



Civil Rights Review 2022–23 Program Instrument

California Department of Education
July 2022

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, of affiliation with the Boys Scouts of America or, disability. (34 *Code of Federal Regulations (CFR)* Section 106.8(b); 34 *CFR* Section 104.8; 34 *CFR* Section 100.6(d); 28 *CFR* Section 35.106; 20 *United States Code (USC)* 790)

Related California Law:

California laws also provide added protection on the basis of actual or perceived ancestry, 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

Employee Handbook(s)

- Abbreviation: EmplHndbks
- Description: Employee handbook(s).
- Item Instructions: CRR 01: Handbook(s) must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08, CRR 24

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Job Announcements

Abbreviation: JbAncmnts
Description: Sample job announcements for classified and certificated positions.
Item Instructions: CRR 01: Announcements must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items: CRR 01, CRR 24

Job Applications

Abbreviation: JbAplctns
Description: Sample job applications for classified and certificated positions.
Item Instructions: CRR 01: Applications must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).
Related Items: CRR 01, CRR 24

Publicized Materials (CRR)

Abbreviation: PblczdMtrlsCRR
Description: Publications and other materials related to the programs and activities offered/provided to students, parents/guardians, employees, and unions or professional organizations holding collective bargaining or professional agreements.
Item Instructions: CRR 01: Materials (e.g. brochures, flyers, newsletters, trifold, electronic publications, etc.) must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Recruitment Publicized Materials (CRR)

Abbreviation: RcrtmntPblczdMtrlsCRR
Description: All CTE recruitment materials, including, but not limited to, pictures, PowerPoint presentations, brochures, flyers, and catalogs.
Item Instructions: CRR 01: Materials (e.g. brochures, flyers, newsletters, electronic publications, etc.) must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items: CRR 01, CRR 09

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Student Applications

Abbreviation: StdntAplctns
Description: Sample student applications, if applicable.
Item Instructions: CRR 01: Applications must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items: CRR 01, CRR 11

Parent/Guardian Handbook(s)

Abbreviation: PrntGrdnHndbks
Description: Parent/Guardian Handbook(s) and/or Annual Notifications.
Item Instructions: CRR 01: Handbook(s) must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Student Handbook(s)

Abbreviation: StdntHndbks
Description: Student handbook(s).
Item Instructions: CRR 01: Handbook(s) must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Webpage (Notice)

Abbreviation: WbpgNtc
Description: Legible screenshot of the district and school websites which show the nondiscrimination notice.
Item Instructions: CRR 01: Websites must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items: CRR 01

CRR 02: Title IX Coordinator

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- 2.0 The recipient must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX, who must be referred to as the “Title IX Coordinator.” (34 CFR Section 106.8(a))
- 2.1 The recipient must notify applicants for admission and employment, students, parents/guardians of elementary and secondary school pupils, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the LEA, of the name or title, office address, email address, and telephone number of the designated Title IX Coordinator(s). Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator. (34 CFR Section 106.8(a))
- 2.2 The recipient must notify persons entitled to a notification under CRR 2.1 of this section that the LEA does not discriminate on the basis of sex in the education program or activity it operates and that it is required by Title IX not to discriminate in such a manner. Such notification must state that the requirement not to discriminate in the education program or activity extends to admission and employment and that inquiries concerning the application of Title IX may be referred to the LEA’s Title IX Coordinator, to the Office for Civil Rights Assistant Secretary, or both. (34 CFR Sections 106.8(b)(1))
- (a) Each recipient must prominently display the contact information required to be listed for the Title IX Coordinator under CRR 2.1 of this section and the policy on its website, if any, and in each handbook or catalog that it makes available to persons entitled to notification under CRR 2.1 of this section. (34 CFR Section 106.8(b)(2)(i))
 - (b) A recipient must not use or distribute a publication stating that the LEA treats applicants, students, or employees differently on the basis of sex except as such treatment is permitted by title IX or this part. (34 CFR Section 106.8(b)(2)(ii))
- 2.3 A recipient must adopt and publish grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by this part and a grievance process that complies with Sec. 106.45 for formal complaints as defined in Sec. 106.30. A recipient must provide to persons entitled to a notification under CRR 2.1 of this section notice of the LEA’s grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report

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or file a formal complaint of sexual harassment, and how the recipient will respond. (34 CFR 106.8(c))

- 2.4 The requirements of CRR 2.3 of this section apply only to sex discrimination occurring against a person in the United States. (34 CFR Section 106.8(d))

Evidence Requests

Publicized Materials (CRR)

Abbreviation:	PblczdMtrlsCRR
Description:	Publications and other materials related to the programs and activities offered/provided to students, parents/guardians, employees, and unions or professional organizations holding collective bargaining or professional agreements.
Item Instructions:	CRR 02: Materials (e.g. brochures, flyers, newsletters, trifolds, electronic publications) must include the Title IX Coordinator(s) name, title, address, phone number, and email address.
Related Items:	CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Employee Handbook(s)

Abbreviation:	EmplHndbks
Description:	Employee handbook(s).
Item Instructions:	CRR 02: Handbook(s) must include the Title IX Coordinator(s) name, title, address, phone number, and email address.
Related Items:	CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08, CRR 24

Job Description(s) (Title IX)

Abbreviation:	JobDscrptnsTtlIX
Description:	A copy of the job descriptions for the recipient's Title IX Coordinator(s).
Item Instructions:	CRR 02: Job description must include responsibilities outlined under Title IX.
Related Items:	CRR 02

Parent/Guardian Handbook(s)

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Abbreviation: PrntGrdnHndbks
Description: Parent/Guardian Handbook(s) and/ or, Annual Notifications.
Item Instructions: CRR 02: Handbook(s) must include the Title IX Coordinator(s) name, title, address, phone number, and email address.
Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Student Handbook(s)

Abbreviation: StdntHndbks
Description: Student handbook(s).
Item Instructions: CRR 02: Handbook(s) must include the Title IX Coordinator(s) name, title, address, phone number, and email address.
Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Web Posting (Title IX)

Abbreviation: WbPstngTtIX
Description: Legible screenshot(s) of the district and school web sites which contain the name, title, address, phone number, and email address of the Title IX Coordinator(s).
Item Instructions: CRR 02: Web sites must include the Title IX Coordinator(s) name, title, address, phone number, and email address.
Related Items: CRR 02

CRR 03: Title II Coordinator

3.0 A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph. (28 CFR Section 35.107(a))

3.1 A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of

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complaints alleging any action that would be prohibited by this part. (28 CFR Section 35.107(b))

Related California Law:

District/school assigned a person(s) to coordinate 504, Title II, Title IX activities and CCR, Title 5. This (these) person(s) must be aware of their duties and responsibilities and have the training necessary to carry out their responsibilities. (CCR, Title 5, Section 4961). District/school lists coordinators of 504, Title II, Title IX and CCR Title 5 with their name/title, address, and phone number in the notice of nondiscrimination. (5 CCR Section 4961)

Evidence Requests

Publicized Materials (CRR)

Abbreviation: PblczdMtrlsCRR

Description: Publications and other materials (e.g. brochures, flyers, newsletters, trifolds, electronic publications) related to the programs and activities offered/provided to students, parents/guardians, employees, and unions or professional organizations holding collective bargaining or professional agreements

Item Instructions: CRR 03: Materials must include the Title II Coordinator(s) name, title, address, phone number.

Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Employee Handbook(s)

Abbreviation: EmplHndbks

Description: Employee handbook(s).

Item Instructions: CRR 03: Handbook(s) must include the Title II Coordinator name, title, address and, phone number.

Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08, CRR 24

Job Description(s) (Title II Coordinator)

Abbreviation: JobDscrptnsTtIIICrdntr

Description: A copy of the job descriptions for the recipient's Title II Coordinator(s).

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Item Instructions: CRR 03: Job description must include responsibilities outlined under Title II.

Related Items: CRR 03

Parent/Guardian Handbook(s)

Abbreviation: PrntGrdnHndbks

Description: Parent/Guardian Handbook(s) and/ or, Annual Notifications .

Item Instructions: CRR 03: Handbook(s) must include the Title II Coordinator name, title, address, phone number.

Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Student Handbook(s)

Abbreviation: StdntHndbks

Description: Student Handbook(s).

Item Instructions: CRR 03: Handbook(s) must include the Title II Coordinator(s) name, title, address and, phone number.

Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Web Posting (Title II Coordinator)

Abbreviation: WbPstngTtIIICrdntr

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

Item Instructions: CRR 03: Web sites must include the Title II Coordinator(s) name, title, address, and phone number.

Related Items: CRR 03

CRR 04: 504 Coordinator

- 4.0 A recipient that employs fifteen or more persons shall designate at least one person to coordinate its efforts to comply with this part. (34 CFR Section 104.7(a))
- 4.1 A recipient that employs fifteen or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part. Such procedures need not be established with

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respect to complaints from applicants for employment or from applicants for admission to postsecondary educational institutions. (34 CFR Section 104.7(b))

Evidence Requests

Publicized Materials (CRR)

- Abbreviation: PblczdMtrlsCRR
- Description: Publications and other materials related to the programs and activities offered/provided to students, parents/guardians, employees, and unions or professional organizations holding collective bargaining or professional agreements
- Item Instructions: CRR 04: Materials (e.g. brochures, flyers, newsletters, electronic publications) must include the 504 Coordinator(s) name, title, address, and, phone number.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Employee Handbook(s)

- Abbreviation: EmplHndbks
- Description: Employee handbook(s).
- Item Instructions: CRR 04: Handbook(s) must include the 504 Coordinator(s) name, title, address, and, phone number.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08, CRR 24

Job Description(s) (504)

- Abbreviation: JobDscrptns504
- Description: A copy of the job descriptions for the recipient's 504 Coordinator(s).
- Item Instructions: CRR 04: Job description must include responsibilities outlined under 504.
- Related Items: CRR 04

Parent/Guardian Handbook(s)

- Abbreviation: PrntGrdnHndbks
- Description: Parent/Guardian Handbook(s) and/or Annual Notifications.

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Item Instructions: CRR 04: Handbook(s) must include the 504 Coordinator(s) name, title, address and, phone number.

Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Student Handbook(s)

Abbreviation: StdntHndbks

Description: Student handbook(s).

Item Instructions: CRR 04: Handbook(s) must include the 504 Coordinator(s) name, title, address and, phone number.

Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Web Posting (504)

Abbreviation: WbPstng504Crdntr

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

Item Instructions: CRR 04: Web sites must include the 504 Coordinator(s) name, title, address, and, phone number.

Related Items: CRR 04

CRR 05: CTE Annual Public Notification

- 5.0 Prior to the beginning of each school year, recipients must advise students, parents, employees, and the general public that all vocational or Career Technical Education (CTE) opportunities will be offered regardless of race, color, national origin, sex, or disability. (34 CFR Appendix B To Part 100 IV.O.)
- 5.1 If the subrecipient's service area(s) contains a community of national origin minority people 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. (34 CFR Appendix B to Part 100 IV.O.)
- 5.2 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)

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designated to coordinate Title IX and Section 504 compliance activity. (34 CFR Appendix B to Part 100 IV.O.)

- 5.3 Recipient issues an annual public notice of nondiscrimination related to opportunities in its CTE programs. (34 CFR Appendix B to Part 100 IV.O.)
- 5.4 The notice also is disseminated in the language of any national origin minority community in the service area. (34 CFR Appendix B to Part 100 IV.O.)
- 5.5 Annual notice lists coordinators of Section 504 and Title IX with their name/title, address, and phone number. (34 CFR Appendix B to Part 100 IV.O.)

Related California Law:

California laws also provide added protection on the basis of actual or perceived ethnicity, gender, gender identity, gender expression, immigration status, 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

CTE Annual Nondiscrimination Notification

- Abbreviation: CTEAnINdscmntnNtfctn
- Description: Annual notification of CTE programs which includes the nondiscrimination notices with the 504, Title II, and Title IX Coordinator(s) name, title, address, phone number, and email address – email address is for Title IX only.
- Item Instructions: CRR 05: CTE Annual Notification must include all of the elements in CRR 5.1 - 5.5.
- Related Items: CRR 05

Employee Handbook(s)

- Abbreviation: EmplHndbks
- Description: Employee publication
- Item Instructions: CRR 05: Handbook(s) Publication provided to employee must include the CTE annual public notification.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08, CRR 24

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Local Newspaper

- Abbreviation: LclNspr
- Description: Local newspaper, from the surrounding community, which contains the CTE annual public notification.
- Item Instructions: CRR 05: Newspaper postings related to CTE program(s) must include nondiscrimination notice and the 504, Title II, Title IX Coordinator(s) contact information.
- Related Items: CRR 05

Publicized Materials (CRR)

- Abbreviation: PblczdMtrlsCRR
- Description: Publications and other materials related to the programs and activities offered/provided to students, parents/guardians, and employees, and unions or professional organizations holding collective bargaining or professional agreements
- Item Instructions: CRR 05: Materials (e.g. brochures, flyers, newsletters, electronic publications) must include the CTE annual public notice.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Parent/Guardian Handbook(s)

- Abbreviation: PrntGrdnHndbks
- Description: Parent/Guardian handbook(s) and/ or, Annual Notifications.
- Item Instructions: CRR 05: CTE annual public notification.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Student Handbook(s)

- Abbreviation: StdntHndbks
- Description: Student handbook(s).
- Item Instructions: CRR 05: Handbook(s) must include the CTE annual public notification.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

