviation:	EmplHndbks
Description:	Employee handbook(s).
Item Instructions:	CRR 04: Handbook(s) must contain the nondiscrimination notice and contact information of the Title II, CCR Title 5, Title IX, and 504 Coordinator(s).
Related Items:	CRR 01, CRR 02, CRR 04, CRR 24

### Grievance Procedure

Abbreviation:	GrvncPrcdr
Description:	The recipient's complaint policy and procedure. Proof of dissemination must also be provided.
Item Instructions:	
Related Items:	CRR 04

### Student Handbooks

Abbreviation:	StdntHndbk
Description:	Student handbook(s) with the grievance procedure.
Item Instructions:	Handbook(s) must include the grievance procedures, nondiscrimination notice, and contact information for the 504, Title II, Title IX, and CCR Title 5 Coordinator(s).
Related Items:	CRR 01, CRR 02, CRR 04

## 2019–20 CRR Program Instrument (Continued)

### CRR 05: Recruitment

- 5.0 Student recruitment activities and materials shall convey the message that all CTE programs are open to all students without regard to race, color, national origin, sex, or disability. Where recruitment activities involve the presentation or portrayal of vocational and career opportunities, the curricula and programs described should cover a broad range of occupational opportunities and not be limited on the basis of race, color, national origin, sex, or disability of the students or potential students to whom the presentation is made. To the extent possible, recruiting teams should represent persons of different races, national origins, sexes, and disabilities.

Guidelines: 34 CFR Section 100 Appendix B (V–C) and (V–E).

Related California Law:

Related California laws also provide added protection on the basis of actual or perceived ancestry, age, ethnicity, gender, gender identity, gender expression, immigration status, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

5 CCR, Section 4900 et seq; EC sections 200, 220, and 221.5.

### Evidence Requests

#### CTE Program Staff Demographics

Abbreviation: CTEPrgrmStfDmgrpchs

Description: Demographics of recipient's CTE program staff separated by programs. Do not include any personally identifiable information in upload(s).

Item Instructions:

Related Items: CRR 05

#### Description of Recruitment Activities

Abbreviation: DscrptnsRcrtmntActvts

Description: Descriptions of all CTE recruitment activities conducted by the recipient. Descriptions must also include the site of each activity.

Item Instructions:

Related Items: CRR 05

## 2019–20 CRR Program Instrument (Continued)

### Recruitment Materials

Abbreviation: RcrtmntMtrls

Description: All CTE recruitment materials: pictures, PowerPoint, brochures, flyers, and/or catalogs which show diversity of persons involved in the activities.

Item Instructions:

Related Items: CRR 05

### Recruitment Team Demographics

Abbreviation: RcrtmntTmDmgrpchs

Description: Demographics of the recipient's CTE recruitment team. Do not include any personally identifiable information in upload(s).

Item Instructions:

Related Items: CRR 05

### CRR 06: Promotional Activities

- 6.0 Districts and schools may 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.
- 6.1 If a recipient's service area(s) contains a community of national origin minority persons of limited English language skills, promotional literature must be distributed to that community in its language.

Guidelines: 34 CFR Section 100 Appendix B V–E.

Related California Law:

If 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted in the preceding year, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the public school or school district shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language.

*EC Section 48985.*

## 2019–20 CRR Program Instrument (Continued)

### Evidence Requests

#### CTE Materials in Other Languages

Abbreviation: CTEMtrlsOthrLngs  
Description: Recipient's translated CTE promotional materials distributed in the language minority communities.  
Item Instructions:  
Related Items: CRR 06

#### CTE Promotional Materials

Abbreviation: CTEPrmtnlMtrls  
Description: Materials and/or media presentations which show persons of varying races, male and female persons, persons with disabilities, and persons of different national origins.  
Item Instructions:  
Related Items: CRR 06

#### Verification of Limited English Proficient Community

Abbreviation: VrfctnLmtdEngPrfCmnty  
Description: Recipient's process to identify and communicate with language minority communities.  
Item Instructions:  
Related Items: CRR 06

### CRR 07: Admissions

- 7.0 Recipients may not judge candidates for admission to vocational education programs on the basis of criteria that have the effect of disproportionately excluding persons of a particular race, color, national origin, sex, or handicap. However, if a recipient can demonstrate that such criteria have been validated as essential to participation in a given program and that alternative equally valid criteria that do not have such a disproportionate adverse effect are unavailable, the criteria will be judged nondiscriminatory. Examples of admissions criteria that must meet this test are past academic performance, record of disciplinary infractions, counselors' approval, teachers' recommendations, interest inventories, high school diplomas and standardized tests, such as the Test of Adult Basic Education (TABE).

