

# Oregon Methods of Administration Plan

Oregon Department of Education

In Partnership with

Oregon Higher Education  
Coordinating Commission

**August 2020**



# Table of Contents

<b>I. Acknowledgements .....</b>	<b>2</b>
<b>II. Purpose and Background .....</b>	<b>3</b>
A. Mission Statement .....	3
B. The Oregon Department of Education Equity Stance .....	3
C. Vision of the Higher Education Coordinating Commission .....	3
D. Historic and Current Background.....	4
<b>III. Introductory Information.....</b>	<b>5</b>
A. Development of the MOA Plan in Oregon .....	5
B. Stakeholder and Advisory Group Participation.....	6
<b>IV. Performing Oversight .....</b>	<b>8</b>
A. Requirements and Focus.....	8
B. Identification for Selection through Civil Rights Data .....	9
C. Selection Process.....	10
Secondary.....	10
Post-Secondary .....	11
D. Monitoring and Conducting the Investigation/Review: .....	11
Orientation.....	11
Secondary Institutions .....	11
Post-Secondary Institutions.....	13
E. Notification, Voluntary Compliance and Monitoring.....	15
Secondary and Post-Secondary .....	15
<b>V. Technical Assistance .....</b>	<b>17</b>
<b>VI. Assessment of MOA Program .....</b>	<b>19</b>
<b>VII. Reporting .....</b>	<b>19</b>
<b>VIII. Appendices .....</b>	<b>0</b>
A. Definitions/Terminology (In Alphabetical Order) .....	0
B. Federal Civil Rights Laws .....	2

## I. Acknowledgements

We wish to acknowledge that this Methods of Administration Plan has been informed by leaders in Oregon, the Northwest and across the nation who have been critical thought partners. We appreciate the collective effort, as we rise to the challenge of serving our students, families, communities and educational institutions. Of note, the Northwest Regional MOA Consortium and the national MOA Coordinators Association have worked with Oregon to share documents, processes and procedures from multiple states. Within the state of Oregon, the Office of Teaching, Learning and Assessment (OTLA) within the Oregon Department of Education (ODE) has oversight in the creation of this plan, and has collaborated with the following Oregon agencies and offices:

- Alternative Education Options
- Career and Technical Education (Perkins)
- Career and Technical Education Regional Coordinator Advisory
- Data, Operations, and Grant Management, ODE (DOGM)
- Equity, Diversity, and Inclusion, ODE (EDI)
- Federal Programs, ODE (Title III (EL Services), Title I (C) (Migrant Education Services))
- Government and Legal Affairs, ODE (GLAM)
- Higher Education Coordinating Commission (HECC)
- Office of Community College and Workforce Development, HECC (CCWD)
- Office of Enhancing Student Opportunities, ODE (OESO)
- Office of Indian Education, ODE (OIE)
- Secondary Post-Secondary Transitions, ODE (SPST)

## II. Purpose and Background

### A. Mission Statement

The Oregon Department of Education (ODE) fosters equity and excellence for every learner through collaboration with educators, partners and communities, and is committed to consistently and effectively interrupting historical and current patterns of neglect and oppression in order to create and ensure educational equity.

One way to work toward this goal is to ensure a robust understanding, implementation and enforcement of civil rights laws throughout Oregon’s school systems.

### B. The Oregon Department of Education Equity Stance

*Education equity is the equitable implementation of policy, practices procedures, and legislation that translates into resource allocation, education rigor, and opportunities for historically and currently marginalized youth, students, and families; including civil rights protected classes. This means the restructuring and dismantling of systems and institutions that create the dichotomy of beneficiaries and the oppressed and marginalized.*

### C. Vision of the Higher Education Coordinating Commission

*The Higher Education Coordinating Commission envisions a future in which all Oregonians—and especially those whom our systems have underserved and marginalized—benefit from the transformational power of high-quality postsecondary education and training. It is a future where innovative public and private colleges, universities, and training providers help Oregonians to reach their highest potentials, build trajectories to family-wage careers, foster a more just society and break patterns of intergenerational poverty. It is a future where postsecondary education fuels a resilient economy by anticipating workforce needs and by fostering innovation, research, and knowledge. In the future we envision, all Oregonians enjoy well-lived lives thanks to the myriad benefits of postsecondary education and training: higher earnings, lower unemployment rates, self-sufficiency, civic involvement, better health and more. Our communities thrive as a result.*