CRR 06: Title IX Grievance Procedure

- 6.0 The LEA must adopt and publish grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action prohibited under Title IX and a grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the LEA will respond. These requirements only apply to sex discrimination against a person in the United States. (34 *CFR* Section 106.8(c) and (d))
- (a) The grievance process must:
- i. Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process before the imposition of any disciplinary sanctions or other actions against a respondent. Remedies must be designed to restore or preserve equal access to the LEA’s education program or activity. Such remedies may include the same individualized services described in 34 *CFR* Section(s) 106.30 as “supportive measures”; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent. (34 *CFR* Section 106.45(b)(1)(i))
 - ii. Require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provide that credibility determinations may not be based on a person’s status as a complainant, respondent, or witness. (34 *CFR* Section 106.45(b)(1)(ii))
 - iii. Require that any individual designated by an LEA as a Title IX Coordinator, investigator, decision-maker, or any person designated by an LEA to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. (34 *CFR* Section 106.45(b)(1)(iii))
 - iv. Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. (34 *CFR* Section 106.45(b)(1)(iv))
 - v. Include a reasonably prompt timeframe for conclusion of the grievance process, including reasonably prompt timeframes for filing and resolving appeals and any informal resolution process if the LEA offers an informal resolution process, and a process that allows for the temporary delay of the grievance process or the

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limited extension of timeframes for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. (34 *CFR* Section 106.45(b)(1)(v))

- vi. Describe the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the LEA may implement following any determination of responsibility. (34 *CFR* Section 106.45(b)(1)(vi))
- vii. State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard, apply the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment. (34 *CFR* Section 106.45(b)(1)(vii))
- viii. Include the procedures and permissible bases for the complainant and respondent to appeal. (34 *CFR* Section 106.45(b)(1)(viii))
- ix. Describe the range of supportive measures available to complainants and respondents. (*CFR* Section 106.45(b)(1)(ix))
- x. Not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege. (34 *CFR* Section 106.45(b)(1)(x))

(34 *CFR* Section 106.45(b)(1)(i-x))

- 6.1 Upon receipt of a formal complaint, an LEA must provide the following written notice to the parties who are known:
- (a) Notice of the LEA's grievance process, including any informal resolution process. (34 *CFR* Section 106.45(b)(2)(i)(A))
 - (b) Notice of the allegations allegedly constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. (34 *CFR* Section 106.45(b)(2)(i)(B))
 - i. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will only be made at the

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conclusion of the grievance process. (34 *CFR* Section 106.45(b)(2)(i)(B))

ii. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. (34 *CFR* Section(s) 106.45(b)(2)(i)(B))

iii. The written notice must inform the parties of any provision in the LEA's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process. (34 *CFR* Section 106.45(b)(2)(i)(B))

(c) If, in the course of an investigation, the LEA decides to investigate allegations about the complainant or respondent that are not included in the notice provided, the LEA must provide notice of the additional allegations to the parties whose identities are known. (34 *CFR* Section 106.45(b)(2)(ii))

6.2 The LEA must investigate the allegations in a formal complaint. (34 *CFR* Section 106.45(b)(3))

(a) If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in 34 *CFR* Section(s) 106.30 even if proved, did not occur in the LEA's education program or activity, or did not occur against a person in the United States, then the LEA must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. Such dismissal does not preclude action under another provision in the LEA's code of conduct. (34 *CFR* Section 106.45(b)(3)(i))

(b) The LEA may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the LEA; or specific circumstances prevent the LEA from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. (34 *CFR* Section 106.45(b)(3)(ii))

(c) Upon a dismissal required or permitted, pursuant to CRR 6.3(a)(b), the LEA must promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties. (34 *CFR* Section 106.45(b)(3)(iii))

(34 *CFR* Section 106.45(b)(3)(i-iii))

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- 6.3 A recipient must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment in Section(s)106.30, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. A recipient must ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in CRR 6.6 of this section. A recipient also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in CRR 6.5(g) of this section. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment. (34 CFR 106.45(b)(1)(iii))
- 6.4 An LEA may consolidate formal complaints as to allegations of sexual harassment against one or more respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. (34 CFR Section 106.45(b)(4))
- 6.5 When investigating a formal complaint and throughout the grievance process, an LEA must:
- (a) Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the LEA and not on the parties, provided that the LEA cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the LEA obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 *CFR* 99.3, then the LEA must obtain the voluntary, written consent of a "parent," as defined in 34 *CFR* 99.3); (34 *CFR* Section 106.45(b)(5)(i))
 - (b) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. (34 *CFR* Section 106.45(b)(5)(ii))

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- (c) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence; (34 CFR Section 106.45(b)(5)(iii))
- (d) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the LEA may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties; (34 CFR Section 106.45(b)(5)(iv))
- (e) Provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate; (34 CFR Section 106.45(b)(5)(v))
- (f) Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the LEA does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the LEA must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The LEA must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and (34 CFR Section 106.45(b)(5)(vi))
- (g) Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. (34 CFR Section 106.45(b)(5)(vii))

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(34 CFR Section 106.45(b)(5)(i-vii))

- 6.6 The LEA's grievance process may, but need not, provide for a hearing. With or without a hearing, after the LEA has sent the investigative report to the parties pursuant to paragraph CRR 6.5(f) of this section and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. With or without a hearing, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant. (34 CFR 106.45(b)(6)(ii))
- 6.7 The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), must issue a written determination regarding responsibility. To reach this determination, the LEA must apply the standard of evidence described in CRR 6.0(a)(vii) (vi). (34 CFR 106.45(b)(7)(i))
- (a) The written determination must include:
- i. Identification of the allegations potentially constituting sexual harassment as defined in Section(s)106.30; (34 CFR Section 106.45(b)(7)(ii)(A))
 - ii. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (34 CFR Section 106.45(b)(7)(ii)(B))
 - iii. Findings of fact supporting the determination; (34 CFR Section 106.45(b)(7)(ii)(C))
 - iv. Conclusions regarding the application of the LEA's code of conduct to the facts; (34 CFR Section 106.45(b)(7)(ii)(D))
 - v. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the LEA imposes on the respondent, and whether remedies designed to restore or preserve equal access to the

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LEA's education program or activity will be provided by the LEA to the complainant; and (34 CFR Section 106.45(b)(7)(ii)(E))

- vi. The LEA's procedures and permissible bases for the complainant and respondent to appeal. (34 CFR Section 106.45(b)(7)(ii)(F))

(34 CFR Section 106.45(b)(7)(ii)(A-F))

- (b) The LEA must provide written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the LEA provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. (34 CFR Section 106.45(b)(7)(iii))
- (c) The Title IX Coordinator is responsible for effective implementation of any remedies. (34 CFR Section 106.45(b)(7)(iv))

6.8 Complaint determination appeals:

- (a) An LEA must offer both parties an appeal from a determination regarding responsibility, and from an LEA's dismissal of a formal complaint or any allegations therein, on the following bases: (34 CFR Section 106.45(8))
 - i. Procedural irregularity that affected the outcome of the matter; (34 CFR Section 106.45(b)(8)(i)(A))
 - ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; (34 CFR Section 106.45(b)(8)(i)(B)) and
 - iii. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. (34 CFR Section 106.45(b)(8)(i)(C))
- (b) An LEA may offer an appeal equally to both parties on additional bases. (34 CFR Section 106.45(b)(8)(ii))
- (c) As to all appeals, the LEA must:
 - iv. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties; (34 CFR Section 106.45(b)(8)(iii)(A))

