Methods of Administration (MOA)

Overview and Updates of Recent Changes
Objective

Provide an overview and foundation of the MOA program
What happened to Program Access Reviews (PAR)?

- Developed when MOA reviews were integrated into the PBM on-site reviews
- Served two purposes (MOA review and PBMAS indicator review)
- Office of Civil Rights (OCR) has asked that we align ourselves to their guidance and what other states are doing.
What are Methods of Administration?

The ways in which OCR and State agencies approach the process of monitoring for and achieving compliance with Federal civil rights laws and regulations.
Purpose of the MOA program

To ensure students enjoy equal access to Career and Technical Education (CTE) programs and activities regardless of race, color, national origin, sex, or disability.
Essential Background Materials

Authority:
34 C.F.R. § 100.4(b)(2)

Vocational Education Guidelines, 34 CFR, Part 100, Appendix B (March 21, 1979 Federal Register notice)

September 1996 revised Memorandum of Procedures (MOP)
Statutes and Regulations:

- Title VI of the Civil Rights Act of 1964 and its implementing regulations (34 C.F.R. Part 100) – Prohibits discrimination on the basis of race, color, or national origin.
Electronic Resources

- Regulations
- Vocational Guidelines
- OCR Reading Room
Methods of Administration

Districts that offer or administer Career and Technical Education (CTE) programs and receive funds from the U.S. Department of Education must meet certain program requirements. The TEA has the regulatory responsibility to ensure that CTE programs in Texas public secondary schools allow equal access to all students. The authority to conduct monitoring activities, formerly known as Program Access Reviews, related to civil rights compliance is found in:

- Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs. March 21, 1979 (34 CFR, Part 100, Appendix B) (outside source)
Creating a common language

- **MOA Program**: The “Methods of Administration” Program, under which OCR delegates to the states the authority to conduct broad civil rights compliance reviews of CTE subrecipients.

- **CTE Program**: A sequence of at least two CTE courses in an area of study.

- **Subrecipient Universe**: Subrecipients receive funding from the U.S. Department of Education through the state agency, the “recipient,” and operate CTE programs.
Creating a common language

- **Targeting Plan**: A targeting plan is a set of ranking procedures that a state agency uses to select for review, to the extent possible, those subrecipients with the greatest potential for civil rights noncompliance. OCR reviews a state agency’s targeting plan biennially.

- **Ranked List**: A list of the subrecipient universe ranked in accordance with the state agency’s targeting plan.
Targeting Plan

Methodology places emphasis upon the provision of equitable opportunities for students of all racial/ethnic categories, national-origin minorities, and genders by analyzing indicators based on the participation of: African-American students, Hispanic students, male students, female students, students with disabilities, and students with limited English proficiency.
Creating a common language

- **Letter of Findings (LOF):** A state agency issues a LOF to a subrecipient following an on-site review of the subrecipient’s policies and practices.

- **Voluntary Compliance Plan (VCP):** A state agency and a subrecipient negotiate a VCP that lists the corrective actions that the subrecipient must take to remedy the findings of noncompliance listed in the LOF. The corrective actions must be approved by the agency and be consistent with the Guidelines, applicable regulations, and accessibility standards, and should include a month and year of anticipated completion.
How the MOA program works

OCR
- Delegates the authority to conduct compliance reviews of CTE subrecipients
- Oversees the work of state agencies

70 State Agencies (Secondary and Postsecondary)
- Formulate targeting plans to identify subrecipients where violations are more likely
- Conduct broad civil rights compliance reviews of subrecipients

CTE Subrecipients of Federal Funds
SCOPE

Accessible Facilities
Comparable Facilities
Access to CTE programs
Indicator Structure

I. Administrative Requirements;
II. Recruitment, Admissions, and Counseling;
III. Accessibility;
IV. Comparable Facilities;
V. Services for Students with Disabilities;
VI. Financial Assistance;
VII. Work-study, Cooperative Programs, and Job Placement; and
VIII. Employment.
Timeline and Process

Pre-visit
- Contact superintendent and ESC
- TETN Presentation
- Mail notification letter
- Phone conference with district contact and ESC
- **Request documentation**
- Detailed itinerary sent
- Provide student list criteria to district
MOA DOCUMENTATION REQUEST (2016)

In an effort to streamline work and to assist the campuses that are due a Methods of Administration (MOA) visit, we are requesting documents prior to the Method of Administration (MOA) Onsite Review.