## 2019–20 CRR Program Instrument (Continued)

- 7.1 An introductory, preliminary, or exploratory course may not be established as a prerequisite for admission to a program unless the course has been and is available without regard to race, color, national origin, sex, and handicap. However, a course that was formerly only available on a discriminatory basis may be made a prerequisite for admission to a program if the recipient can demonstrate that: (a) The course is essential to participation in the program; *and* (b) the course is presently available to those seeking enrollment for the first time and to those formerly excluded.

Guidelines: 34 CFR Section 100 Appendix B (IV–K).

- 7.2 A recipient must not deny access to CTE 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 disabled persons than for nondisabled persons.

Guidelines: 34 CFR Section 100 Appendix B (IV–N)  
504: 34 CFR Section 104.10 and 104.43(c).

### Related California Law:

Related California laws also provide added protection on the basis of actual or perceived ancestry, age, ethnicity, gender, gender identity, gender expression, immigration status, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

5 CCR, Section 4900 et seq; EC sections 200 and 220.

## Evidence Requests

### CTE Admissions Policy

Abbreviation: CTEAdmsnsPlcy

Description: Recipient’s admissions policy and process for CTE programs, including procedures for selective CTE admissions. The policy and/or process must avoid criteria that disproportionately exclude persons of a protected group.

Item Instructions:

Related Items: CRR 07

## 2019–20 CRR Program Instrument (Continued)

### Demographics of CTE Applicants

Abbreviation:	DmgrpchsCTEApplicants
Description:	CTE admissions data showing all accepted/selected and rejected student applicants. Data must include explanation for each rejected admission.
Item Instructions:	
Related Items:	CRR 07

### Demographics of Students with Disabilities

Abbreviation:	DmgphcsStdntsDsbilts
Description:	Enrollment and placement data identifying the number of students with disabilities in the recipient's CTE program(s). The data must be categorized by program.
Item Instructions:	CRR 07:
Related Items:	CRR 07, CRR 13

### CRR 08: Student Eligibility

- 8.0 Recipients may not develop, impose, maintain, approve, or implement student admission eligibility criteria to CTE schools, facilities, and programs that discriminates on the basis of race, color, national origin, sex, or disability.

Guidelines: 34 CFR Section 100 Appendix B (IV–A)

#### Related California Law:

Related California laws provide added protection on the basis of actual or perceived ancestry, age, ethnicity, gender, gender identity, gender expression, immigration status, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

5 CCR, sections 4920–27; EC sections 200, 220 and 221.5.

## 2019–20 CRR Program Instrument (Continued)

### Evidence Requests

#### CTE Eligibility Criteria

Abbreviation: CTEElgbltyCrtr

Description: Eligibility criteria for recipient’s CTE program(s), school(s), and facilities. Eligibility criteria must include the nondiscrimination notice.

Item Instructions:

Related Items: CRR 08

#### CRR 09: Residency

- 9.0 A recipient may not establish, approve, or maintain geographic boundaries for a CTE service area or attendance zone that unlawfully excludes students on the basis of race, color, or national origin.

Guidelines: 34 CFR Section 100 Appendix B (IV–C).

Related California Law:

Related California laws also provide added protection on the basis of actual or perceived ancestry, age, ethnicity, gender, gender identity, gender expression, immigration status, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

5 *CCR*, Section 4900 et seq; *EC* sections 200 and 220.

### Evidence Requests

#### Demographics of Adjoining Service Area(s) of Facility

Abbreviation: DmgphcsAdjngSrvcFclty

Description: A map of any off campus CTE facilities and demographics of students of those classes.