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- v. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator; (34 CFR Section 106.45(b)(8)(iii)(B))
 - vi. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in paragraph (b)(1)(iii) of this section; (34 CFR Section 106.45(b)(8)(iii)(C))
 - vii. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; (34 CFR Section 106.45(b)(8)(iii)(D))
 - viii. Issue a written decision describing the result of the appeal and the rationale for the result; (34 CFR Section 106.45(b)(8)(iii)(E) and
 - ix. Provide the written decision simultaneously to both parties. (34 CFR Section 106.45(b)(8)(iii)(F))
- 6.9 A LEA may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, an LEA may not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the LEA may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the LEA. (34 CFR Section 106.45(b)(9))
- (a) Provides to the parties a written notice disclosing:
 - i. The allegations, (34 CFR Section 106.45(b)(9)(i))
 - ii. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; (34 CFR Section 106.45(b)(9)(i))

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- (b) Obtains the parties' voluntary, written consent to the informal resolution process; (34 CFR Section 106.45(b)(9)(ii) and
- (c) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student. (34 CFR Section 106.45(b)(9)(iii)

(34 CFR Section 106.45(b)(9)(i-iii))

6.10 A LEA must maintain for a period of seven years records of:

- (a) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under paragraph (b)(6)(i) of this section, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the LEA's education program or activity; (34 CFR Section 106.45(b)(10)(i)(a))
- (b) Any appeal and the result therefrom; (34 CFR Section 106.45(9)(b)(10)(i)(B))
- (c) Any informal resolution and the result therefrom; (34 CFR Section 106.45(b)(10)(i)(C)) and
- (d) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. An LEA must make these training materials publicly available on its website, or if the LEA does not maintain a website the LEA must make these materials available upon request for inspection by members of the public. (34 CFR Section 106.45(b)(10)(i)(D))

34CFR Section 106.45(b)(10)(i)(A-D)).

- 6.11 For each response required under Section 106.44, an LEA must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the LEA must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the LEA's education program or activity. If an LEA does not provide a complainant with supportive measures, then the LEA must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not

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limit the LEA in the future from providing additional explanations or detailing additional measures taken. (34 CFR Section 106.45(b)(10)(ii))

Evidence Requests

Sexual Harassment Grievance Procedure

- Abbreviation: SxHrsmntGrvncPrcdr
- Description: Grievance procedure for complaints of discrimination and/or harassment on the basis of sex.
- Item Instructions: CRR 06: Procedures of resolution for pupil and employee complaints with alleged action(s) prohibited under Title IX.
- Related Items: CRR 06

Data on Complaints

- Abbreviation: DtaCmplnts
- Description: Data related to the number of complaints received over the last two (2) years, which allege any form of 1) sex discrimination 2) sexual harassment 3) Section 504, and/or 4) Title II/ADA (Facilities). The data must include: complaint type, dates received/additional time letter (if any)/resolution, and outcome of any complaint investigations.
- Item Instructions: CRR 06: Do not upload unredacted complaints into CMT.
- Related Items: CRR 06, CRR 07, CRR 08

Employee Handbook(s)

- Abbreviation: EmplHndbks
- Description: Employee handbook(s).
- Item Instructions: CRR 06: Handbook(s) must include the employee Title IX sexual harassment grievance procedure.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08, CRR 24

Publicized Materials (CRR)

- Abbreviation: PblczdMtrlsCRR
- Description: Publications and other materials related to the programs and activities offered/provided to students, parents/guardians, and

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employees and unions or professional organizations holding collective bargaining or professional agreements

Item Instructions: CRR 06: Materials (e.g. brochures, flyers, newsletters, electronic publications) must include the recipient’s Title IX sexual harassment grievance procedure.

Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Written Notices

Abbreviation: WrtnNtcs

Description: Sample written notices provided to complainant(s) and respondent(s).

Item Instructions: CRR 06: Written notice must include information outlined under the CRR 6.9(a).

Related Items: CRR 06

Written Determination

Abbreviation: WrtnDtrmntn

Description: Sample written determination issued by decision-maker(s).

Item Instructions: CRR 06: Written determination must include information outlined under CRR 6.7(a).

Related Items: CRR 06

Parent/Guardian Handbook(s)

Abbreviation: PrntGrdnHndbks

Description: Parent/Guardian Handbook(s) and/ or, Annual Notifications.

Item Instructions: CRR 06: Handbook(s) must include the recipient’s Title IX sexual harassment grievance policy and procedure.

Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Student Handbook(s)

Abbreviation: StdntHndbks

Description: Student handbook(s).

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Item Instructions: CRR 06: Handbook(s) must include the recipient's Title IX sexual harassment grievance procedure

Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Title IX Training

Abbreviation: TtlIXTrnng

Description: Training given to the Title IX Coordinator(s), investigator(s), decision-maker(s), appeals, supportive measures and other person(s) who facilitate the informal resolution process.

Item Instructions: CRR 06: Proof of Training provided to all roles listed above must be submitted; Training material(s) such handouts, PowerPoints, documents, screenshots, etc. must be provided as we are unable to access 3rd party vendor web portals.

Related Items: CRR 06

Job Description(s) (Title IX Grievance)

Abbreviation: JobDscrptnsTtlIXGrvnc

Description: A copy of the job description for the recipient's administrators and/or staff who are a part of the Title IX Grievance Procedures and designated for Appeals, Decision Makers, Supportive Measures, Investigations, and Informal Resolutions.

Item Instructions: CRR 06: Job description must include responsibilities outlined under Title IX.

Related Items: CRR 06

CRR 07: Title II Grievance Procedure

7.0 A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph. (28 CFR Section 35.107(a))

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- 7.1 A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part. (28 CFR Section 35.107(b))

Evidence Requests

Publicized Materials (CRR)

- Abbreviation: PblczdMtrlsCRR
- Description: Publications and other materials related to the programs and activities offered/provided to students, parents/guardians, and employees, and unions or professional organizations holding collective bargaining or professional agreements
- Item Instructions: CRR 07: Materials (e.g. brochures, flyers, newsletters, electronic publications) must include the recipient's Title II grievance procedure.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Data on Complaints

- Abbreviation: DtaCmplnts
- Description: Data related to the number of complaints received over the last two (2) years, which allege any form of 1) sex discrimination 2) sexual harassment 3) Section 504, and/or 4) Title II/ADA (Facilities). The data must include: complaint type, dates received/additional time letter (if any)/resolution, and outcome of any complaint investigations.
- Item Instructions: CRR 07: Do not upload unredacted complaints into CMT.
- Related Items: CRR 06, CRR 07, CRR 08

Employee Handbook(s)

- Abbreviation: EmplHndbks
- Description: Employee handbook(s).
- Item Instructions: CRR 07: Handbook(s) must include the recipient's employee Title II grievance policy and procedure.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08, CRR 24

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Title II Grievance Procedure

Abbreviation:	TtIIGrvncPrcdr
Description:	The recipient's Title II complaint procedure.
Item Instructions:	CRR 07: Policy of resolution for complaints with alleged action(s) prohibited under Title II and grievance procedure.
Related Items:	CRR 07

Parent/Guardian Handbook(s)

Abbreviation:	PrntGrdnHndbks
Description:	Parent/Guardian handbook(s) and/or Annual Notifications.
Item Instructions:	CR 07: Handbook(s) must include the recipient's Title II grievance procedures.
Related Items:	CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Student Handbook(s)

Abbreviation:	StdntHndbks
Description:	Student handbook(s).
Item Instructions:	CRR 07: Handbook(s) must include the recipient's Title II grievance procedures.
Related Items:	CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

CRR 08: Section 504 Grievance Procedure

- 8.0 A LEA that employs fifteen or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504. (34 CFR Section 104.7(b))

Related California Law:

California laws also provide added protection on the basis of actual or perceived ancestry, 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.