## D. Historic and Current Background

On March 21, 1979, the U.S. Department of Health Education and Welfare issued [\*Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education\*](#). The purpose of these Guidelines is to explain how civil rights laws apply to educational institutions receiving federal funds and offering Vocational Education (now more commonly known as Career and Technical Education (CTE)). The Guidelines derive from and provide guidance supplementary to:

1. Title VI of the Civil Rights Act of 1964, [34 CFR Part 100](#)
2. Title IX of the Education Amendments of 1972 [ED Title IX Regulations](#) (Volume 34, CFR Part 106)
3. Section 504 of the Rehabilitation Act of 1973, [Section 504 34 CFR. 104.3](#)
4. Title II of the Americans with Disabilities Act of 1990 and its implementing regulations, [28 CFR. Part 35](#)

On February 6, 2020, the U.S. Department of Education Office for Civil Rights (OCR) and Office of Career, Technical and Adult Education (OCTAE) jointly issued an updated Memorandum of Procedures (MOP) to inform the development of the state's plan for administering Methods of Administration (MOA) for the purposes of ensuring the civil rights of potential and current students participating in CTE programs. This new MOP rescinds prior MOP guidance and requires states to produce an MOA plan, documenting their compliance program, as required by 34 CFR Part 100, Appendix B, Section II. B.

The year that we write this plan, 2020, has spotlighted the work that still needs to be accomplished to ensure equitable access to educational programs and activities. We recognize that our systems, including our education system, have been built to protect and prioritize privilege, and that we must actively dismantle these embedded systems of oppression and racism. In addition, we are in the midst of a global pandemic, requiring schools to close their doors and envision new ways to offer education. In working to meet these new challenges, there have been stark reminders of how current systems and institutions perpetuate inequities.

The Department of Education's Mission and Equity Stance, the Higher Education Coordinating Commission's Vision, as well as both historical and current events have significantly shaped the writing of this plan. Our collective commitment to equity and access to education for all students in Oregon is evident throughout Oregon's MOA Plan.

### III. Introductory Information

#### A. Development of the MOA Plan in Oregon

Pursuant to the US Department of Education’s MOP, all U.S. states and territories must have a Methods of Administration (MOA) plan for implementing civil rights guidance from the Office for Civil Rights. Oregon has been and continues to be part of this important work, and is providing this MOA Plan to meet the requirement of the US Department of Education, Office for Civil Rights, while maintaining the values of our state. Building upon ODE's [Equity Stance](#), the Oregon [Equity Lens](#) and the [CTE State Plan](#), Oregon's MOA Plan was developed with the following values, which emphasize equity and access to all Oregonians:

- *We have an ethical and moral responsibility to ensure an education system that provides optimal learning environments that lead students to be prepared for their individual futures.*
- *Speaking a language other than English is an asset, and our education system must celebrate and enhance this ability alongside appropriate and culturally responsive support for emerging bilingual students.*
- *Students receiving special education services are an integral part of our educational responsibility to all students, and we must welcome the opportunity to be inclusive, make appropriate accommodations and celebrate their assets.*
- *Students who have previously been described as “at risk,” “underperforming,” “underrepresented,” or “minority” actually represent Oregon’s best opportunity to improve overall educational outcomes. We have many counties in rural and urban communities that already have populations of tribal citizens or populations of color that make up the majority. Our ability to meet the needs of this increasingly diverse population is a critical strategy for us to successfully reach our state education goals.*
- *Every learner should have access to information about a broad array of career opportunities and apprenticeships.*
- *Communities, families, teachers and community based organizations have unique and important solutions to improving outcomes for our students and educational systems. Our work will be successful only if we are able to truly partner with the community, engage with respect, authentically listen and have the courage to share decision making, control and resources.*
- *We believe the rich history and culture of learners is a source of pride and an asset to embrace and celebrate.*

## Oregon Methods of Administration Plan

The opportunity to reimagine the Methods of Administration Program is part of a larger effort focused on bringing equity to Oregon’s schools by building a foundation that can disrupt patterns of injustice. In an attempt to incorporate diverse perspectives and to create a shared understanding and unified plan, Oregon’s Methods of Administration Plan has been created with the input of multiple agencies, offices and departments, including input from community organizations and advisory committees.