Item Instructions:

Related Items: CRR 09

## 2019–20 CRR Program Instrument (Continued)

### Maps of Attendance Zones

Abbreviation: MpsAttndcZns  
Description: Maps of attendance zones.  
Item Instructions:  
Related Items: CRR 09

### CRR 10: Limited English Learner Admissions

- 10.0 Recipients may not restrict admission to CTE programs because the applicant, as a member of a national origin minority group with limited English language skills, cannot participate in and benefit from CTE to the same extent as students whose primary language is English.
- 10.1 It is the responsibility of the recipient to identify such applicants and assess their ability to participate in vocational instruction. Acceptable methods of identification include: (1) Identification by administrative staff, teachers, or parents of secondary level students; (2) identification by the student in postsecondary or adult programs; and (3) appropriate diagnostic procedures, if necessary.
- 10.2 Recipients must take steps to open all vocational programs to these national origin minority students. A recipient must demonstrate that a concentration of students with limited English language skills in one or a few programs is not the result of discriminatory limitations upon the opportunities available to such students.

Guidelines: 34 CFR Section 100 Appendix B (IV–L).

### Evidence Requests

#### Demographics of Limited English Language Applicants

Abbreviation: DmgrphcsLmtdEngLngAplcnts  
Description: CTE admissions data identifying accepted/selected and rejected students with limited English language skills. Data must include explanation for each rejected applicant.  
Item Instructions:  
Related Items: CRR 10

## 2019–20 CRR Program Instrument (Continued)

### Demographics of Limited English Language Enrollment

Abbreviation: DmgphcsLmtdEngLngEnrlmnt

Description: Enrollment and placement data identifying the number of students with limited English language skills in the recipient's CTE program(s). The data must be categorized by program.

Item Instructions:

Related Items: CRR 10

### CRR 11: Counseling

11.0 Recipients must ensure that their 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.

Title II: 28 CFR Section 35.130.

Title IX: 34 CFR Section 106.36 (a), 106.21(a) and (b), and 106.34.

504: 34 CFR Section 104.4(a), 104.34(a) and (c), and 104.47(b).

Guidelines: 34 CFR Section 100 Appendix B (V–A).

11.1 Recipients that operate CTE programs must ensure that counselors do not direct or urge any student to enroll in a particular career or 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. Recipients may not counsel students with disabilities toward more restrictive career objectives than nondisabled students with similar abilities and interests. If a vocational program disproportionately enrolls male or female students, minority or nonminority students, or disabled students, recipients must take steps to ensure that the disproportion does not result from unlawful discrimination in counseling activities.

Guidelines: 34 CFR Section 100 Appendix B (V–B).

504: 34 CFR Section 104.47(b).

Title IX: 34 CFR sections 106.34 and 106.36(c).

11.2 Districts and schools must ensure that counselors can effectively communicate with students with limited English proficiency and with students with sensory impairments.

Guidelines: 34 CFR Section 100 Appendix B (V–D).

## 2019–20 CRR Program Instrument (Continued)

Related California Law:

Related California laws provide added protection on the basis of actual or perceived ancestry, age, ethnicity, gender, gender identity, gender expression, immigration status, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

5 CCR, Section 4900 et seq; EC sections 200 and 220

### Evidence Requests

#### Assessment Plan

Abbreviation: AsmntPln

Description: Assessment plan(s) with a list of tests administered. The written assessment plan must ensure nondiscrimination.

Item Instructions:

Related Items: CRR 11

#### Calendar of Counseling and Pre-CTE Activities

Abbreviation: ClndrCnslngPrCTEActvts

Description: Calendar(s) outlining all CTE-related counseling activities and any pre-CTE activities.

Item Instructions:

Related Items: CRR 11

#### Counseling Materials

Abbreviation: CnslngMtrls

Description: Samples of all pre- and post-enrollment counseling plans and materials.

Item Instructions:

Related Items: CRR 11

## 2019–20 CRR Program Instrument (Continued)

### Guidance Plan, Policy, and Procedure

Abbreviation: GdncePlnPlcyPrcdr

Description: Guidance plan, policy, and procedure which ensures nondiscrimination in the recipient's CTE program(s).

Item Instructions:

Related Items: CRR 11

### Revised Counseling Materials

Abbreviation: RvsdCnslngMtrls

Description: Counseling materials or activities that have been revised in response to disproportional CTE enrollments.