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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

Publicized Materials (CRR)

- Abbreviation: PblczdMtrlsCRR
- Description: Publications and other materials related to the programs and activities offered/provided to students, parents/guardians, and employees, and unions or professional organizations holding collective bargaining or professional agreements
- Item Instructions: CRR 08: Materials (e.g. brochures, flyers, newsletters, electronic publications) must include the recipient's 504 grievance procedure.
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Data on Complaints

- Abbreviation: DtaCmplnts
- Description: Data related to the number of complaints received over the last two (2) years, which allege any form of 1) sex discrimination 2) sexual harassment 3) Section 504, and/or 4) Title II/ADA (Facilities). The data must include: complaint type, dates received/additional time letter (if any)/resolution, and outcome of any complaint investigations.
- Item Instructions: CRR 08: Do not upload complaints into CMT.
- Related Items: CRR 06, CRR 07, CRR 08

Employee Handbook(s)

- Abbreviation: EmplHndbks
- Description: Employee handbook(s).
- Item Instructions: CRR 08: Handbook(s) must include the recipient's employee 504 reasonable accommodations grievance procedures
- Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08, CRR 24

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504 Grievance Procedure

Abbreviation:	504GrvncPrcdr
Description:	The recipient's 504 grievance procedure.
Item Instructions:	CRR 08: Grievance procedure for complaints with alleged action(s) prohibited under 504.
Related Items:	CRR 08

Parent/Guardian Handbook(s)

Abbreviation:	PrntGrdnHndbks
Description:	Parent/Guardian Handbook(s) and/or Annual Notifications.
Item Instructions:	CRR 08: Handbook(s) must include the recipient's 504 grievance procedure.
Related Items:	CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

Student Handbook(s)

Abbreviation:	StdntHndbks
Description:	Student handbook(s).
Item Instructions:	CRR 08: Handbook(s) must include the recipient's 504 grievance procedure.
Related Items:	CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08

CRR 09: Recruitment

- 9.0 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. (34 *CFR* Appendix B to Part 100 V.C. and V.E.)

Related California Law:

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California laws also provide added protection on the basis of actual or perceived ethnicity, gender, gender identity, gender expression, immigration status, 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

Recruitment Plans

Abbreviation: RcrtmntPlns
Description: List of recruitment plans for CTE programs with a description or schedule of planned activities and events.
Item Instructions:
Related Items: CRR 09

Recruitment Plans for Limited English Language Students

Abbreviation: RcrtmntPlnsLmtdEngLngStdnts
Description: List of CTE recruitment plans with a description or schedule of planned activities and events for Limited English Language student applicants.
Item Instructions:
Related Items: CRR 09, CRR 14

Recruitment Plans for Students with Disabilities

Abbreviation: RcrtmntPlnsStdntsWthDsblts
Description: List of CTE recruitment plans with a description or schedule of planned activities and events for student applicants with disabilities.
Item Instructions:
Related Items: CRR 09, CRR 17

CTE Program Staff Demographics

Abbreviation: CTEPrgrmStffDmgrpchs

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- Description: Race/ethnicity, disability, national origin, and sex demographics of recipient's CTE program staff separated by programs. Do not include any personally identifiable information in upload(s).
- Item Instructions: CRR 09: Demographics must be provided on recipient letterhead and signed by the recipient's Principal.
- Related Items: CRR 09

Description of Recruitment Activities

- Abbreviation: DscrptnRcrtmntActvts
- Description: Descriptions of all CTE recruitment activities conducted by the recipient. Descriptions must also include the site of each activity.
- Item Instructions: CRR 09: Descriptions must be provided on recipient letterhead and signed by the recipient's Principal.
- Related Items: CRR 09

Recruitment Publicized Materials (CRR)

- Abbreviation: RcrtmntPblcdMtrlsCRR
- Description: All CTE recruitment materials, including, but not limited to, pictures, PowerPoint presentations, brochures, flyers, and catalogs.
- Item Instructions: CRR 09: Materials must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
- Related Items: CRR 01, CRR 09

Recruitment Team Demographics

- Abbreviation: RcrtmntTmDmgrpchs
- Description: Race/ethnicity, disability, national origin, and sex demographics of the recipient's CTE recruitment team. Do not include any personally identifiable information in upload(s).
- Item Instructions: CRR 09: Demographics must be provided on recipient letterhead and signed by the recipient's Principal.
- Related Items: CRR 09

CRR 10: Promotional Activities

- 10.0 Districts and schools may not undertake promotional efforts in a manner that creates or perpetuates stereotypes or limitations based on race, color,

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national origin, sex, or disability. Materials that are part of promotional efforts may not create or perpetuate stereotypes through text or illustration. To the extent possible they should portray males or females, minorities or handicapped persons in programs and occupations in which these groups traditionally have not been represented. (34 CFR Appendix B to Part 100 V.E.)

- 10.1 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. (34 CFR Appendix B to Part 100 V.E.)

Evidence Requests

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 a variety of national origins.
Item Instructions:	CRR 10: Materials must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items:	CRR 10

CTE Promotional Materials in Other Languages

Abbreviation:	CTEPrmtnlMtrlsOthrLngs
Description:	Recipient's translated CTE promotional materials distributed in the language minority communities.
Item Instructions:	CRR 10: Materials must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).
Related Items:	CRR 10, CRR 14, CRR 15

Verification of Limited English Proficient Community

Abbreviation:	VrfctnLmtdEngPrfCmmnty
Description:	Recipient's process to identify and communicate with language minority communities in the surrounding service areas..
Item Instructions:	CRR 10: Verification process must be provided on recipient letterhead and signed by the recipient's Principal
Related Items:	CRR 10, CRR 14

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CRR 11: Admissions

- 11.0 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). (34 *CFR* Appendix B to Part 100 IV.K.)
- 11.1 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. (34 *CFR* Appendix B to Part 100 IV.K.)
- 11.2 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. (34 *CFR* Appendix B to Part 100 IV.N.; 34 *CFR* Section 104.10 and 104.43(c))

Related California Law:

California laws also provide added protection on the basis of actual or perceived ethnicity, gender, gender identity, gender expression, immigration status, 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.

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Item Instructions: If not applicable, a description must be provided on recipient letterhead and signed by the recipient's Principal.