### B. Stakeholder and Advisory Group Participation

Date	Collaborators	Task/Deliverable
February 2020	<ul style="list-style-type: none"><li>● Internal ODE Teams, including the Secondary / Post-Secondary Transitions (SPST) Team, Government and Legal Affairs (GLAM), Office of Teaching, Learning and Assessment (OTLA)</li><li>● Office of the Executive Director, HECC</li></ul>	<ul style="list-style-type: none"><li>● Received Updated MOP from DOE/OCTAE/OCR</li></ul>
February 2020	<ul style="list-style-type: none"><li>● Internal ODE and Community College and Workforce Development Meetings</li></ul>	<ul style="list-style-type: none"><li>● GLAM Civil Rights, CTE and OTLA Teams review DOE MOP and secondary impact</li><li>● ODE and CCWD teams review DOE MOP postsecondary impact</li></ul>
March - April 2020	<ul style="list-style-type: none"><li>● ODE MOA Coordinator and GLAM Civil Rights</li></ul>	<ul style="list-style-type: none"><li>● Discussion on impact of MOP as well as desired outcomes for Oregon through multiple meetings to review current policies, statutes and practices</li></ul>

Oregon Methods of Administration Plan

Date	Collaborators	Task/Deliverable
May 2020	<ul style="list-style-type: none"> <li>• ODE and CCWD</li> </ul>	<ul style="list-style-type: none"> <li>• Staff attend MOA Conference and debrief as a state team to inform planning</li> <li>• ODE applies for and receives an extension of due date</li> </ul>
May 2020	<ul style="list-style-type: none"> <li>• Core and Consultant teams involving several offices from ODE and HECC</li> </ul>	<ul style="list-style-type: none"> <li>• Charter created, identifying Core and Consulting advisories</li> <li>• Orientation and initial sessions to identify multiple civil rights data sources as well as desired focus for Oregon MOA Plan</li> </ul>
June 2020	<ul style="list-style-type: none"> <li>• Core Charter team</li> </ul>	<ul style="list-style-type: none"> <li>• Core team regularly review and revises MOA Plan working document</li> </ul>
July 2020	<ul style="list-style-type: none"> <li>• Core Charter Team</li> <li>• Consult Team</li> <li>• Stakeholders and CTE Regional Coordinators</li> <li>• Title III Advisory Group</li> <li>• Migrant Education Advisory</li> <li>• Multiple Districts, Community Colleges and ESDs</li> </ul>	<ul style="list-style-type: none"> <li>• Core Charter team completes and formats initial draft for review</li> <li>• Draft sent out to Consulting and Leadership Teams</li> <li>• Plan shared with external stakeholders to receive input</li> </ul>
August 2020	<ul style="list-style-type: none"> <li>• MOA Team</li> <li>• ODE and CCWD Leadership</li> </ul>	<ul style="list-style-type: none"> <li>• Revise and finalize plan based on stakeholder input</li> <li>• Final approval, signatures and submission to US Department of Education, Office for Civil Rights</li> </ul>



## IV. Performing Oversight

### A. Requirements and Focus

The Oregon Department of Education (ODE), in collaboration with the Office of Community College and Workforce Development (CCWD), an office within the Higher Education Coordinating Commission (HECC), will provide required oversight through the education, implementation and enforcement of civil rights laws throughout Oregon school systems by utilizing the following:

- Compliance reviews;
- Issuance of written findings;
- Negotiation of voluntary compliance;
- Analysis of civil rights data; and
- Technical assistance.

These tools will be used to enforce civil rights laws protecting current and potential students of Career and Technical Education from discrimination on the basis of race, color, national origin, sex and disability.

ODE and CCWD must comply with multiple state and federal requirements in the administration of CTE and other education programs, including those mandating that agencies may not require, approve of or engage in any discrimination or denial of services on the basis of race, color, national origin, sex or disability in performing any of the following activities:

1. Establishment of criteria or formulas for distribution of federal or state funds;
2. Establishment of requirements for admission to or requirements for the administration of CTE programs;
3. Approval of action by Local Education Agencies (LEA); and
4. Conducting its own programs.

The Oregon MOA Plan describes how Oregon will:

1. Collect and analyze civil rights related data and information that subrecipients compile for their own purposes or that are submitted to state and federal officials under existing authorities;
2. Conduct periodic compliance reviews of selected subrecipients, (i.e., an investigation of a subrecipient to determine whether it engages in unlawful discrimination in any aspect of its programs) and upon finding unlawful discrimination, notifying the subrecipient of steps it must take to attain compliance and attempting to obtain voluntary compliance;

## Oregon Methods of Administration Plan

3. Provide technical assistance upon request to subrecipients. This includes assisting subrecipients identify unlawful discrimination and instructing them in remedies for and prevention of such discrimination; and
4. Provide periodic reporting of activities and findings under the foregoing paragraphs, including findings of unlawful discrimination to the Office for Civil Rights.