Item Instructions:

Related Items: CRR 11

### CRR 12: Student Financial Assistance

12.0 Recipients may not award financial assistance in the form of loans, grants, scholarships, special funds, subsidies, compensation for work, or prizes to CTE students on the basis of race, color, national origin, sex, or disability, except to overcome the effects of past discrimination. Recipients may administer sex restricted financial assistance where the assistance and restriction are established by will, trust, benefit, or any similar legal instrument, if the overall effect of all financial assistance awarded does not discriminate on the basis of sex. Materials and information used to notify students of opportunities for financial assistance may not contain language or examples that would lead applicants to believe the assistance is provided on a discriminatory basis. If a recipient's service area contains a community of national origin minority persons with limited English language skills, such information must be disseminated to that community in its language.

Guidelines: 34 CFR Section 100 Appendix B (VI–B).

504: 34 CFR Section 104.46(a)

Title IX: 34 CFR Section 106.37(a–b)

## 2019–20 CRR Program Instrument (Continued)

### Evidence Requests

#### Awards, Scholarships, and Other Financial Assistance

Abbreviation: AwrdsSchlrshpsFnclAstnce

Description: List of scholarships, awards, and other types of financial assistance awarded to students in the previous academic year.

Item Instructions:

Related Items: CRR 12

#### Financial Assistance

Abbreviation: FnclAstnce

Description: Data which indicates how financial assistance is made available to students regardless of their protected characteristic(s).

Item Instructions:

Related Items: CRR 12

### CRR 13: Services for Students with Disabilities

13.0 Recipients may not deny students with disabilities access to vocational education programs or courses because of architectural or equipment barriers, or because of the need for related aids and services or auxiliary aids.

13.1 Guidelines: 34 CFR Section 100 Appendix B (IV-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.

504: 34 CFR Section 104.4(a).

Title II: 28 CFR Section 35.130(a).

13.2 A recipient that operates an elementary or secondary education program or activity must provide a free, appropriate public education (FAPE) to each qualified disabled person in its jurisdiction, regardless of the nature or severity of the person's disability.

504: 34 CFR Section 104.33(a).

## 2019–20 CRR Program Instrument (Continued)

13.3 The recipient must have a system in place for the identification, evaluation, and educational placement persons who, because of a disability, need or are believed to need special education or related services. 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.

504: 34 CFR sections 104.33(b), 104.35(c), and 104.36.

13.4 A recipient that operates a public elementary or secondary education program or activity shall establish and implement, with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of a disability, need or are believed to need special instruction or related services, a system of procedural safeguards that includes notice, an opportunity for the parents or guardian of the person to examine relevant records, an impartial hearing with the opportunity for participation by the person's parents or guardian and representation by counsel, and a review procedure.

504: 34 CFR Section 104.36.

13.5 Disabled secondary students must be placed in the regular educational environment of any CTE, academic, physical education, athletic, or other school program or activity to the maximum extent appropriate to their needs with the use of supplementary aids and services unless it can be demonstrated that such cannot be achieved satisfactorily.

Guidelines: 34 CFR Section 100 Appendix B (VI–A).

504: 34 CFR sections 104.34(a) and (b).

Title II: 38 C.F.R. Section 35.130(d).

13.6 Secondary students with disabilities are placed in a CTE program only when the 504 FAPE requirements for evaluation, placement, and procedural safeguards have been satisfied.

504: 34 Section CFR 104.35(a).

Guidelines: 34 CFR Section 100 Appendix B (VI–A).

## 2019–20 CRR Program Instrument (Continued)

### Evidence Requests

#### Aids Available for Students with Disabilities

Abbreviation: AdsAvlBlFrStdntsWthDsblts  
Description: A list of aids available for students with disabilities and examples of adapted equipment.  
Item Instructions:  
Related Items: CRR 13

#### Demographics of Students with Disabilities

Abbreviation: DmgphcsStdntsDsblts  
Description: Enrollment and placement data identifying the number of students with disabilities in the recipient's CTE program(s). The data must be categorized by program.  
Item Instructions:  
Related Items: CRR 07, CRR 13

#### Policy related to Students with Disabilities

Abbreviation: PlcyRltdStdntWthDsblts  
Description: Recipient's policy and procedure which ensures access for students with disabilities to programs, activities, and services.  
Item Instructions:  
Related Items: CRR 13

### CRR 14: Existing Facility under 504

14.0 For existing recipient facilities under 504 that were built or altered beginning June 3, 1977 or earlier, a recipient shall operate its program or activity so that when each part is viewed in its entirety, it is "readily accessible" to disabled persons. A recipient is not required to make each of its existing facilities or every part of a facility accessible to and usable by persons with disabilities.

