



State of Oregon Position Description

Company: Oregon Department of Education
Organization: Civil Rights Unit - ODE
Service Type:

SECTION 1. POSITION INFORMATION

Job Profile Title:	Program Analyst 3	Job Profile ID:	0862
Business Title:	Civil Rights Program Analyst (Unfilled)	Position ID:	000000108267
Employee Name:		Company ID:	58100
Representation:	OAS	Budget Auth No:	1338630
Location:	Salem ODE Public Service Building		
Supervisor:	Kate Hildebrandt (Compliance and Regulatory Manager 2)		
Position:			
Time Type:	Full Time		
FLSA:	Non Exempt		
Exempt Reason:			
Overtime Eligible:	Yes		
Employee Type:	Permanent		

SECTION 2. JOB DESCRIPTION SUMMARY

Describe the program in which this position exists. Include program purpose, who is affected, size, and scope. Include relationship to agency mission.

The Oregon Department of Education (ODE) oversees the education of students in Oregon's public K-12 education system. ODE encompasses early learning, public preschool programs, the state School for the Deaf, regional programs for children with disabilities, and education program in Oregon youth corrections facilities. While ODE isn't in the classroom directly providing services, the agency (along with the State Board) focuses on helping districts achieve both local and statewide goals and priorities through strategies such as: developing policies and standards, providing accurate and timely data to inform instruction, training teachers on how to use data effectively, effectively administering numerous state and federal grants; sharing and helping districts implement best practices. At the Oregon Department of Education, we are guided by the following values: integrity, accountability, excellence, and equity.

This position is located in the Office of Relations, Management and Support (ORMS) on the Government and Legal Affairs Management (GLAM) team. The Government and Legal Affairs Team works across the agency and with outside parties to carry out the education mission and goals of the State Board of Education and the priorities of the Governor as the Superintendent of Public Instruction. The team includes three work units: Civil Rights, Complaint and Appeals Resolution, and Reports and

Investigations of Sexual Conduct. In addition to the work of the three units, the team supports the Fair Dismissal Appeals Board (FDAB), works in collaboration with the GREAT team to support administrative rule making across the agency, and provides administrative hearings for Child Nutrition Programs, Pupil Transportation and the Fingerprinting Unit.

The Civil Rights Unit works to support effective implementation of state and federal laws prohibiting discrimination in K-12 public education, including but not limited to:

- Title VI of the Civil Rights Act of 1964;
- Title IX of the Education Amendments Act of 1972;
- Section 504 of the Rehabilitation Act of 1973;
- Title II of the ADA (Americans with Disabilities Act);
- Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education, 45 CFR Part 80, Appendix B
- Every Student Belongs;
- The CROWN Act; and
- Abbreviated School Day Programs and Section 504.

The unit provides leadership training, and technical assistance to education providers, develops and administers the Civil Rights Coordinator Program under ORS 332.505(2) and OARs 581-021-0650 through -0665, assists members of the school community, including students and families of students, who may have experienced discrimination in understanding, accessing, and navigating local (school or district), state, and federal dispute resolution processes to ensure that instances of discrimination are addressed appropriately and efficiently, and develops and administers the state's Methods of Administration (MOA) Program pursuant to requirements of the U.S. Department of Education Office for Civil Rights.

The Complaints and Appeals Resolution Unit administers the agency's formal complaint resolution processes for discrimination in public education, restraint and seclusion, retaliation, religious entanglement, determinations of nonstandard status under ORS 343.328 (Abbreviated School Day Programs), and Division 22 standards.

The Reports and Investigations of Sexual Conduct Unit investigates reports of suspected sexual conduct that involve a student and an individual who is a school employee, contractor, agent, or volunteer who is not licensed with the Teacher Standards and Practices Commission (TSPC). The unit also provides verification information to education providers when they are hiring an individual as a school employee or bringing on a contractor, agent, or volunteer to provide services in schools.

The Fair Dismissal Appeals Board (FDAB) hears appeals of teacher and administrator dismissals. The FDAB consists of 24 members appointed by the Governor and confirmed by the Senate.

b. Describe the primary purpose of this position, and how it functions within this program. Complete this statement. The primary purpose of this position is to:

The primary purpose of this position is to administer the state's Methods of Administration (MOA) Program pursuant to requirements of the U.S. Department of Education Office for Civil Rights by identifying, investigating, and monitoring identified districts for compliance with State and Federal civil rights laws. Each year high school systems and community colleges are targeted for on-site or virtual desk audit reviews, as required by the United State Department of Education. Comprehensive reviews are conducted to prevent discrimination and ensure equal access to programs, courses, and information for each Oregon student.