Oregon's new MOA plan will allow ODE and CCWD staff to focus on the development of communication and resource tools to support administrators, educators (e.g. faculty, school counselors and support staff), parents and community members. As recipients of federal and state funding, the districts, colleges, CTE Centers, ESDs and other members of our universe, are required to adhere to state and federal guidelines, including non-discrimination requirements. ODE will also continue to support monitoring of equitable access to CTE programs for all students via desk monitoring and on-site reviews. These activities are a step towards ensuring equitable access and encouraging local institutions to prioritize policy and funding that will result in expanded access to underserved and historically and currently marginalized students.

## **B. Identification for Selection through Civil Rights Data**

Oregon will conduct compliance reviews in both secondary and post-secondary public institutions<sup>1</sup>. For the purpose of the MOA, the universe, or selection pools, are defined as follows:

1. Secondary institutions shall include all public institutions that receive federal funding and offer courses to inform, orient or prepare students for careers. This will include Education Service Districts, all school districts, technical centers and charter schools, Youth Correction Educational Programs (YCEP), alternative schools, Oregon School for the Deaf and any other institutions not listed but meeting the criteria in Section C below.
2. Post-secondary institutions shall include all 17 of Oregon's Community Colleges, all of which offer instruction that prepares students for a career certificate or associate degree in Career Technical Education.

---

<sup>1</sup> For the purposes of this section, postsecondary institutions will be considered separately from secondary schools because they collect data in a different systems

## Oregon Methods of Administration Plan

The following data (paragraphs I – IV) will be collected and analyzed to identify potential discrepancies<sup>2</sup> based on race, national origin (emergent bilingual), gender and disability. This information, in conjunction with the items listed in paragraph V-VIII, will be used to identify institutions selected for review, as described in Section C below.

- I. CTE enrollment data<sup>3</sup>;
- II. Graduation and completion rates;
- III. Ninth Grade On-Track (Secondary Only);
- IV. Attendance rates (Secondary Only);
- V. Year of last visit, taking into consideration visits for other purposes with the Department;
- VI. Size of school, based on total student enrollment (Secondary Only)
  - a. Less than or equal to 199
  - b. 200-499
  - c. 500-749
  - d. 750-999
  - e. Greater than or equal to 1,000;
- VII. Reports of complaints to oversight agencies for possible discrimination by school personnel, parents, students and/or other parties; and
- VIII. Geographic location of the institution

## C. Selection Process

### Secondary

Each year ten (10) secondary institutions will be selected for review based on a ranking system using the data identified in Section B above. Schools will be ranked based on discrepancies identified in paragraphs I - IV, and the number of civil rights complaints received by ODE. Schools who have been visited in the last 6 years will be removed from the ranking.<sup>4</sup> Schools will then be categorized into the five size groupings delineated in paragraph VI, and the highest ranking schools in each size grouping will be selected for the review process on an annual basis.

---

<sup>2</sup> See Definitions for example of how the Department will be rating based on discrepancies.

<sup>3</sup> The total of any discrepancy in percentages will be double weighted.

<sup>4</sup> If a school is removed from the ranking process because of these criteria, they may still be visited as part of a Civil Rights compliance issue, separate from this MOA process.

## **Post-Secondary**

Each year one post-secondary institution will be selected for review, based on a ranking system using the data identified in Section B, and as described above, as well as the number of civil rights complaints received by CCWD. Schools visited in the last 6 years will be removed from the ranking, and the remaining top ranking school will be selected for the review process.

## **D. Monitoring and Conducting the Investigation/Review:**

### **Orientation**

Once an institution has been selected for review, an orientation meeting will be scheduled with the MOA review team. The MOA review team will consist of ODE and/or CCWD personnel, the CTE Regional Coordinator and staff from the school, district, ESD, or college. During Orientation a checklist will be provided to guide preparations for the review process and to answer any questions the institution(s) may have.

### **Secondary Institutions**

Secondary institutions will be monitored annually.

### **Desk Monitoring**

After an institution has been selected for review, the investigation team will begin the desk monitoring process. Desk monitoring will include the examination of documents requested and collected from the selected institutions, along with review of notices and documents available online. This process will also include the review of additional civil rights data currently being collected from multiple offices within ODE and specific to the identified school/district, such as:

- A. The data used for the selection process.
- B. Data Collections and Reports:
  - 1. Perkins program level data for special populations.
  - 2. Rate of attrition from CTE programs for the general student population and for individuals from protected groups, as defined by OCR, and special populations, as defined by Perkins V guidelines.
  - 3. School At-a-Glance Reports.
  - 4. Civil Rights Data Collection data.
  - 5. Enrollment in Accelerated Classes by race, national origin (emergent bilingual), gender and students with disabilities (504 and IEP).