Two sets of documentation will be requested of each district receiving an MOA visit.

(Please submit all documentation to TEA at least 10 days prior to the onsite review. For materials that are on-line, please send the link to the specific document in lieu of the paper document or send it in PDF format)
I. **Accessibility Information**

Send a **site/campus map** and **floor plan** for facilities of the schools being reviewed, that includes paths of travel, buildings, and parking lots. *Note - use date that construction began, not date of completion, otherwise an incorrect higher standard may be used to determine compliance.* [3.A]

   a. Date(s) of original construction, and identify areas on map

   a. Date(s) and area(s) of subsequent renovation(s)/alteration(s), if any, and identify areas on map with lines separating original construction or other renovations or alterations

   a. Dates of ramp added/installed, if any, and identify on map or floor plan

   a. Dates that elevators/lifts were installed, if any, and identify on map or floor plan

   a. Date of the last resurfacing and/or relining of each the parking lots at each school being reviewed, and identify on map

   a. Total parking spaces are in each lot at each school being reviewed, and identify on map. If you can give us

   a. The number of parking spaces in each parking lot which will save time while we are on site.
Specifications for making buildings and facilities accessible to, and usable by, the physically handicapped

<table>
<thead>
<tr>
<th>Name of building</th>
<th>Date of construction / or Date of alterations</th>
<th>CTE programs conducted in facility</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please ensure that stand-alone buildings, parking lots are included in the site maps. **We are asking that the maps be color-coded to the date of construction or renovation.** Here is the color key we need you to use:

Construction before June 4, 1977—Readily Accessible standard—**Grey**

Construction between June 4, 1977 and January 18, 1991—ANSI standard—**Blue**

Construction between January 18, 1991 and January 26, 1992—UFAS standard—**Green**

Construction AFTER January 27, 1992—ADA standard—**Yellow**

You may outline the areas or fill—whichever works best on your maps.
## Material and Information

This Request for Material and Information are cross-referenced with the MOA Access to Career and Technology Education Program Workbook. For items that satisfy the documentation requirements for an indicator, the district should not duplicate the information for the onsite review. Place an X in the column on the right if documentation will be available on-site as a hard copy only.

<table>
<thead>
<tr>
<th>Material and Information</th>
<th>MOA Indicator</th>
<th>Hard copy only</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student handbooks from selected campus(ies) with the district’s nondiscrimination statement and/or policies/procedures bookmarked.</td>
<td>[1.A]</td>
<td></td>
</tr>
<tr>
<td>Excerpts from employee and/or administrative handbooks with the district’s nondiscrimination statement/policies/procedures bookmarked.</td>
<td>[1.A, 8.A]</td>
<td></td>
</tr>
<tr>
<td>Annual public announcement disseminated to the general public by the district concerning career and technical education programs/course offerings and the provision of these programs and courses in a nondiscriminatory manner; to include copies of such notice intended to reach the general public who are limited English proficient.</td>
<td>[1B]</td>
<td></td>
</tr>
<tr>
<td>Student and employee grievance procedures for Title IX (discrimination based on sex), Section 504 and Title II (discrimination based on disability) and Title VI (discrimination based on race, color or national origin).</td>
<td>[1.D]</td>
<td></td>
</tr>
<tr>
<td>Recruitment and promotional materials and admissions information related to career and technical education used by the district.</td>
<td>[2.B]</td>
<td></td>
</tr>
<tr>
<td>Copy of student course selection registration form from each of the schools being reviewed (one form, if a</td>
<td>[2.B]</td>
<td></td>
</tr>
<tr>
<td>Methods of Administration (MOA)</td>
<td></td>
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<tr>
<td>--------------------------------</td>
<td></td>
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<tr>
<td>district form is used in all schools.]</td>
<td></td>
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</tr>
<tr>
<td>PDF FORMAT: □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEB LINK(s): □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application and/or admissions forms used by the district and guidance counselors related to career and technical education and other school programs that require applications for admission.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PDF FORMAT: □</td>
<td></td>
<td></td>
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<tr>
<td>WEB LINK(s): □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copies of written agreement used with employers for Work-Based Learning, cooperative education and/or work study programs. [7.A]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PDF FORMAT: □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEB LINK(s): □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Identify the number of students in each school being reviewed who are in Work-Based Learning/cooperative education/work study programs, how many of those students are students with disabilities (Both IEP and 504 students), and how many are students with limited English proficiencies. [7.A, 2.B]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PDF FORMAT: □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEB LINK(s): □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A sample of a completed cooperative education workplace evaluation forms, including with site assignments, hours of work and job assignments. [7.A]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PDF FORMAT: □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEB LINK(s): □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copies of blank school district employment application form for each CTE program. [8.A]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PDF FORMAT: □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEB LINK(s): □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The demographics of your CTE staff in the schools being reviewed, including, school, gender, race, disability status and course/program taught. [8.A]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PDF FORMAT: □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEB LINK(s): □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A sampling of job announcements/postings for administrative, teaching, and support positions over the past two years. [8.A, 1.B]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PDF FORMAT: □</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEB LINK(s): □</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MOA - District prep prior to interviews