504: 34 CFR Section 104.22(a).

## 2019–20 CRR Program Instrument (Continued)

### Evidence Requests

#### Maintenance Records

Abbreviation: MntncRcrds  
Description: Maintenance records for all buildings/facilities/areas used for the recipient's CTE program(s).  
Item Instructions: CRR 14: Elevator service dates.  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

#### Renovation Schedules

Abbreviation: RnvtnSchdls  
Description: Renovation schedules for all buildings/facilities/areas used for the recipient's CTE program(s)  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

#### Site and Floor Plans

Abbreviation: StFlrPlns  
Description: Site plan of school which identifies CTE classes, paths of travel, number of general and disabled parking, floor plans of showers, restrooms, lockers rooms.  
Item Instructions:  
Related Items: CRR 15, CRR 16

#### Work Orders or Contracts Indicating Construction Start Dates

Abbreviation: WrkOrdrsCntrctsIndctngCnstrctnSrtDts  
Description: Work orders/contracts, with the construction start date, for all buildings/facilities/areas used for the recipient's CTE program(s).  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

## 2019–20 CRR Program Instrument (Continued)

### CRR 15: New Construction under 504 (American National Standards Institute)

15.0 Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient under 504 that were built or altered between June 4, 1977 and January 17, 1991, inclusive, shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities.

15.1 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. 504: 34 CFR Section 104.23(a).

### Evidence Requests

#### Maintenance Records

Abbreviation: MntncRcrds  
Description: Maintenance records for all buildings/facilities/areas used for the recipient’s CTE program(s).  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

#### Renovation Schedules

Abbreviation: RnvtnSchdls  
Description: Renovation schedules for all buildings/facilities/areas used for the recipient’s CTE program(s)  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

#### Site and Floor Plans

Abbreviation: StFlrPlns  
Description: Site plan of school which identifies CTE classes, paths of travel, number of general and disabled parking, floor plans of showers, restrooms, lockers rooms.  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

## 2019–20 CRR Program Instrument (Continued)

### Work Orders or Contracts Indicating Construction Start Dates

Abbreviation: WrkOrdrsCntrctsIndctngCnstrctnSrtDts  
Description: Work orders/contracts, with the construction start date, for all buildings/facilities/areas used for the recipient's CTE program(s).  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

### CRR 16: New Construction under 504 (Uniform Federal Accessibility Standards)

16.0 Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient or public entity under 504 that were built or altered between January 18, 1991, and January 26, 1992, inclusive, shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities.

16.1 Conformance with the Uniform Federal Accessibility Standards (UFAS) (Appendix A to 41 CFR Section 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.

Title II: 28 CFR Section 35.151.  
504: 34 CFR Section 104.23(c).

### Evidence Requests

#### Maintenance Records

Abbreviation: MntncRcrds  
Description: Maintenance records for all buildings/facilities/areas used for the recipient's CTE program(s).  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

#### Renovation Schedules

Abbreviation: RnvtnSchdls  
Description: Renovation schedules for all buildings/facilities/areas used for the recipient's CTE program(s)  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

## 2019–20 CRR Program Instrument (Continued)

### Site and Floor Plans

Abbreviation: StFlrPlns

Description: Site plan of school which identifies CTE classes, paths of travel, number of general and disabled parking, floor plans of showers, restrooms, lockers rooms.

Item Instructions:

Related Items: CRR 15, CRR 16

### Work Orders or Contracts Indicating Construction Start Dates

Abbreviation: WrkOrdrsCntrctsIndctngCnstrctnSrtDts

Description: Work orders/contracts, with the construction start date, for all buildings/facilities/areas used for the recipient's CTE program(s).

Item Instructions:

Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

### CRR 17: New Construction under Title II and 504 (1991 Americans with Disabilities Act)

17.0 Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient or public entity 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.

17.1 UFAS or the 1991 Americans with Disabilities Act (ADA) Standard apply to facilities constructed or altered on or after January 27, 1992 and before September 15, 2010. Departures from particular requirements permitted when it is clearly evident that equivalent access to the facility or part of the facility is thereby provided.