## Oregon Methods of Administration Plan

6. Reports and data collections reporting how the school is meeting the needs of emergent bilingual students (e.g. On-Track to English Language Proficiency).
  7. Information from data collections associated with students experiencing disability, including Disproportional identification of students experiencing disability.
  8. Discipline data for out of school suspensions by race, national origin (emergent bilingual), gender and students with disabilities (504 and IEP) (secondary only)
  9. Financial budget narratives.
  10. Enrollment data in alternative education programs.
  11. Graduation/completion rates and diploma/certificate types for the institution's general population and for individuals from protected groups, as defined by OCR and special populations, as defined by Perkins V guidelines.
  12. Tribal Attendance Promising Practices Reports
  13. American Indian Alaska Native Key Indicator Report
- C. Student, Staff and Family Engagement:
1. Interviews with students, staff and families.
  2. Surveys from students, staff and families, including student health surveys.
  3. Community engagement data from Student Investment Act applications.
- D. Placement:
1. Students placed in private alternative schools by the district and funded with state school fund dollars.
  2. Students primarily placed in district level programs offered outside of their resident school.
- E. Data from the state "hotline" reporting bullying and harassment and cyberbullying.
- F. Documents or information requested from district/school, including but not limited to:
1. Information from the checklist provided during Orientation meeting
  2. Policy and procedure manuals and handbooks
  3. Job Description and training of Civil Rights Coordinators
  4. Recruitment, enrollment and registration materials
  5. Counseling and advising policies and practices
  6. Complaint policies and procedures
  7. Staff training
  8. Student academic and testing data
  9. English Learner Plans (Title III and HB 3499)
  10. IEP or 504 Plans, Policies and Procedures
  11. Employment information
  12. Data on students who have enrolled in and dropped CTE courses
  13. Enrollment in other special programs

- 14. Grading discrepancies
- 15. Student Investment Account Applications
- G. Information found on the school/district web pages.

### **On-Site Facility Review**

If the desk monitoring and/or initial data discovery indicates potential discrimination on the basis of disability, an on-site civil rights review of the facility *will* be conducted. The on-site review will include in-person interviews, additional document reviews, and on-site observations.

The purpose of the on-site review is to ensure that all students have access to CTE programs and activities. To ensure compliance with Section 504 and ADA requirements, the investigating team will examine all sites in the school that are utilized for school programs and activities.

Additionally, the investigating team may determine that in person interviews or on-site observations are necessary for the investigation of other potential discrimination. If this occurs, the school will be notified, and an on-site visit *may* be conducted.

### **Post-Secondary Institutions**

The monitoring process will consist of a 2 year schedule:

#### **Desk Monitoring**

Each selected institution will, in the first year, be part of a desk monitoring process to examine documents requested and collected from the institution, along with review of notices and documents available online. This process will also include the review of additional civil rights data currently being collected from multiple offices in ODE and specific to the identified school/district. This may include:

- A. The data used for the selection process.
- B. Data Collections and Reports:
  - 1. Perkins program level data for special populations.
  - 2. Enrollment in Dual Credit Classes by race, national origin (emergent bilingual), gender and students with disabilities.
  - 3. Reports and data collections reporting how the school is meeting the needs of emergent bilingual students (ESL)
  - 4. Information from data collections associated with students experiencing disability, including identification for students experiencing disability.

## Oregon Methods of Administration Plan

5. Graduation/completion rates and diploma/certificate types for the institution's general population and for individuals from protected groups, as defined by OCR, and special populations, as defined by Perkins V guidelines.
  6. Rate of attrition from CTE programs for the general student population and for individuals from protected groups, as defined by OCR, and special populations, as defined by Perkins V guidelines.
- C. Student, Staff and Family Engagement:
1. Interviews with students and staff
  2. Surveys to students, staff, and families
- D. Documents requested from district/school, including but not limited to:
1. Policy and procedure manuals and handbooks
  2. Job Description and training of Civil Rights Coordinators
  3. Recruitment, enrollment and registration materials
  4. Counseling and advising policies and practices
  5. Complaint policies and procedures
  6. Staff training
  7. Student academic and testing data
  8. 504 Policies and Procedures
  9. Employment information
  10. Scholarship information
  11. Data on students who have enrolled in and dropped CTE courses
  12. Enrollment in other special programs

### **On-Site Review**

In the second year of a review cycle for a selected institution, an on-site visit will be conducted, which will include in person staff and student interviews and a full on-site facility review. The purpose of the on-site review is to ensure that all students have access to CTE programs and activities. To ensure compliance with Section 504 and ADA requirements, the investigating team will examine all sites at the college that are utilized for school programs and activities.