The appropriate personnel should be prepared to discuss and have copies of the following documentation.

- The documentation of five students with disabilities that are in CTE classes. Students selected should include a variety of disabilities and instructional arrangements. Have examples of their documents to share with the TEA team. Include the following:
  - Coherent sequence of CTE courses;
  - evidence of reassignment of classes or to other service to accessible buildings;
  - evidence of modifications that would include redesign;
  - auxiliary aids and services being provided in CTE classes;
  - evidence of CTE teacher’s participation in ARD discussions; and,
  - evidence of discussion of CTE in the ARD deliberations or during transition meetings.

- Additionally, provide class schedules of all students that use a wheelchair and of all students with a visual impairment or with an auditory impairment.

The appropriate personnel should be prepared to discuss and have copies of the following documentation of five CTE students.

- evidence Four Year Plans that demonstrate a CTE coherent sequence;
- evidence of career inventory or interest inventory being completed; and,
- evidence of counseling in reference to CTE.

The appropriate personnel should be prepared to discuss and have copies of the following documentation of five students not in CTE.

- evidence Four Year Plans that demonstrate a CTE coherent sequence;
- evidence of career inventory or interest inventory being completed; and,
- evidence of counseling in reference to CTE.
Timeline and Process

On site
- Entry conference
- Folder review
- Interviews
- Facility review
- Exit conference
Texas Education Agency
Methods of Administration (MOA)
XXXXX Independent School District
XXXXX Valley High School
October 15-16, 2015

TEA Team: Gordon Franzan
Phone: (512) 463-9210
Fax: (512) 463-3136
Email: Gordon.Franzan@tea.texas.gov
Texas Education Agency
Division of Program Monitoring and Interventions
1701 North Congress Avenue

Superintendent: XXXXXXXX
Email: XXXXXX
Phone: XXXXXX
District: XXXXXX
Address: XXXXXX
XXXXX
High School: XXXXXX
Contact: XXXXXX
Email: XXXXXX
ESC: XXXX XXXXXX
Email: XXXXXX