Related Items: CRR 11

Demographics of Limited English Language Students

Abbreviation: DmgphcsLmtdEngLngStdnts

Description: Enrollment and placement data identifying the number of English Learner students in the recipient's CTE program(s).

Item Instructions: CRR 11: Demographics data must be categorized by CTE program(s) with the total number of English learner students enrolled.

Related Items: CRR 11, CRR 14

Student Applications

Abbreviation: StdntAplctns

Description: Sample student applications, if applicable.

Item Instructions: CRR 11: Student applications must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).

Related Items: CRR 01, CRR 11

Demographics of CTE Applicants

Abbreviation: DmgrphcsCTEApplicants

Description: CTE admissions data showing all accepted/selected and rejected student applicants.

Item Instructions: CRR 11: Demographics data must include the total number of students accepted/rejected along with an explanation for each rejected admission.

Related Items: CRR 11

Demographics of Limited English Language Applicants

Abbreviation: DmgphcsLmtdEngLngApplicants

Description: CTE admissions data identifying accepted/selected and rejected students with limited English language skills.

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Item Instructions: CRR 11: Demographics data must include the total number of English learner students accepted/rejected along with an explanation for each rejected admission.

Related Items: CRR 11, CRR 14

Demographics of Students with Disabilities

Abbreviation: DmgphcsStdntsWthDsblts

Description: Enrollment and placement data identifying the number of students with disabilities in the recipient's CTE program(s).

Item Instructions: CRR 11: Demographics data must be categorized by CTE program(s) with the number of students with disabilities enrolled.

Related Items: CRR 11, CRR 17, CRR 19

CRR 12: Student Eligibility

- 12.0 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. (34 *CFR* Appendix B to Part 100 IV.A.)

Related California Law:

California laws provide added protection on the basis of actual or perceived ancestry, 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)

Evidence Requests

CTE Eligibility Criteria

Abbreviation: CTEElgbltyCrtr

Description: Eligibility criteria for recipient's CTE program(s), school(s), and facilities.

Item Instructions: CRR 12: If not applicable, a description must be provided on recipient letterhead and signed by the recipient's Principal.

Related Items: CRR 12

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CRR 13: Residency

- 13.0 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. (34 *CFR* Appendix B to Part 100 IV.C.)

Related California Law:

California laws also provide added protection on the basis of actual or perceived ancestry, 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: DmgphcsAdjngSrvcFcilty
- Description: If applicable, a map of any off campus CTE facilities and demographics of students of those classes.
- Item Instructions: CRR 13: Demographics must be categorized by CTE program(s) with the number of students enrolled.
- Related Items: CRR 13

Maps of Attendance Zones

- Abbreviation: MpsAttndcZns
- Description: Maps of attendance zones with outlined boundaries.
- Item Instructions: Maps should show the boundaries of the selected school site.
- Related Items: CRR 13

CRR 14: Limited English Learner Admissions

- 14.0 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. (34 *CFR* Appendix B to Part 100 IV.L.)
- 14.1 It is the responsibility of the recipient to identify such applicants and assess their ability to participate in vocational instruction. Acceptable

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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. (34 *CFR* Appendix B to Part 100 IV.L.)

- 14.2 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 are available to such students. (34 *CFR* Appendix B to Part 100 IV.L.)

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)

Evidence Requests

Demographics of Limited English Language Students

Abbreviation:	DmgphcsLmtdEngLngStdnts
Description:	Enrollment and placement data identifying the number of English Learner students in the recipient's CTE program(s).
Item Instructions:	CRR 14: Demographics data must be categorized by CTE program(s) with the total number of English learner students enrolled.
Related Items:	CRR 11, CRR 14

Demographics of Limited English Language Applicants

Abbreviation:	DmgrphcsLmtdEngLngAplcnts
Description:	CTE admissions data identifying accepted/selected and rejected students with limited English language skills.
Item Instructions:	CRR 14: Demographics data must include the number of English learner students accepted/rejected with an explanation for each rejected applicant.
Related Items:	CRR 11, CRR 14

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CTE Promotional Materials in Other Languages

Abbreviation:	CTEPrmtnlMtrlsOthrLngs
Description:	Recipient's translated CTE promotional materials distributed in the language minority communities.
Item Instructions:	CRR 14: Material must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).
Related Items:	CRR 10, CRR 14, CRR 15

Counseling Materials in Other Languages

Abbreviation:	CnslngMtrlsOthrLngs
Description:	Samples of all pre- and post-enrollment counseling plans and materials distributed in primary language of the language minority communities.
Item Instructions:	CRR 14: Materials must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).
Related Items:	CRR 14, CRR 15

Recruitment Plans for Limited English Language Students

Abbreviation:	RcrtmntPlnsLmtdEngLngStdnts
Description:	List of CTE recruitment plans for Limited English Language student applicants.
Item Instructions:	CRR 14: List or description of recruitment planned activities and events for recruiting English learner students into CTE program(s).
Related Items:	CRR 09, CRR 14

Verification of Limited English Proficient Community

Abbreviation:	VrfctnLmtdEngPrfCmmnty
Description:	Recipient's process to identify and communicate with language minority communities in the surrounding service areas.
Item Instructions:	CRR 14: Verification process must include how language minority communities are identified and communication(s) made in its language.
Related Items:	CRR 10, CRR 14

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CRR 15: Counseling

- 15.0 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. (28 *CFR* Section 35.130; 34 *CFR* Sections 106.36 (a), 106.21(a) and (b), and 106.34; 34 *CFR* Sections 104.4(a), 104.34(a) and (c), and 104.47(b); 34 *CFR* Appendix B to Part 100 V.A.)
- 15.1 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. (34 *CFR* Appendix B to Part 100 V.B.; 34 *CFR* Section 104.47(b); 34 *CFR* Sections 106.34 and 106.36(c))
- 15.2 Districts and schools must ensure that counselors can effectively communicate with students with limited English proficiency and with students with sensory impairments. (34 *CFR* Appendix B to Part 100 V.D.)