This rotation will result in 2 colleges involved each year in the process: One (1) college in desk monitor status and one (1) in on-site visit status, which will be the college that had a desk review the previous year.

## E. Notification, Voluntary Compliance and Monitoring

### Secondary and Post-Secondary

**Notification:** Each institution reviewed will receive written notice at various stages of the review process.

- A. Initially an institution will receive written notice that they have been identified for review.
- B. Once the desk review has been completed, the institution will receive written notice of any violation findings from the MOA team. The notice will include specific citations to applicable civil rights laws and actions required for compliance with each finding.
- C. If it has been determined that a facility review is warranted, the institution will be notified and scheduled for the on-site review.
- D. If there are findings from the facility review, the institution will receive written notice of any violation findings from the MOA team. This notice will include specific citations to applicable civil rights laws and recommended corrective actions to ensure compliance with each finding.
- E. The institution will be notified in writing once all corrective actions are completed.

**Voluntary Compliance:** The MOA team will work with the institution to arrive at a sufficiently specific plan for Voluntary Compliance, including corrective actions and projected dates for completion. The Voluntary Compliance Plans will be sent to OCR as part of the reporting requirements.

**Monitoring:** The MOA team will regularly monitor the progress of each proposed corrective action, provide technical assistance, suggestions, and training. The MOA team will also determine when the applicable corrective actions are completed, and will notify the institution and OCR in writing when all agreed upon corrective actions have been completed.



# OVERSIGHT TIMETABLE

## SECONDARY

### IDENTIFY

Identify institutions for review through the analysis of Civil Rights data.

### SELECT

Each year **TEN** secondary institutions will be selected based on a ranking system

### MONITOR

The monitoring process will be on an annual basis for Secondary institutions.

### NOTIFY

Each institution reviewed will receive written notice on completion and at various times during the process.

Technical Assistance (TA) and Professional Development will be provided for a variety of audiences and for multiple purposes to help institutions identify, remediate or prevent discrimination in Oregon schools.

## POST-SECONDARY

### IDENTIFY

Identify institutions for review through the analysis of Civil Rights data.

### SELECT

Each year **ONE** post-secondary institution will be selected based on a ranking system

### MONITOR

The monitoring process will consist of a 2 year schedule.  
**YEAR 1 - Review**  
**YEAR 2 - Visit**

### NOTIFY

Each institution reviewed will receive written notice on completion and at various times during the process.



## V. Technical Assistance

ODE and CCWD are committed to providing continuous technical assistance to school districts and colleges. This technical assistance may include suggested corrective actions based on findings made during the review process, training for civil rights coordinators (Section 504, Title IX and Title II of the ADA), and facility reviews for new construction.

In addition, this technical assistance and professional development will also be provided to a variety of audiences and for multiple purposes, including targeted technical assistance based on school needs assessments (Perkins and High School Success). It is our goal that this technical assistance will help institutions identify and prevent discrimination in Oregon schools, or to remediate potential discrimination when it occurs.

This technical assistance and professional development will be created and provided in partnership with state agencies (led by the MOA Coordinator) and offices in our organizations, including but not limited to:

- Career and Technical Education (Perkins)
- Career and Technical Education Regional Coordinator Advisory
- Data, Operations, and Grant Management, ODE
- Equity, Diversity, and Inclusion, ODE
- Federal Programs, ODE (Title III, Title 1-A, Title 1-C , McKinney Vento,)
- Government and Legal Affairs, ODE
- Higher Education Coordinating Commission (HECC)
- Model Schools, Districts or Colleges
- Office of Community College and Workforce Development, HECC (CCWD)
- Office of the Director, HECC and ODE
- Office of Enhancing Student Opportunities, ODE
- Office of Indian Education, ODE (OIE)
- Office of Teaching, Learning, and Assessment
- Oregon Safe Schools and Communities Coalition
- Secondary Post-Secondary Transitions, ODE

The technical assistance will be provided in multiple formats, which may include, but not be limited to:

- Toolkits on the website
- Guidance documents
- Q and A documents
- Webinars

## Oregon Methods of Administration Plan

- Training on specific aspects (i.e. Investigations or grievance procedures)
- Presentations at conferences and regional meetings
- Learning Modules and classes hosted through CANVAS
- Responses to phone calls, emails and other questions
- Discussion forums
- Listserv announcements

On a regular basis, the ODE MOA team will gather information about new resources and upcoming educational opportunities and provide them to all CTE coordinators and other stakeholders to help proactively prevent, identify and remedy potential discrimination. The MOA team will engage in regular outreach to the partners listed above to compile resources, and send them out via email. An MOA website will also be created to provide resources and links to updated documents and trainings.