<table>
<thead>
<tr>
<th>Thursday, October 15, 2015</th>
<th>Friday, October 16, 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Central Administration</strong></td>
<td><strong>High School</strong></td>
</tr>
<tr>
<td>8:30AM - Entry Meeting</td>
<td>8:00 - MOA Student Folder review</td>
</tr>
<tr>
<td>Introduce team members and provide an overview of site monitoring activities.</td>
<td></td>
</tr>
<tr>
<td>9:00 AM - Facility Access Overview</td>
<td>9:30 AM - Visit High School campus (Interview Principal, visit classrooms, interview teachers).</td>
</tr>
<tr>
<td>Facility Review – Central office</td>
<td></td>
</tr>
<tr>
<td>11:00 AM - Central Office Interviews</td>
<td>11:00 AM – Facility Review</td>
</tr>
<tr>
<td>REDUCE THIS SECTION</td>
<td>3:00 PM – Alternative Campus - ???? Facility Review (Interview Principal, visit classrooms, interview teachers).</td>
</tr>
<tr>
<td>1:00 PM – Off-campus CTE facilities</td>
<td>5:00 PM – Exit Superintendant</td>
</tr>
<tr>
<td>2:00 PM – MOA Folder Review – High School</td>
<td></td>
</tr>
</tbody>
</table>

*Draft Draft Draft Draft*
Methods of Administration (MOA)

Access to Career and Technical Education Programs

Indicator Reference Guide
2016-2017

Texas Education Agency
Division of Program Monitoring and Interventions
1701 North Congress Avenue
Austin, Texas 78701-1494
(512) 463-5226
# Executive Summary

At the time of the on-site review, TEA found the following:

- **Compliance**: 8
- **Noncompliance**: 7
- **Not Applicable**: 0
- **Total Number of Indicators**: 15

## 1. Administrative

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Public Notification</td>
<td>Compliance</td>
</tr>
<tr>
<td>Continuous Nondiscrimination Statement</td>
<td>Noncompliance</td>
</tr>
<tr>
<td>Designation of Coordinators</td>
<td>Compliance</td>
</tr>
<tr>
<td>Grievance/Complaint Procedures</td>
<td>Compliance</td>
</tr>
</tbody>
</table>

## 2. Recruitment, Admissions, and Counseling

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recruitment and Counseling of Students</td>
<td>Compliance</td>
</tr>
<tr>
<td>Admission Practices</td>
<td>Compliance</td>
</tr>
<tr>
<td>Counseling of Students</td>
<td>Noncompliance</td>
</tr>
</tbody>
</table>

## 3. Accessibility

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architectural Barriers</td>
<td>#REF!</td>
</tr>
<tr>
<td>Equal Accessibility for Minority and Nonminority Communities</td>
<td>#REF!</td>
</tr>
</tbody>
</table>

## 4. Comparable Facilities

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comparable Facilities</td>
<td>Noncompliance</td>
</tr>
</tbody>
</table>
### Methods of Administration (MOA)

#### 6. Financial Assistance

**Equity Requirement/Legal Cites**

**Indicators of Compliance**

**Possible Documentation**

---

**A. Financial Assistance**

**Compliance**

- **Subrecipient (district) may not award financial assistance in the form of loans, grants, scholarships, special funds, subsidies, compensation for work, or prizes to vocational education students on the basis of race, color, national origin, sex, or handicap, except to overcome the effects of past discrimination. Legal Authority: Guidelines VI - B**

<table>
<thead>
<tr>
<th>Evidence that materials and information used to notify students of opportunities for financial assistance do not contain language or examples that would lead applicants to believe the assistance is provided on a discriminatory basis.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence that if a subrecipient's service area contains a community of national origin minority persons with limited English language skills, such information is disseminated to</td>
</tr>
</tbody>
</table>

- **Scholarship offerings - CTE**
- **Financial assistance catalogues**
- **CTE related prizes**
- **Compensation schedule for work/study program**
- **CTE program subsidies**
### Methods of Administration (MOA)

<table>
<thead>
<tr>
<th>Administrative Requirement/ Indicators of Evidence</th>
<th>Possible Dissemination</th>
<th>District Use</th>
<th>State Use Only (Comments/Actions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Annual Public Notice</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prior to the beginning of each school year, ...</td>
<td>Local Newspaper</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Subrecipient (district) must advise students, ...</td>
<td>Campus/District Newspapers</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Parents, employees and general public that all ...</td>
<td>Other publications</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vocational (Career and Technical Education) opp ...</td>
<td>Does notice have brief description of program offerings and admission criteria?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Opportunities will be offered regardless of race, color, national origin, sex or disability, Office for Civil Rights (OCR) Guidelines IV.0 20 Code of Federal Regulations (CFR) §35.106 34 CFR §100.6(d) 34 CFR §104.8 34 CFR §108.9</td>
<td>Do publications with notice reach students, parents, employees and applicants?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The notice is also disseminated in any language other than English as needed</td>
<td>Web site</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sample:**

