



ARKANSAS'
METHODS
OF
ADMINISTRATION
PLAN



STATE OF ARKANSAS' METHODS OF ADMINISTRATION PLAN

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**PREPARED UNDER THE DIRECTION OF:
ARKANSAS DEPARTMENT OF EDUCATION
Division of Career and Technical Education**



**Arkansas Department of Education
Division of Career and Technical Education**

Civil Rights Compliance

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SECTION I – INTRODUCTION

The Division of Career and Technical Education (DCTE) has the responsibility of offering a balanced program that provides fair and equitable access to admission and success for all students. Included in this responsibility, DCTE supports and fosters the motivation of students to learn about and pursue occupations whether traditional or non-traditional. Career Technical Education has the responsibility of preparing students for multiple career options. These options must be presented in a manner that does not discriminate on the basis of race, color, national origin, gender, or disability.

Arkansas also provides focused support for students from special populations to ensure they have access to the information they need to make informed choices about their college and career pathways.

DCTE, through the federal Office of Civil Rights, delegates to the states the authority to conduct broad civil rights compliance reviews of CTE Sub-recipients.

- Provide materials, resources and support to eligible recipients so they can recruit and market programs that are inclusive of students, including members of diverse races, genders, and special populations.
- Provide career pathways, Programs of Study, and Work-Based Learning opportunities for students, including those from special populations.
- Provide career-related information and materials to special populations students related to post-secondary opportunities with an emphasis on non-traditional careers.

The primary purpose of Methods of Administration (MOA) to ensure students enjoy equal access to Career and Technical Education (CTE) programs and activities regardless of race, color, national origin, sex, or disability.

The Guidelines explain the civil rights responsibilities of recipients receiving Federal Funds and offering or administering career and technical education programs. They derive from and provide guidance for the application of the following civil rights statues of Career and Technical Education.

1. Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin in any programs receiving federal financial assistance.
2. Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in all educational programs receiving financial assistance.
3. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap in any program or activity receiving federal assistance.

4. Title II of the Americans with Disabilities Act of 1990 and its implementing regulations (28 C.F.R. Part 35) – Prohibits discrimination on the basis of disability.

The guidelines specify two major areas or primary categories of responsibility:

1. Those, which apply only to state agencies administering CTE Programs.
2. Those, which apply to any agency, state or local agency, which receives federal education funds.

The success of the MOA Program will require a cooperative effort between personnel at the schools working together, to prevent discrimination and promote equity of each educational process.

The MOA Plan applies to subrecipients that receive Federal assistance and offer or administer CTE programs. The following subrecipients will be as follows:

1. S e c o n d a r y School Districts and Charter Schools
2. Postsecondary Institutions (2-Year Colleges) and Postsecondary Technical Institutes
3. Secondary Technical Centers
4. Correctional Facilities

Development of MOA Plan

The Arkansas Department of Education, Division of Career and Technical Education is responsible for developing the MOA Plan. Those participating in the development as a stakeholder committee were:

- CTE Coordinator, Arch Ford Education Service Cooperative
- Perkins Manager, Arkansas Department of Education, Division of Higher Education
- Chief Operating Officer, Arkansas Community Colleges
- Associate Director for Data and Accountability, Arkansas Department of Higher Education, Division of Career and Technical Education
- Director of Program Evaluation, ADE, Division of Elementary and Secondary Education, DESE
- Deputy General Counsel, ADE, DESE
- Associate Director for Special Education, ADE, DESE
- Coordinator of Arkansas Transition Services, ADE, DESE
- CTE Teacher/JAG Specialist, Little Rock School District, JA Fair High School
- Superintendent, Lavaca School District
- Assistant Executive Director, Arkansas Association of Education Administrators
- CTE Coordinator, Northeast Arkansas Education Service Cooperative
- CTE Coordinator, South Central Arkansas Education Service Cooperative
- Assistant Superintendent, Fort Smith School District
- CTE Coordinator, Pulaski County Special School District