The resources available on the MOA website will include those provided by the United States Department of Education Office for Civil Rights and the Outreach, Prevention, Education and Non-Discrimination (OPEN) Center for further technical assistance.

- [OCR, MOA Policy Guidance](#)
- [OCR, Civil Rights Data Collection \(CRDC\)](#)
- [OCR, FAQs](#)
- [OCR, Reading Room](#)
- [Open Center](#)

The Oregon MOA team will also utilize relationships with the MOA Policy group at the US Department of Education Office for Civil Rights (OCR) to seek additional technical assistance as questions arise, and will regularly attend the National MOA Conferences offered by OCR.

The Oregon MOA team will meet regularly to examine data and requests from subrecipients to prioritize and determine what and how the technical assistance will be provided. Data to be examined will include: identified patterns from Informational/technical assistance calls by ODE specialists; common findings/corrective actions from MOA reviews; CTE needs assessments; enrollment data by examining disproportion in enrollment in Special Education, Talented and Gifted, Alternative Education, advanced courses (AP, IB, Advanced Math and Engineering to name a few).

## VI. Assessment of MOA Program

The MOA team will meet on an annual basis to determine the effectiveness of the MOA Program, and make any needed changes to continue to provide proactive support for students, schools, districts, colleges and communities.

## VII. Reporting

The Oregon Department of Education will provide a biennial report of activities to the Office for Civil Rights, consistent with the 2020 MOP every odd calendar year. The report will include:

1. Staff resources allocated by the ODE during each reported school year;
2. A description of the agency compliance with Section II(A) of the Guidelines related to distribution of funds and analysis of state policies and procedures;
3. A list of subrecipients for which the state conducted reviews;
4. Copies of any written findings or voluntary compliance plans for each subrecipient reviewed during the biennium; and
5. A description of civil rights technical assistance services provided to subrecipients.

**Of Note:** During the school year 2020-2021, keeping in mind constraints due to the Coronavirus Pandemic, Oregon will utilize the interim timeframe to focus on creating the professional development resources and technical assistance. No site visits will be conducted during this year. Investigations and reviews will be limited to ten pilot desk audits (secondary) and 1 Community College desk audit.

### **Jennifer Patterson**

Assistant Superintendent  
Office of Teaching, Learning, and Assessment  
Oregon Department of Education

### **Cindy Hunt**

Chief of Staff  
Director's Office  
Oregon Department of Education

### **Donna Lewelling**

Deputy Director  
Office of Community Colleges & Workforce Dev.  
Oregon Higher Ed. Coordinating Commission

### **Karin Moscon**

Civil Rights Specialist, MOA Coordinator  
Office of Teaching, Learning, and Assessment  
Oregon Department of Education

## VIII. Appendices

### A. Definitions/Terminology (In Alphabetical Order)

**Accelerated Course:** A course that may be advanced in content, where students are asked to complete projects demonstrating deeper levels of understanding and ability.

**Alternative Education Program:** As used in ORS 336.615 (Definition for ORS 336.615), “alternative education program” means a school or separate class group designed to best serve students’ educational needs and interests and assist students in achieving the academic standards of the school district and the state.

**Career and Technical Education (CTE):** CTE provides students of all ages with the academic and technical skills, knowledge and training necessary to succeed in future careers and to become lifelong learners. In total, about 12.5 million high school and college students are enrolled in CTE across the nation. In Oregon all 17 Community Colleges and 197 School Districts offer CTE courses.

**CTE Course:** Career and technical education (CTE) courses teach specific academic and technical career skills to students in middle school, high school and post-secondary institutions.

**CTE Needs Assessment:** A comprehensive local assessment that examines CTE programs and their operation to identify areas where targeted improvements can lead to increased opportunities for student success.

**Civil Rights Protected Classes:** A **protected class** is a group of people who qualify for certain special protection under a law or policy. In Oregon there are nine (9) protected classes: Race, Color, National Origin, Sex, Age, Disability, Sexual Orientation (includes Gender Identity), Religion, Marital Status (ORS Chapter 659)

**Discrepancies:** Discrepancies as used in the ranking processes are defined as the percentage difference between the total population and the student group. An example of discrepancies for CTE enrollment would be if 45% of the total student population reports as male and 25% of the CTE population reports as male, the discrepancy would be the difference between 45% and 25% (a discrepancy of 20%).