Title II: 28 CFR Section 36, Appendix D.  
504: 34 CFR Section 104.23.

## 2019–20 CRR Program Instrument (Continued)

### Evidence Requests

#### Maintenance Records

Abbreviation: MntncRcrds  
Description: Maintenance records for all buildings/facilities/areas used for the recipient's CTE program(s).  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

#### Renovation Schedules

Abbreviation: RnvtnSchdls  
Description: Renovation schedules for all buildings/facilities/areas used for the recipient's CTE program(s)  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

#### Site and Floor Plans

Abbreviation: StFlrPlns  
Description: Site plan of school which identifies CTE classes, paths of travel, number of general and disabled parking, floor plans of showers, restrooms, lockers rooms.  
Item Instructions:  
**Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18 Work Orders or Contracts Indicating Construction Start Dates**

Abbreviation: WrkOrdrsCntrctsIndctngCnstrctnSrtDts  
Description: Work orders/contracts, with the construction start date, for all buildings/facilities/areas used for the recipient's CTE program(s).  
Item Instructions:  
Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

## 2019–20 CRR Program Instrument (Continued)

### **CRR 18: New construction under Title II and 504 (2010 Americans with Disabilities Act)**

18.0 Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient or public entity is designed and constructed in such a manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities.

18.1 Between September 15, 2010 and March 14, 2012, a subrecipient may utilize UFAS, the 1991 ADA Standards or the 2010 ADA Standards. The 2010 ADA Standards apply to facilities constructed on or after March 15, 2012.

Title II: 28 CFR Section 35  
504: 34 CFR Section 104.23.

### **Evidence Requests**

#### **Maintenance Records**

Abbreviation: MntncRcrds  
Description: Maintenance records for all buildings/facilities/areas used for the recipient's CTE program(s).

Item Instructions:

**Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18**

#### **Renovation Schedules**

Abbreviation: RnvtnSchdls  
Description: Renovation schedules for all buildings/facilities/areas used for the recipient's CTE program(s)

Item Instructions:

Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

#### **Work Orders or Contracts Indicating Construction Start Dates**

Abbreviation: WrkOrdrsCntrctsIndctngCnstrctnSrtDts  
Description: Work orders/contracts, with the construction start date, for all buildings/facilities/areas used for the recipient's CTE program(s).

Item Instructions:

Related Items: CRR 14, CRR 15, CRR 16, CRR 17, CRR 18

## 2019–20 CRR Program Instrument (Continued)

### Site and Floor Plans

Abbreviation: StFlrPlns

Description: Site plan of school which identifies CTE classes, paths of travel, number of general and disabled parking, floor plans of showers, restrooms, lockers rooms.

Item Instructions:

Related Items: CRR 15, CRR 16

### CRR 19: Comparable Facilities

19.0 If a recipient operates a facility that is identified as being for students with disabilities, the recipient shall ensure that the facility and the services and activities provided therein are comparable to the other facilities, services, and activities of the recipient.

Guidelines: 34 CFR Section 100 Appendix B (VI–A)  
504: 34 CFR. Section 104.34(c).

19.1 Recipients must provide changing rooms, showers, and other facilities for students of one sex that are comparable to those provided by students of the other sex. This may be accomplished by alternating the use of the same facilities or by providing separate, comparable facilities.

Title IX: 34 CFR Section 106.33.  
Guidelines: 34 CFR Section 100 Appendix B (VI–D).

### Evidence Requests

#### Demographics of Programs and Services Offered to Students

Abbreviation: DmgrpchsPrgrmSrvcsOfrdStdnts

Description: Data indicating the number of males, females, and students with disabilities in CTE classes.

Item Instructions:

Related Items: CRR 19

## 2019–20 CRR Program Instrument (Continued)

### Review of Facilities

Abbreviation: RvwFclts

Description: Floor plans of showers, changing rooms, and other facilities near or in the CTE areas. Any discrepancies must be identified and explained.

Item Instructions:

Related Items: CRR 19

### CRR 20: Site Selection

20.0 A recipient may not select or approve a site for a CTE facility that has the purpose of or with the effect of excluding, segregating, or otherwise discriminating against students on the basis of race, color, or national origin.