- Director, Martin Luther King, Jr. Commission
- Program Coordinator, Agricultural Education, ADE, DCTE
- Program Supervisor, Career Coach Program – English Language (EL), ADE, DCTE
- Program Coordinator, Career Readiness and Work-Based Learning
- Program Coordinator, Business and Marketing, ADE, DCTE
- Program Coordinator, Trade and Industry, ADE, DCTE
- Program Coordinator, STEM, ADE, DCTE
- Program Coordinator, Student Leadership Center
- Program Coordinator, Accountability, ADE, DCTE
- Program Coordinator, Special Populations, ADE, DCTE
- Director, ADE, DCTE
- Associate Director, ADE, DCTE
- Administrative Analyst, ADE, DCTE
- Chancellor, University of Arkansas Community College at Batesville
- ACE Center Director and CTE Advising Specialist, Arkansas Northeastern College
- Campus Operations Manager, Arkansas State University – Heber Springs
- Associate Vice Chancellor for Marketing & Community Relations, Arkansas State University – Mountain Home
- Grant Coordinator, Arkansas State University – Newport
- Dean of Students, Black River Technical College
- Associate Vice Chancellor for Enrollment Management, Arkansas State University – Mid-South
- Director, Enrollment Management, Arkansas State University – Three Rivers
- Director, High School Relations, Cossatot Community College of the University of Arkansas
- Dean of Vocational, Occupational, & Technical Education, East Arkansas Community College
- Director of Public School Relations and PCC Development Officer, Phillips Community College at the University of Arkansas
- Director of Enrollment Services, Pulaski Technical College
- College and Career Advisor South Arkansas Community College
- Dean of Enrollment Services, Southern Arkansas University Technical
- Director of Off-Campus Programs Recruitment/Outreach, Southeast Arkansas College
- Chancellor, University of Arkansas Community College -Batesville
- Dean of Enrollment Management, University of Arkansas Community College – Hope
- Career Coach Supervisor and UAM Counselor, University of Arkansas at Monticello – College of Technology – Crossett

Approval of the MOA Plan:

The MOA Plan was reviewed and approved by the Director of ADE/DCTE.

If any changes to the MOA Plan are deemed necessary, a request will be forwarded to the Office of Civil Rights in regard to those desired changes.

Section II – Plan for Performing Oversight Responsibilities

The purpose of this section is to describe the procedures that will be followed to determine compliance by LEAs in the fulfillment of its obligation under Section II (B) of the Vocational Educational Guideline for Eliminating Discrimination and Denial of Services on the basis of race, color, national origin, sex and handicap.

Statement of Objectives

To prevent discrimination and promote equity at each stage of the educational process, the State of Arkansas will:

1. Provide tiered support to subrecipients to enable them to identify, remedy and prevent discrimination CTE Programs and activities.
2. Collect and analyze civil rights-related data and information that subrecipients compile for their own purposes or that is submitted to the state and federal officials under existing authorities to identify potential for and/or existing discriminatory practices.
3. Conduct periodic reviews of selected subrecipients as outline in Section II.
4. Assist subrecipients to take voluntary corrective action when discriminatory practices are identified.

Audit Procedures:

1. Number of reviews per year:
 - a. As part of our plan, ADE/DCTE will review 2.5% of our subrecipients universe.
2. Selection of subrecipients for review:
 - a. Based on school enrollment, subrecipients will be ranked from the largest to the smallest. A schedule will be developed for each equitable representation for each year established.
 - b. The mean equity indices will be obtained from the analysis of information of the 2.5% of all subrecipients for annual review. The mean equity indices will be ranked ordered to provide an indication of Subrecipient with the greatest potential for possible discrimination. The 2.5% of Subrecipient with the highest equity indices (worst) will be targeted for a review.
 - c. Subrecipients which have been reported for possible discrimination actions by school personnel, parents, students, and other interested parties will automatically be included in the reviews regardless of equity indices.
3. Subrecipients omitted for review:

- a. Subrecipients that are subject of pending litigation in Federal or State courts because of alleged discrimination on the basis of race, color, national origin, sex or handicap.
 - b. Subrecipients that are subject of pending or recent investigation or enforcement proceedings by OCR.
4. Conduction of Reviews:
- a. Sources of information to be examined:
 - 1. Enrollment and demographic data of subrecipients.
 - 2. Information derived from complaints or reports of parents, students, educators, or other interested parties.
 - 3. Information gathered through program monitoring efforts conducted by State Agency Programs staff.

5. Analysis of Information:

Specific to reliability and validity of data and data modeling, DCTE collaborated with the Arkansas Department of Education, Division of Elementary and Secondary Education (DESE) to engage an established Technical Advisory Committee (TAC) comprised of researchers from across the nation. The TAC has been working as a committee for the state’s development and implementation of its Every Student Succeeds Act (ESSA) plan and is now also collaborating with DCTE on key decision points related to the state’s program quality indicator, definition of proficient, and approach to setting baseline data. In addition, the DESE Public School Accountability team was instrumental in aligning data for Perkins with the State’s ESSA Plan. With the Accountability Team’s support, DCTE was able to leverage over 18 months of experience in data modeling, development of business rules, and development of a theory of action to inform this Perkins V Plan.

Demographic data obtained from Arkansas Department of Education will be analyzed and calculations will be made for each school:

- 1. Comparison of the percentage of sub-recipient total enrollment that is minority compared to the percentage of sub-recipient enrollment in CTE that is minority.