Each year, the xxx District/charter offers career and technical education programs at xxx High School. These programs are designed to develop more fully the academic and technical skills of secondary students who enroll in career and technical education (CTE) programs under the guidance of CTE teachers, faculty, administrators and counselors. The following is a list of programs offered:

- Education & Training
- Manufacturing
- Government & Public Administration
- Marketing

All career and technical education programs follow the district’s policies of nondiscrimination on the basis of race, color, religion, national origin, sex, age, disability or socioeconomic status in all programs, services, activities, and employment. In addition, arrangements can be made to ensure that the lack of English language proficiency is not a barrier to admission or participation.

For general information about these programs, contact:

xxx, Career and Technical Education Director
address/phone number
Methods of Administration (MOA)

**Administration Building**

**Front Entrance:**
Needs handicapped sign that says "Main Office".

**Description of Non-Compliance**

**Date Corrected:** 5/9/11

**Cafetorium:**
Needs sign "Office" pointing to main office that is 60 inches from the bottom of the sign to the floor.

**Description of Non-Compliance**

**Date Corrected:** 4/12/11
Next steps?
Timelines

- Receipt of report – 10 days
- Voluntary Compliance Plan (VCP) – 45 days
- Documentation of Corrective Activities – 90 days
Methods of Administration (MOA)

Voluntary Compliance Plan
Access to Career and Technical Education Programs

| District Name: | County-District #: |

Statement of Assurance

The LEA assure that it will implement and complete or has implemented and completed the activities described in this document to correct identified noncompliance.

Name and title of person with Authority to Commit the LEA:

__________________________________________________________

Signature of Authorized Party

__________________________________________________________ Date

Instructions

The LEA must develop a Voluntary Compliance Plan (VCP) for program access to address each program access indicator identified as being in noncompliance during the Methods of Administration (MDA) on-site review conducted during the school year. Enter one noncompliance issue per row. Enter the area of noncompliance, evidence of compliance, document the corrective actions to address the noncompliance, identify resources needed to implement each activity, and enter timelines for implementation of corrective actions. The LEA must self-monitor to determine the progress of implementation of the VCP. The LEA must provide the TEA with updates regarding implementation of the plan and submit documents verifying implementation of corrective actions upon request. Corrective actions should be district-specific, campus-specific or facility-specific.

The LEA must implement actions to correct the noncompliance in a timely fashion. It is expected that all corrective activities will be completed within 180 days of submission of the VCP. If a period of time greater than one year is required to bring an indicator or indicators into compliance, the LEA must clearly denote that fact in the Timelines column of the action plan template and include a justification along with an anticipated completion date for the required activity. Any required justification should be entered in the Justification for Timeline Extension in column F.

Systemic Compliance Activities

In the space below, describe the manner in which the district will ensure continuing compliance with program access requirements after corrective activities are completed.

<Insert text>

<table>
<thead>
<tr>
<th>Area of Noncompliance</th>
<th>Evidence of Compliance</th>
<th>Corrective Actions</th>
<th>Resources</th>
<th>Timeline for Implementation</th>
<th>Justification for Timeline Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify area of noncompliance by citing the specific indicator by number and title.</td>
<td>State the methods and means the district used to provide evidence of compliance.</td>
<td>Intend to achieve compliance. Each activity must be campus-specific or facility-specific.</td>
<td>Materials, supplies, fiscal, and personal needed to implement activities.</td>
<td>Anticipated or actual date of initiation of each corrective activity, and anticipated or actual date of completion of each corrective activity.</td>
<td>Complete only if timelines for implementing a corrective action extend beyond one year.</td>
</tr>
</tbody>
</table>