SECTION 3. JOB DESCRIPTION

List the major duties of the position. State the percentage of time for each duty. Mark "N" for new duties, "R" for revised duties or "NC" for no change in duties. Indicate whether the duty is an "essential" (E) or "Non-Essential" (NE) function.

50% - R - E - Methods of Administration Program Administration and Civil Rights Review

- Under the direction of ODE's Methods of Administration Coordinator, periodically review and update agency processes to ensure best practice and compliance with state and federal law; this includes evaluating and recommending program priorities and strategies to achieve program goals and funding requirements and establishing program guidelines, administrative rules, and structure implementing Oregon's Methods of Administration Plan.
- Analyze and evaluate agency data, policies, and procedures to identify their potential impact on civil rights compliance and recommend a course of action to the Civil Rights Unit Manager and ODE's Methods of Administration Coordinator.

- Under the direction of the MOA Coordinator, provide leadership, consulting services, training, and technical assistance to school districts, community colleges, and other service providers on issues relating to federal and state civil rights laws, including Title II of the Americans with Disabilities Act of 1990 (Title II), 28 CFR Part 35 and U.S. Department of Education regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI), 34 CFR Part 100; Title IX of the Education Amendments of 1972 (Title IX), 34 CFR Part 106; Section 504 of the Rehabilitation Act of 1973 (Section 504), 34 CFR Part 104; and Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, and National Origin, Sex and Handicap (Guidelines), 34 CFR Part 100 Appendix B.
- Provide technical assistance and training to school districts, parents, CTE Regional Coordinators, community colleges, and other impacted education and community partners regarding civil rights reviews.
- Work with teams across the agency to infuse equity provisions specific to civil rights into statewide school improvement and reform initiatives, including the implementation of the CTE State Plan.
- Recommend legislative concepts and policy option packages to expand or revise program operations; track legislative bills related to career and technical education and civil rights; prepare testimony to committees regarding federal and state civil rights requirements and ODE's Methods of Administration Plan and related proposed legislation and testify as requested; respond in writing and in person to legislative requests for information and report on program progress in coordination with Director, Assistant Superintendent and ODE Legislative staff; support implementation of new legislation by incorporating legislative mandates into program development activities; and communicate new legislation and develop administrative rules and procedures for implementation.
- Assist with completion of the MOA Bi-Annual Report (CAR) to the Office of Career Technical and Adult Education (OCTAE).
- Contribute to the compilation of online and web resources relevant to career and technical education policy and best practices as it relates to civil rights requirements.
- Communicate with ODE's Methods of Administration Coordinator regarding the status of site investigations, monitoring of correct actions, and other relevant matters on a regular basis,
- Where appropriate, work with representatives from other state agencies to review investigatory processes and procedures.
- Coordinate with other ODE staff regarding review and investigatory processes to ensure consistency across the agency.
- Attend trainings to remain knowledgeable about current civil rights case law, OCR actions, and other changes to civil rights laws.
- Contribute to cross-office planning and implementation processes, including ongoing federal and state work and new strategic initiatives.

45% - R - E - Civil Rights Review and Monitoring of Corrective Actions

- Monitor progress of state and partner organizations, including school districts and community colleges, in complying with federal and state civil rights requirements and collaborate with representatives of local education agencies to develop plans that ensure compliance.
- Assist in the planning and coordinating of targeted on-site reviews of school districts and community colleges based on the Oregon Methods of Administration Plan.
- Study program operations and data system issues/anomalies; evaluate program service problems or successful operational practices to identify communication needs and revise guidelines for use by other public and community organizations and adapt procedures to improve program operations, including identifying barriers to program participation and designing strategies to eliminate barriers.
- Collect and review program documentation and evidence from school districts and community colleges, including observations; oral and written response; witness testimony and statements; correspondence; school, district, and college policies and procedures related to administration, grievance, and complaint procedures, admissions, facility accessibility, services for students with disabilities or Emergent Bilingual / English Learner students and families, counseling/advising procedures, and work study and social media records; and other relevant documents, information, and physical evidence in investigations.
- Evaluate sufficiency of evidence to affirm or refute compliance with civil rights laws; prepare clear, concise reports to be used when making official findings; and prepare Letters of Findings citing the pertinent federal and state civil rights laws.
- Monitor the status of corrective action implementation for current and past voluntary compliance plans.
- Participate in producing the biennial report to the USDOE Office for Civil Rights.
- Conduct continuous outreach to school districts and community colleges and provide technical assistance to comply with state statutes and administrative rules and laws governing civil rights requirements.