Related California Law:

California laws provide added protection on the basis of actual or perceived ancestry, 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: AssmntPln
- Description: Assessment plan(s) with a list of tests administered during the academic year.
- Item Instructions:
- Related Items: CRR 15

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CTE Promotional Materials in Other Languages

Abbreviation: CTEPrmtnlMtrlsOthrLngs
Description: Recipient's translated CTE promotional materials distributed in the language minority communities.
Item Instructions: CRR 15: Materials must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).
Related Items: CRR 10, CRR 14, CRR 15

Calendar of Counseling and Pre-CTE Activities

Abbreviation: ClndrCnslngPrCTEActvts
Description: Calendar(s), with dates, outlining all CTE-related counseling activities and any pre-CTE activities.
Item Instructions:
Related Items: CRR 15

Counseling Materials

Abbreviation: CnslngMtrls
Description: Samples of all pre- and post-enrollment counseling plans and materials.
Item Instructions: CRR 15: Materials must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).
Related Items: CRR 15

Counseling Materials in Other Languages

Abbreviation: CnslngMtrlsOthrLngs
Description: Samples of all pre- and post-enrollment counseling plans and materials distributed in primary language of the language minority communities.
Item Instructions: CRR 15: Materials must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).
Related Items: CRR 14, CRR 15

Counseling Plan, Policy, and Procedure

Abbreviation: CnslngPlnPlyPrcdr

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Description:	Guidance plan, policy, and procedure related to the recipient’s CTE program(s).
Item Instructions:	CRR 15: Plan, policy, and procedure must outline CTE program(s) available for students.
Related Items:	CRR 15

Revised Counseling Materials

Abbreviation:	RvsdCnsIngMtrls
Description:	If applicable, counseling materials or activities that have been revised in response to disproportional CTE enrollments.
Item Instructions:	CRR 15: Description of process in place to identify disproportional CTE enrollments.
Related Items:	CRR 15

CRR 16: Student Financial Assistance

- 16.0 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. (34 *CFR* Appendix B to Part 100 VI.B.; 34 *CFR* Section 104.46(a); 34 *CFR* Section 106.37(a–b))

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:	CRR 16: Description of source(s) awarded must be provided on recipient letterhead and signed by the recipient’s Principal.

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Related Items: CRR 16

Financial Assistance

Abbreviation: FncIAstnce

Description: Materials and information which indicates how financial assistance is made available to students.

Item Instructions: CRR 16: Materials and information must notify students and parents of district or school and external financial assistance opportunities available.

Related Items: CRR 16

CRR 17: Services for Students with Disabilities

- 17.0 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. (34 *CFR* Appendix B to Part 100 IV.; 34 *CFR* Section 104.4(a); 28 *CFR* Section 35.130(a))
- 17.1 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. (34 *CFR* Appendix B to Part 100 IV.; 34 *CFR* Section 104.4(a); 28 *CFR* Section 35.130(a))
- 17.2 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. (34 *CFR* Section 104.33(a))
- 17.3 The recipient must have a system in place for the identification, evaluation, and educational placement of 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. (34 *CFR* Sections 104.33(b), 104.35(c), and 104.36)
- 17.4 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

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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. (34 *CFR* Section 104.36)

- 17.5 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. (34 *CFR* Appendix B to Part 100 VI.A; 34 *CFR* Sections 104.34(a) and (b); 38 *CFR* Section 35.130(d))
- 17.6 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. (34 *CFR* Section 104.35(a); 34 *CFR* Appendix B to Part 100 VI.A.)

Evidence Requests

Section 504 Plans

- Abbreviation: 504Pln
- Description: Sampling of the Section 504 Plans (504s)/Health Plan. Redact student’s personal, identifying information from the 504.
- Item Instructions: Please include 504s of students enrolled in the CTE Program.
- Related Items: CRR 17

Individual Education Plans

- Abbreviation: IndvdlEdctnPlns
- Description: Sampling of the Individual Education Plans (IEPs) / IDEA. Redact student’s personal, identifying information from the IEP.
- Item Instructions: Please include IEPs of students enrolled in the CTE Program.
- Related Items: CRR 17

Aids Available for Students with Disabilities

- Abbreviation: AdsAvlBlFrStdntsWthDsblts
- Description: A list of aids available for students with disabilities and examples of adapted equipment for students in CTE programs and activities.
- Item Instructions:
- Related Items: CRR 17

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Demographics of Students with Disabilities

Abbreviation:	DmgphcsStdntsWthDsblts
Description:	Enrollment and placement data identifying the number of students with disabilities in the recipient’s CTE program(s).
Item Instructions:	CRR 17: Demographics data must be categorized by CTE program(s) with the number of students with disabilities enrolled.
Related Items:	CRR 11, CRR 17, CRR 19

Policy related to Students with Disabilities

Abbreviation:	PlcyRltdStdntsWthDsblts
Description:	Recipient’s policy and procedure related to students with disabilities.
Item Instructions:	CRR 17: Policy and procedure must include safeguards as required under 504 to meet the needs of students with disabilities.
Related Items:	CRR 17

Recruitment Plans for Students with Disabilities

Abbreviation:	RcrtmntPlnsFrStdntsWthDsblts
Description:	List of CTE recruitment plans for student applicants with disabilities.
Item Instructions:	CRR 17: Description or schedule must include recruitment planned activities and events for recruiting students with disabilities into CTE program(s).
Related Items:	CRR 09, CRR 17

CRR 18: Accessible Facilities

- 18.0 Program Access/Readily Accessible – Existing Facility under 504 (34 *CFR* Section 104.22)
- (a) 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. (34 *CFR* Section 104.22(a))

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- 18.1 American National Standards Institute (ANSI) – New Construction under 504 (34 *CFR* Section 104.23)
- (a) 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. (34 *CFR* Section 104.23(a))
 - (b) 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.
- 18.2 Uniform Federal Accessibility Standards (UFAS) – New Construction under 504 (28 *CFR* Section 35.151.; 34 *CFR* Section 104.23(c))
- (a) 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. (28 *CFR* 35.151(a)(1); 34 *CFR* 104.23(c)(1))
 - (b) 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.
- 18.3 1991 Americans with Disabilities Act (ADA) – New Construction under 504 (28 *CFR* Section 36, Appendix D; 34 *CFR* Section 104.23)
- (a) 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. (28 *CFR* Section 36, Appendix D; 34 *CFR* 104.23(a))
 - (b) 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.

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- 18.4 2010 Americans with Disabilities Act (ADA) – New Construction under 504 (28 *CFR* Section 35; 34 *CFR* Section 104.23)
- (a) 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. (28 *CFR* Section 35; 34 *CFR* 104.23(a))
 - (b) 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.

Evidence Requests

Site and Floor Plans

- Abbreviation: StFlrPlns
- Description: Legible 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: Site plans must clearly indicate the required information.
- Related Items: CRR 18

Maintenance Records

- Abbreviation: MntncRcrds
- Description: Maintenance records for all buildings/facilities/areas used for the recipient's CTE program(s).
- Item Instructions: CRR 18: Maintenance records associated with CTE program(s) only. Maintenance record which change or enhance the direct access to CTE programs/ building(s)/ classroom(s).
- Related Items: CRR 18

Alteration Records

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

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Item Instructions: CRR 18: Records associated with CTE program(s) only. Alterations are defined as changes or modifications which directly affect access to CTE programs.

Related Items: CRR 18

Renovation Schedules

Abbreviation: RnvtnSchdls

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

Item Instructions:

Related Items: 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) only.

Item Instructions:

Related Items: CRR 18

Facilities Packet

Abbreviation: FcltsPckt

Description: Facilities packet a review of existing facilities to ensure compliance with ADA standards under new or alteration/modification date of construction.

Item Instructions: CRR 18: Facility packet must be filled out, signed, and dated.

Related Items: CRR 18

Accessibility Checklist

Abbreviation: AccssbltyChcklst

Description: Accessibility Checklist

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Item Instructions: CRR 18: Checklist must include existing buildings, and CTE facilities with date(s) built or modified, CTE program(s) identified, and determination of compliance.