**Disproportionality:** Is defined as the “overrepresentation” and “under-representation” of a particular population or demographic group in **education** programs relative to the presence of this group in the overall student population. For example, if 50% of the overall student

## Oregon Methods of Administration Plan

population reports as male, but 75% of the students in a CTE course reports as male, this would be considered as an overrepresentation of that group. In this MOA Plan, the discrepancy between the two (75-50 =25) would be considered when identifying who will be visited in the current year.

**Equal Access:** equal opportunity to participate in or benefit from educational aid, benefits or services

**Methods of Administration:** The purpose of the Methods of Administration (MOA) program is to ensure that all students, across race, color, national origin, sex or disability, have equal access to high-quality career and technical education programs. Through its Methods of Administration authority, OCR oversees the civil rights compliance programs of state agencies that administer career and technical education. The state agencies' responsibilities under the MOA program are set out in the Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education Programs (Guidelines) (Appendix B of the Title VI regulation and the Section 504 regulation and Appendix A of the Title IX regulation). These responsibilities include: conducting targeted compliance reviews of selected secondary and postsecondary schools that provide career and technical education; securing corrective action when civil rights violations are found; and periodically reporting civil rights activities and findings to OCR. Partnership and collaboration between OCR and the state agencies has been an important underpinning of the MOA program. To guide and assist state agencies in their civil rights compliance activities, OCR evaluates state agency compliance reports, provides individualized recommendations for improvement of state agency compliance programs, conducts an annual training conference and provides case-specific technical assistance.

**MOA Team:** In Oregon, the MOA Team is made up of the MOA Coordinator plus two members from ODE and one person from the CCWD. All members of the team have received training in civil rights laws, responsibilities and expectations.

**Memorandum of Procedures (MOP):** For purposes of this document, the MOP is guidance given by the Office for Civil Rights to explain expectations for our state as we fulfill responsibilities under the MOA Program in creation of this plan.

**Monitoring:** The monitoring process for the Methods of Administration Program in Oregon includes analyzing civil rights data to identify educational institutions for review, notifying the institution, conducting the review (desk monitoring and/or site visit) to identify areas for improvement consistent with civil rights requirements, notifying the institution of findings, negotiating voluntary compliance plans with specific actions and dates for completion, checking

## Oregon Methods of Administration Plan

for and supporting progress to complete the actions, sending the final notice of completion and reporting progress to OCR.

**Office for Civil Rights (OCR):** OCR is a branch of the US Department of Education. OCR's mission is to ensure equal access to education and to promote educational excellence through vigorous enforcement of civil rights in our nation's schools.

**Postsecondary:** Post-secondary education refers to all education that takes place after high school. In this plan the term specifically refers to all 17 of Oregon's community colleges.

**Secondary:** Secondary education usually refers to the last seven years of statutory formal education grade 6 (age 12–13) through grade 12 (age 17–18). In this plan the term refers to any institutions offering CTE courses in grades 7 - 12.

**Subrecipient:** A subrecipient is defined as a non-federal entity that receives a subaward (federal funds) from a pass-through entity (ODE or HECC) to carry out part of a federal program. For purposes of this plan, subrecipients are the institutions that have CTE classes and receive federal funding.

**Universe:** The term used by the Office for Civil Rights to designate the listing of total institutions (subrecipients) from which to select when determining monitoring reviews. There are two separate universes in the Oregon MOA Plan: one for secondary institutions; the other for postsecondary community colleges.

## B. Federal Civil Rights Laws

**Section 504 of the Rehabilitation Act of 1973** states no otherwise qualified individual with a disability in the United States, as defined in section 7(20), shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

**Title II of Americans with Disabilities Act** protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs and activities provided by State and local government entities. Title II extends the prohibition on discrimination established by section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, to all activities of State and local governments regardless of whether these entities receive Federal financial assistance.

**Title VI, Civil Rights Act of 1964** states that no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of or

be subjected to discrimination under any program or activity receiving Federal financial assistance.

**Title IX of the Education Amendments Act of 1972** states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any **education** program or activity receiving Federal financial assistance.

**Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap (1979)** explain the civil rights responsibilities of recipients of Federal funds offering or administering vocational education programs. They derive from and provide guidance supplementary to Title VI of the Civil Rights Act of 1964 and the implementing departmental regulation (45 CFR Part 80), Title IX of the Education Amendments of 1972 and the implementing departmental regulation (45 CFR Part 86) and Section 504 of the Rehabilitation Act of 1973 and the implementing departmental regulation (45 CFR Part 84) and give guidance for state level methods of administration.