	Rating Points
0% - .99%	0
1% - 1.99%	2
2% - 2.99%	4

3% - 3.99%	6
4%+	8

2. Comparison of the percentage of sub-recipient total enrollment that is female compared to the percentage of sub-recipient enrollment in CTE that is female.

Difference in Enrollment Rate by Sex	Rating Points
0% - .99%	0
1% - 1.99%	1
2% - 2.99%	2
3% - 3.99%	3
4%+	4

3. Comparison of the percentage of sub-recipient total enrollment that reflects students with disabilities compared to the percentage of sub-recipient enrollment in CTE that reflects students with disabilities.

Difference in Enrollment Rate by Disability	Rating Points
0% - .99%	0
1% - 1.99%	3
2% - 2.99%	5
3% - 3.99%	7
4%+	9

The proportion of the protected class CTE teachers (discrimination or harassment based on the following protected classes: sex, race, age, disability, color, and national origin) will be compared to the proportion of protected class students.

Mean equity indices (weighted sums) of the equity indices for each program:

1. The mean indices are ranked ordered to provide an indication of the subrecipient with the greatest potential for possible discrimination. The 2.5% of Subrecipient with the highest indices (worst) will be targeted for reviews that can consist of total on-site. A virtual visit will also be considered as an on-site visit.
2. Notifications of Subrecipients the following written notifications will be sent to each subrecipient selected for a review.
3. At the commencement of the review, a letter of notification to the subrecipients selected for the review will be sent to the Chief Administrative Officer/Superintendent 30 days prior.

- a. Information regarding the purpose of the review.
 - b. Information on how the review will be conducted.
4. At the conclusion of the desk audit, subrecipients will receive one of the following types of written notifications:
- a. There will be no on-site review of the subrecipient that year, but the subrecipient has the obligation to ensure that its programs are operated in compliance with civil rights requirements and may be reviewed at a later date.
 - b. Although the desk audit revealed no apparent problems, the subrecipients will nevertheless be the subject of an on-site review (a virtual review will be considered an onsite review).
 - c. The desk audit revealed some possibilities of non-compliance, and that these specific problem areas, as well as other areas, will be the subject of an on-site/virtual review.

Desk Audit

Questions or requests for information for the desk audit survey may change from year to year as the state determines its focus for review. For the purpose of illustration, the following are examples of the type of questions or document requests that may be tendered in a desk survey:

1. Subrecipients must comply with the requirement to provide both annual and continuous notice. Please send a copy of both your annual and continuous notices, including photo evidence of the location where they are posted.
2. Section 504 and Title IX coordinator(s) must receive adequate initial and ongoing training in the completion of their duties. Please send purchase orders, meeting agendas or other evidence of all completed training for the last three years for your Title IX and 504 coordinator(s).
3. Please send copies of the district's sexual harassment and discrimination policies, along with evidence of where they are posted or available for students and the public to view them. Include a copy of the board minutes showing when the policies were board approved.
4. Provide a breakdown of staff demographics, including all staff, the position each person holds, race, gender and disability.
5. Please provide a copy of your admissions process, along with a brief description of where it

may be found by prospective students and the public. Include a description of all criteria for program selection and a description of the process used when programs are oversubscribed. Please include information on whether the district uses, either officially or unofficially, any selection criteria such as prerequisites, essays, interviews, grades, attendance or other criteria for admission into career-technical education programs.

6. Provide a sample copy of the following documents:

- Marketing materials
- Work agreement for placement
- Program application

7. Briefly describe any special services or accommodations provided in the past or available for the following:

- English language learners
- Students who have disabilities (for example, deaf, blind, mobility)
- Students who are homeless
- Students who are members of a significant subgroup population in your service area (for example, Hispanic, Somalian, and Korean)
- Students who are part of military families
- Students who are in foster care

Timetable for Agency Level Review Process

Beginning with the fiscal year 2021 the following time frame will be utilized for implementing the agency review process:

July through September – In-service workshops for subrecipient personnel.

October – Analysis of information and data on each LEA to be reviewed.

November – 1. Notification in writing of desk audit results.
2. Notification of subrecipients selected for on-site review.

November-May – 1. Notification in writing of on-site reviews.
2. Letter of Finding and follow-up action.

July (Odd Calendar Years) Submission of Bi-Annual Report

7. The on-site review:

1. Number of on-site reviews.
 - a. As part of our plan, ADE/DCTE will review 2.5% of our subrecipient universe.

Selection of subrecipients for review.

- a. Subrecipients selected for the on-site reviews will be based on the results of the desk audit reviews. The 2.5% of the receiving the highest equity index score on the desk audit reviews will be targeted for an on-site review.

Conducting the reviews.

DCTE will support monitoring of equitable access to CTE programs for all students via desk and on-site reviews.