20.1 Recipients must locate CTE facilities at sites that are readily accessible to both minority and nonminority communities and that do not tend to identify the facility or program as intended for minority or nonminority students.

Guidelines: 34 CFR Section 100 Appendix B (IV–B).

Related California Law:

Related California laws provide added protection on the basis of actual or perceived ancestry, age, gender, gender identity, gender expression, ethnicity, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

5 CCR, Section 4900 et seq.; EC sections 200 and 220.

### Evidence Requests

#### Demographics of Surrounding Communities

Abbreviation: DmgrpchsSrndngCmnts

Description: Demographics of the surrounding communities within the CTE program(s) boundaries.

Item Instructions:

Related Items: CRR 20

## 2019–20 CRR Program Instrument (Continued)

### Maps Showing Location of CTE Facilities

Abbreviation: MpsShwngLctnsCTEFclts  
Description: Map of all CTE facilities on and off campus.  
Item Instructions:  
Related Items: CRR 20

### CRR 21: Modifications/Alterations

21.0 A recipient may not add to, modify, or renovate the physical plan of a CTE facility in a manner that creates, maintains, or increases segregation on the basis of race, color, national origin, sex, or disability.

Guidelines: 34 CFR Section 100 Appendix B (IV–D).

Related California Law:

Related California laws provide added protection on the basis of actual or perceived ancestry, age, gender, gender identity, gender expression, ethnicity, religion, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

5 CCR, Section 4900 et seq.; EC sections 200 and 220.

### Evidence Requests

#### Maps Showing Location of Modified CTE Facilities

Abbreviation: MpsShwngLctnsMdfdFclts  
Description: Map identifying the location of modified/altered CTE facilities. Include the name of building(s), date(s) of modification(s), and identify all CTE classrooms.  
Item Instructions:  
Related Items: CRR 21

#### Student Demographics Before and After CTE Facility Modifications

Abbreviation: StndtDmgrpchsBfrAfrFcltyMdfctns  
Description: Demographics of students enrolled in recipient's CTE program(s) before and after facility modifications/alterations.  
Item Instructions:  
Related Items: CRR 21

## 2019–20 CRR Program Instrument (Continued)

### CRR 22: Work-Study, Cooperative Education, and Job Placement

22.0 Opportunities in work-study, cooperative education, and job placement programs are available to all students regardless of race, color, national origin, sex, or disability.

Title VI: 34 CFR Section 100.3(b).

Title IX: 34 CFR Section 106.31(d).

504: 34 CFR Section 104.4(b).

Guidelines: 34 CFR Section 100 Appendix B (VII–A).

22.1 A recipient that assists employers and prospective employers in making employment opportunities available to any of its students must ensure that the employer and prospective employers do 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.

Title VI: 34 CFR Section 100.3(b).

Title IX: 34 CFR Section 106.38.

504: 34 CFR Section 104.46(b).

Guidelines: 34 CFR Section 100 Appendix B (VII–A).

### Evidence Requests

#### Enrollment Data for Work Study, Job Placement, and Apprenticeship Training Programs

Abbreviation: EnrlmntDtaWrkStdyJbPcmntAprntc

Description: Enrollment data for all work-study, job placement, and apprenticeship training programs.

Item Instructions:

Related Items: CRR 22, CRR 23

#### Workplace Agreements

Abbreviation: WrkplcAgrmnts

Description: Workplace agreements, hours of work, and student job assignments. Workplace agreements must contain assurance of nondiscrimination and be signed by both the recipient and the employer.

Item Instructions:

Related Items: CRR 22, CRR 23

## CRR 23: Apprenticeship Training Program

23.0 A recipient may not enter into an agreement for the provision or support of apprentice training for students or union members with any labor union or other sponsor that discriminates against its members or applicants on the basis of race, color, national origin, sex, or disability. If a recipient enters into a written agreement with a labor union or other sponsor providing for apprentice training, the agreement must contain an assurance from the union or other sponsor: (1) That it does not engage in such discrimination against its membership or applicants for membership; and (2) that apprentice training will be offered and conducted for its membership free of such discrimination.

Title VI: 34 CFR Section 100.3(c).

Title IX: 34 CFR Section 106.31(d).

504: 34 CFR Section 104.11(a)(4).