Related Items: CRR 18

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. (34 *CFR* Appendix B to Part 100 VI.A.; 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. (34 *CFR* Section 106.33; 34 *CFR* Appendix B to Part 100 VI.D.)

Evidence Requests

Demographics of Students by Sex

Abbreviation: DmgrpchsStdntsBySx

Description: Data indicating the number of male, female, and gender nonconforming students enrolled in the recipient's CTE program(s).

Item Instructions: CRR 19: Demographics data must be categorized by CTE program(s) with the number of students enrolled by sex.

Related Items: CRR 19

Demographics of Students with Disabilities

Abbreviation: DmgpchsStdntsWthDsblts

Description: Enrollment and placement data identifying the number of students with disabilities in the recipient's CTE program(s).

Item Instructions: CRR 19: Demographics data must be categorized by CTE program(s) with the number of students with disabilities enrolled.

Related Items: CRR 11, CRR 17, CRR 19

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Review of Facilities

Abbreviation:	RvwFclts
Description:	Floor plans of showers, changing rooms, and other gender-specific facilities near or in the CTE areas.
Item Instructions:	CRR 19: Floorplan must show facilities for students of one sex are as comparable to students of another sex.
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. (34 *CFR* Appendix B to Part 100 IV.B.)
- 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. (34 *CFR* Appendix B to Part 100 IV.B.)

Related California Law:

California laws provide added protection on the basis of actual or perceived ancestry, ethnicity, gender, gender identity, gender expression, 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:	CRR 20: Demographics must include information regarding race, and national origin.
Related Items:	CRR 20

Maps Showing Location of CTE Facilities

Abbreviation:	MpsShwngLctnsCTEFclts
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Description: Map of all CTE facilities on and off campus.
Item Instructions: CRR 20: Must identify the location(s) of all CTE facilities.
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. (34 *CFR* Appendix B to Part 100 IV.D.)

Related California Law:

California laws provide added protection on the basis of actual or perceived ancestry, ethnicity, gender, gender identity, gender expression, 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: MpsShwngLctnsMdfdCTEFclts
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: CRR 21: Site map must identify locations of modified/altered CTE facilities.
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: CRR 21: Demographics must include student's race, sex, disability, and national origin
Related Items: CRR 21

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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. (34 *CFR* Section 100.3(b); 34 *CFR* Section 106.31(d); 34 *CFR* Section 104.4(b); 34 *CFR* Appendix B to Part 100 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. (34 *CFR* Section 100.3(b); 34 *CFR* Section 106.38; 34 *CFR* Section 104.46(b); 34 *CFR* Appendix B to Part 100 VII.A.)

Evidence Requests

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

- Abbreviation: EnrlmntDtaWrkStdyJbPcmntAprntcTrnngPrgrms
- Description: Enrollment data for all work-study, job placement, and apprenticeship training programs.
- Item Instructions: CRR 22: Data must not include student's personal identifying information, such as name and student identification number.
- 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: CRR 22: Sample workplace agreement must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).
- 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. (34 *CFR* Section 100.3(c); 34 *CFR* Section 106.31(d); 34 *CFR* Section 104.11(a)(4); 34 *CFR* Appendix B to Part 100 VII.B.)

Evidence Requests

Apprenticeship Program Policy/Procedure

- Abbreviation: AprntcshpPrgrmPlcyPrcdr
- Description: Recipient’s policy or procedure related to CTE apprenticeship programs.
- Item Instructions: CRR 23: Policy or procedure must contain an assurance of nondiscrimination in a written agreement with a labor union or other sponsor providing apprenticeship training.
- Related Items: CRR 23

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

- Abbreviation: EnrlmntDtaWrkStdyJbPcmntAprntcTrnngPrgrms
- Description: Enrollment data for all work-study, job placement, and apprentice training programs.
- Item Instructions: CRR 23: Data must not include student’s personal identifying information, such as name and student identification number.
- Related Items: CRR 22, CRR 23

Workplace Agreements

- Abbreviation: WrkplcAgrmnts

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- 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: CRR 23: Sample workplace agreement must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s).
- 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. (34 *CFR* Section 100.3(c); 34 *CFR* Sections 106.51, 106.57, and 106.60; 34 *CFR* Sections 104.13 and 104.14; 34 *CFR* Appendix B to Part 100 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. (34 *CFR* Appendix B to Part 100 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. (34 *CFR* Section 106.54; 34 *CFR* Sections 104.11 and 104.12; 34 *CFR* Appendix B to Part 100 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. (34 *CFR* Section 104.12; 34 *CFR* Appendix B to Part 100 VIII.E.)

Related California Law:

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, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. (GC Section 12926; Labor Code Section 230.1)

Evidence Requests

Employee Handbook(s)

Abbreviation: EmplHndbks
Description: Employee handbook(s).
Item Instructions: CRR 24: Handbook(s) must include the nondiscrimination notice with the Title II, 504 and Title IX Coordinator(s), employee nondiscrimination policy, and employee reasonable accommodation process.
Related Items: CRR 01, CRR 02, CRR 03, CRR 04, CRR 05, CRR 06, CRR 07, CRR 08, CRR 24

Hiring Policies and Procedures

Abbreviation: HrngPlcsPrcdrs
Description: Recipient's screening committee procedure(s), hiring policy and procedure(s), interview rating system, and sample hiring/interview questions for certificated and classified positions.
Item Instructions:
Related Items: CRR 24

Job Announcements

Abbreviation: JbAncmnts
Description: Sample job announcements for classified and certificated positions.
Item Instructions: CRR 24: Announcement(s) must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items: CRR 01, CRR 24

Job Applications

Abbreviation: JbAplctns
Description: Sample job applications for classified and certificated positions.
Item Instructions: CRR 24: Application(s) must include the nondiscrimination notice with the Title II, 504, and Title IX Coordinator(s).
Related Items: CRR 01, CRR 24

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Employment Recruitment Policies and Procedures

Abbreviation: EmplmntRcrtmntPlcsPrcdrs
Description: Recipient's employment recruitment policies and procedures for certificated and classified positions.
Item Instructions:
Related Items: CRR 24

Employment Recruitment Materials

Abbreviation: EmplmntRcrtmntMtrls
Description: Recipient's employment recruitment contact letters and other materials.
Item Instructions: CRR 24: If applicable, provide a sample contact letter, email, or recruitment flyer,
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: CRR 24: Salary scales to Include policy and or collective bargaining contract.
Related Items: CRR 24

Employee Demographics

Abbreviation: EmplDmgrpchs
Description: Employee data identifying all staff's race/ethnicity, sex, and disability. The data must be categorized by program.
Item Instructions: CRR 24: Do not include names, ID numbers, or other personally identifiable information.
Related Items: CRR 24

Policies and Procedures related to Employees with Disabilities

Abbreviation: PlcsPrcdrsRltdEmplysWthDsbIts

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Description: Recipient’s policies and procedures related to the hiring, promotion, and retention for employees with disabilities.

Item Instructions:

Related Items: CRR 24