- a. Additional information items and data sources which may be examined during the on-site and or virtual review will include:
 1. Segregation or separate treatment within CTE programs.
 2. Criteria for admission to CTE Programs.
 3. Numerical limitation for admission of students to CTE Programs.
 4. Presence of grievance procedures for students and staff.
 5. Procedures used for notifying the public of the subrecipients' non-discriminatory policies and procedures.
 6. Student/faculty employment policies and procedures.
 7. Counseling and guidance practices to ensure fair and equitable treatment of students.
 8. Procedures of recruitment and financial assistance.
 9. Special provisions or programs for disabled students.
 10. Provisions for housing at residential vocational centers, schools, or institutions.
- b. Procedures for conducting review.
- c. Any subrecipient selected for on-site review will be notified at least 30 days prior to the review.
- d. The MOA Coordinator will conduct an orientation of the review team members prior to the beginning of the evaluation.
- e. An exit interview and review of findings will be held between the MOA Coordinator and the subrecipient.
- f. Notifications of Subrecipients; Within 30 days of the on-site review, a Letter of Finding (LOF) will be sent to the Chief Administrator Officer/Superintendent.
- g. If no violation is found, the subrecipient will be reminded (in writing) of its continuing obligation to ensure that the subrecipient career and

technical education programs are operated in compliance with codes of federal regulations.

- h. When violations are identified, the MOA Coordinator, which describes the specific violation, will prepare a written report. The Letter of Findings (LOF) will encourage the subrecipient to contact the MOA Coordinator to discuss the findings and submit a Voluntary Compliance Plan to remedy the violations.
- i. Obtaining Voluntary Compliance. A meeting may be arranged if necessary, between the MOA Coordinator and CTE personnel and other appropriate personnel. A Voluntary Compliance Plan will be developed 90 days after the receipt of the review report.
- j. A clear delineation of the issues identified as alleged violations.
- k. Specific activities to be carried out to remedy the identified alleged violation.
- l. Personnel identified as responsible for each activity.
- m. Projected timelines for completion of activities.
- n. Arkansas will monitor VCPs until its completion.

Once the Voluntary Compliance Plan has been developed and agreed upon, pictures that indicated the correction will be sent to the State Agency. If necessary, a follow-up visit may be required until the plan is fully implemented.

Section III – Tiered Support for Subrecipients

The role of the state agency will be to work with subrecipients to prevent, identify, and remedy discrimination on the basis of race, color, national origin, sex or handicap. The state will define the tiered support system, so that it can offer information and assistance to subrecipients that want to examine their current programs for possible civil rights violations or to plan future programs that are free of discrimination.

1. Types of Tiered Support:

The state will provide the following types of technical assistance for subrecipients:

- a. In-service Training.
- b. Conferences.

- c. Issuance of written copies of applicable laws, regulations, or related materials.
- d. Tiered support upon request from subrecipients.

2. Notifications of Tiered Support:

Notifications of the kinds of tiered support available and the intent of the Division of Career and Technical Education to conduct reviews for the federal Office of Civil Rights is sent to all local superintendents and college presidents. The MOA Coordinator will be the primary contact in arranging in-service or additional information relative to the Office of Civil Rights compliance. In addition, the notifications are to assure the subrecipients are aware of the availability of tiered support from the state agency.

- a. Information in the Arkansas State Methods of Procedure for the CTE Program.
- b. Assign the appropriate staff within the Agency and others within the state office of Education the responsibility to inform subrecipients of the availability of such tiered support.
- c. Assure that such information is part of in-service training to subrecipients.
- d. Ascertain that all applications, contracts, and or grants with subrecipients contain a notification of availability of such tiered support service.

3. Tiered Support Personnel:

The primary responsibility for tiered support belongs to the MOA Coordinator. However, the MOA Coordinator may contact OCR about MOA issues.

Section IV – Biennial Report to OCR

Biennial Report to the Office of Civil Rights

The Arkansas Department of Education, Division of Career and Technical Education will submit the Office of Civil Rights a biennial civil rights compliance report by December 31 of every odd calendar year. The main content areas that will be included in the report are:

- 1. The staff resources allocated by the Arkansas Department of Education, Division of Career and Technical Education to the MOA Compliance program during each year of the reporting period.

2. A description of the agency's compliance with Section II (A) of the Guidelines (relating to distribution of funds, admission and administration, approval of local entity action and conducting state run programs).
3. A list of the subrecipients for which the State conducted compliance reviews.
4. Copies of any written findings or compliance plans issued to any subrecipient.
5. A description of the technical assistance services that were offered to subrecipients to address gaps in access and success for CTE students in the CTE programs.

Dr. Angela Kremers, Director, ADE, DCTE

J. Michael Bell, MOA Coordinator