Guidelines: 34 CFR Section 100 Appendix B (VII–B).

### Evidence Requests

#### Apprenticeship Program Policy/Procedure

Abbreviation: AprntcshpPrgrmPlcyPrcdr

Description: Recipient's policy or procedure related to CTE apprenticeship programs.

Item Instructions:

Related Items: CRR 23

#### Enrollment Data for Work Study, Job Placement, and Apprentice Training Programs

Abbreviation: EnrlmntDtaWrkStdyJbPcmntAprntc

Description: Enrollment data for all work-study, job placement, and apprentice training programs.

Item Instructions:

Related Items: CRR 22, CRR 23

## 2019–20 CRR Program Instrument (Continued)

### Workplace Agreements

Abbreviation: WrkplcAgrmnts

Description: Workplace agreements, hours of work, and student job assignments. Workplace agreements must contain assurance of nondiscrimination and be signed by both the recipient and the employer.

Item Instructions:

Related Items: CRR 22, CRR 23

### CRR 24: Employment Practices

24.0 Recipients may not engage in any employment practice that discriminates against any employee or applicant for employment on the basis of sex or disability. Recipients may 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. Recipients may not make any pre-employment inquiries concerning disability, marital, or parental status.

Title VI: 34 CFR Section 100.3(c).

Title IX: 34 CFR sections 106.51, 106.57, and 106.60.

504: 34 CFR sections 104.13 and 104.14.

Guidelines: 34 CFR Section 100 Appendix B (VIII–A).

24.1 A recipient must notify every source of faculty that it does not discriminate on the basis of race, color, national origin, sex, or disability.

Guidelines: 34 CFR Section 100 Appendix B (VIII–B).

24.2 A recipient should establish and maintain faculty salary scales based upon the conditions and responsibilities of employment without regard to race, color, national origin, sex, or disability.

Title IX: 34 CFR Section 106.54.

504: 34 CFR sections 104.11 and 12.

Guidelines: 34 CFR Section 100 Appendix B (VIII–D).

24.3 A recipient must provide equal employment opportunities for teaching and administrative positions to applicants with disabilities who can perform the essential functions of the position. Recipients must make reasonable accommodation for the physical or mental limitations of applicants with disabilities who are otherwise qualified unless recipients can demonstrate that the accommodation would impose an undue hardship.

## 2019–20 CRR Program Instrument (Continued)

504: 34 CFR Section 104.12.

Guidelines: 34 CFR Section 100 Appendix B (VIII-E).

### Related California Law:

Related California laws also provide added protection on the basis of actual or perceived age, ancestry, gender, gender identity, gender expression, genetic information, marital status, medical condition, military or veteran status, political affiliation or activity, status as a victim of domestic violence, assault, or stalking, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

Government Code Section 12926

Labor Code Section 230.1

## Evidence Requests

### Employee Handbook(s)

Abbreviation: EmplHndbks

Description: Employee handbook(s).

Item Instructions: CRR 24: Must contain the nondiscrimination notice and Title II, CCR Title 5, Title IX, and 504 Coordinator(s) contact information.

Related Items: CRR 01, CRR 02, CRR 04, CRR 24

## Hiring Procedures

Abbreviation: HrngPrcdrs

Description: Recipient's screening committee procedure(s), hiring policy and procedure(s), interview rating system, and hiring/interview questions.

Item Instructions:

Related Items: CRR 24

## Job Announcements

Abbreviation: JbAncmnts

Description: Sample job announcements for classified and certificated positions that contain the nondiscrimination notice.

Item Instructions:

Related Items: CRR 01, CRR 24

## 2019–20 CRR Program Instrument (Continued)

### Job Applications

Abbreviation: JbAplctns

Description: Sample job applications for classified and certificated positions that contain the nondiscrimination notice.

Item Instructions:

Related Items: CRR 01, CRR 24

### Recruitment Procedures

Abbreviation: RcrtmntPrcdrs

Description: Recipient's recruitment letters/contact and related policies and procedures.

Item Instructions:

Related Items: CRR 24

### Salary Scales and Related Policy

Abbreviation: SlryScIsRltdPlcy

Description: Recipient's faculty and non-faculty salary scales and related policy.

Item Instructions:

Related Items: CRR 24