5% - N - NE - Other Duties as Assigned

- Support the functioning of the Government and Legal Affairs Team, the Office of the Director, and the Oregon Department of Education to increase equity, inclusion, and results for all students.
- Respond to constituents on behalf of Manager and Deputy Superintendent.
- Respond to inquiries from the public, other agencies, legislators, and community partners and provide technical assistance to districts.
- Special Projects as assigned by the Manager.
- Perform general office duties, such as participating in staff meetings and performing other work as assigned.

At All times - N - E

- Demonstrate commitment to equity; in addition to the cultivation of equitable practices across all aspects of this position description.
- Learn and apply knowledge and skills to interrupt systemic oppression.
- Participate and engage in efforts to further team and agency-wide development and implementation of equity goals.
- Have knowledge of and apply tools, such as the ODE Equity Stance and Equity Lens, Strategic Plan, Culturally Responsive Community Engagement tool, the Protocol for Culturally Responsive Organizations, etc., to all work to ensure that the shared vision and mission of the team and ODE is clearly articulated in all work produced.
- Consistently treat customers, stakeholders, partners, vendors and coworkers with dignity and respect.
- Create and maintain a work environment that is welcoming and respectful of diversity.

SECTION 4. WORKING CONDITIONS

Describe any on-going working conditions. Include any physical, sensory, and environmental demands. State the frequency of exposure to these conditions.

This position may be eligible for hybrid remote work, subject to manager approval, business needs, and completion of a remote work agreement in Workday. Employees must have a home workspace that meets all technology, security, and safety requirements, including protection of confidential information. Remote work requires use of agency-issued equipment, a secure internet connection, and VPN access. Staff must follow the DAS Remote Work policy, guidelines and applicable collective bargaining agreements. The official duty station is the Public Service Building in Salem, Oregon. Travel to this location may be required at the employee's expense.

This position works a professional work week, Monday through Friday. Some evening and/or weekend work may be required. Workload and priorities fluctuate and can involve highly complex, sensitive, and/or political issues. This position relies upon collaborative, productive, professional and respectful engagement with staff, colleagues, leadership, and subject matter experts within the Agency, across other state agencies, representatives of local government and/or governor's office, with key investment members, partners, and providers within Oregon communities, and others.

Frequent in-state travel may be necessary and require sitting/driving for extended periods of time.

SECTION 5. GUIDELINES

List any established guidelines used in the position, such as state or federal laws or regulations, policies, manuals, or desk procedures.

The Governor's priorities, the ODE Director's priorities, the State Board of Education's priorities, the Legislature's priorities, ODE equity strategic plan, ODE policies, and audits issued by the Oregon Secretary of State.

State and federal statutes, rules, regulations, and guidance prohibiting discrimination in public education governing the Methods of Administration Program, including but not limited to ORS 659.850, ORS 659.852, ORS 659.855, ORS 332.505(2), ORS 343.321-343.333, OAR 581-021-0045, OAR 581-021-0046, OAR 581-021-0650 through -0665, OAR 581-022-2312, U.S. Department of Education Office for Civil Rights Region X Guidelines, Titles VI and VII of the Civil Rights Act of 1964, Elementary and Secondary Education Act of 1965, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, Equal Educational Opportunities Act of 1974, Age Discrimination Act of 1975, Titles I and II of the Americans with Disabilities Act of 1990, Americans with Disabilities Act Amendments Act of 2008, 34 CFR Part 106, 34 CFR Part 104, and Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, and National Origin, Sex and Handicap (Guidelines), 34 CFR Part 100 Appendix B.

Oregon administrative rules in Chapter 581, Division 75, relating to complaints alleging discrimination in public education. Agency guidance and internal procedure manuals relating to state civil rights laws.

The “Division 22 Standards,” which are the administrative rules adopted by the State Board of Education in OAR Chapter 581, Division 22, and ORS 327.103.

Federal and state statutes and rules relating to public records and confidentiality, including but not limited to the Family Educational Rights and Privacy Act (FERPA) and Oregon’s public records laws, and the Oregon Attorney General’s Public Meetings and Records Manual.

The Oregon Attorney General’s Public Records and Meetings Manual. Federal and State laws that provide protection for personally identifiable student information.

How are these guidelines used?

The person in this position must know and understand the priorities expressed by key policy makers including the Governor, Director, State Board of Education, and State Legislators and the Secretary of State through regularly published audits, to align ODE’s training and technical assistance. This information is also used to guide program development and implementation decisions.

The person in this position must use the state and federal statutes, rules, regulations, and guidance to identify, investigate, and monitor identified districts for compliance with civil rights laws, to design appropriate and effective corrective action, and to provide leadership and technical assistance to education providers across Oregon and department of education staff to support effective implementation of civil rights laws in the k-12 public education system.

The Oregon Attorney General’s Public Records and Meetings Manual and Federal and State laws relating to confidential information will be used to determine when information is protected and to ensure appropriate process for maintaining confidentiality.

SECTION 6. WORK CONTACTS

With whom, outside of co-workers in this work unit, must the employee in this position regularly come in contact?

Who	How	Purpose	How Often?
Agency Staff	In Person, by mail, email or telephone	Consult on work; obtain information	Daily
Education Partners	In Person, by mail, email or telephone	Provide technical assistance; gather information; provide training	Daily
Members of the Community	In Person, by mail, email or telephone	Provide technical assistance; gather information; provide training	Daily
Oregon Department of Justice	In Person, by mail, email or telephone	Respond to questions; gather information	As Needed
Other State Agency Staff	In Person, by mail, email or telephone	Respond to questions; gather information; collaborate on work	As Needed
Policy Makers	In Person, by mail, email or telephone	Provide Information	As Needed
Regional Office for the US Department of Education Office for Civil Rights	In Person, by mail, email or telephone	Respond to questions; gather information	As Needed
United States Department of Education	In Person, by mail, email or telephone	Respond to questions; gather information	As Needed

SECTION 7. POSITION RELATED DECISION MAKING

Describe the typical decisions of this position. Explain the direct effect of these decisions.

The person in this position uses initiative and independent judgment to analyze situations and make decisions. The supervisor gives guidance to the person in this position during the development of the program, after which the person in this position proceeds with considerable independence and functions in all aspects of the assignment within the limits of acceptable practices and administrative policy. The person in this position makes decisions regarding compliance issues for school districts with U.S. Department of Justice Title II ADA laws, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, Guidelines of the Vocational Education Act for Eliminating Discrimination, and Title IX of the Education Amendments. Decisions made by the person in this position can also have significant financial and political implications for school districts and community colleges. The person is expected to use their best professional judgment and integrity and must demonstrate a high degree of ethical conduct in all work related situations.

The person in this position provides technical assistance to assist school districts and colleges in the implementation of laws, rules, program improvement and best practices. Decisions made in this context have an impact on program quality and continuous improvement to increase student equity, achievement, and success of all students. It is essential that decisions made by the person in this position are in keeping with state and federal laws, and with the mission, goals, and priorities of the works unit, the agency, and the State Board of Education

SECTION 8. REVIEW OF WORK

Job Profile	Position ID	How	How Often	Purpose of Review
Compliance and Regulatory Manager 2	2311041	In Person, by mail, email or telephone	Regularly	Regular check-ins to support performance and provide feedback and ensure alignment with agency mission and strategic plan; quarterly reviews for progress towards goals and performance quality.

SECTION 9. OVERSIGHT

What are the oversight activities for this position?

SECTION 10. ADDITIONAL POSITION RELATED INFORMATION

List any knowledge and skills needed at time of hire that are not already required in the classification specification:

This position requires successfully passing a pre-employment background check. The pre-employment check may include a review of the following records: criminal background, DMV, licensure, and sexual misconduct. Adverse background data may be grounds for immediate disqualification, withdrawal of a conditional job offer, or termination of employment.

This position requires a driver license and an acceptable driving record or an alternative means of transportation.

This position has been designated as sensitive in that the incumbent in this position has access to information, the disclosure of which is prohibited by state or federal laws, rules or regulations, or information that is defined as confidential under state or federal laws, rules or regulations.

SECTION 11. BUDGET AUTHORITY

If this position has authority to commit agency operating money, indicate the following:

Operating Area	Biennial Amount	Fund Type
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SECTION 12. ORGANIZATIONAL CHART

See Organizational Chart (attach copy or view within Workday).

SECTION 13. SIGNATURES

Employee

Date

Manager

Date

Appointing Authority

Date