



Introduction

Each community college is required to publish notices of nondiscrimination for career and technical education (CTE) programs and employment in both annual and continuous formats. Notifications must include a statement of nondiscrimination pertaining to protected classes established under federal and state civil rights statutes (see Tables 1 and 2). Though separate requirements, the community college may choose to issue a combined notice of nondiscrimination covering both programs and employment. This guidance will detail the components and procedures necessary for a compliant combined notice of nondiscrimination.

Overview

As a recipient of federal funds and an entity created by Iowa statute, each community college is subject to federal and state civil rights statutes (see Tables 1 and 2). Federal statute requires each community college to issue a notice of nondiscrimination in two formats, continuous and annual, which the state accrediting agency for community colleges (Iowa Department of Education, Division of Community Colleges and Workforce Preparation) leverages to ensure compliance with state civil rights statutes. Compliance will be reviewed as part of (1) the equity review process required by the U.S. Department of Education’s Office for Civil Rights (OCR), and (2) the state community college accreditation review process. Any instances of noncompliance with federal requirements will be noted in the final equity report completed by the Division’s review team for submission to the OCR. Any instances of noncompliance with state requirements will be noted in the final accreditation review report completed by the Division’s review team for submission to the Iowa State Board of Education.

Table 1. Federal Protected Classes

Authority	Protected Class
<i>Continuous Notice</i>	
Title VI of the Civil Rights Act of 1964 – 34 CFR Part 100	Race Color National origin
Title IX of the Education Amendments of 1972 – 34 CFR Part 106	Sex
Section 504 of the Rehabilitation Act of 1973 – 34 CFR Part 104	Disability
Title II of the Americans with Disabilities Act (ADA) – 28 CFR Part 35	Disability
Age Discrimination Act of 1975 – 34 CFR Part 110	Age
<i>Annual Notice</i>	
OCR Guidelines for Eliminating Discrimination in Vocational Education Programs, 1979	Race Color National origin Sex Disability

Table 2. State Protected Classes

Authority	Protected Class
Iowa Code section 216.9 (Programs and Employment)	Race
	Color
	National origin
	Sex
	Disability
	Sexual orientation
	Gender identity
Iowa Code section 216.9(d) (Programs)	Creed
	Religion
Iowa Code section 216.6 (Employment)	Marital status
Iowa Code section 216.6 (Employment)	Age

Common Requirements of Continuous and Annual Notices of Nondiscrimination

The continuous and annual notices of nondiscrimination must include: (1) a statement of nondiscrimination; (2) a listing of federal and state protected classes; and (3) identification by name or title, address, telephone number, and email address of person(s) designated by the college to coordinate compliance efforts (i.e., equity coordinator(s)). If the college's service area contains a community of national origin minority persons with limited English language skills, the notices of nondiscrimination must be disseminated or made available to that community in the appropriate language.

Below is a sample notice of nondiscrimination which meets the content requirement for the continuous notice of nondiscrimination in its entirety and the annual notice of nondiscrimination in part.

Example 1. Sample of Common Requirements of Continuous and Annual Notices of Nondiscrimination

[1] It is the policy of the [Name of College] not to discriminate in its programs, activities, or employment on the basis of [2] race, color, national origin, sex, disability, age, sexual orientation, gender identity, creed, religion, and actual or potential family, parental, or marital status.

[3] If you have questions or complaints related to compliance with this policy, please contact [Name and/or Title], [contact address], [contact telephone number], [contact email address], [4] or the Director of the Office for Civil Rights U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661-7204, Telephone: (312) 730-1560 Facsimile: (312) 730-1576, Email: OCR.Chicago@ed.gov.

Best practice to consider

Rather than identifying the designated coordinator by name, the college could use a position title and generic contact information. This may be particularly useful if the duty is an established, consistent responsibility of a specific position, as the statement would not become outdated with staff turnover in that position.

E.g., If you have questions or complaints related to compliance with this policy, please contact the Vice President of Student Services, 123 College Drive, 123-456-7890, equity@college.edu.

1. Statement of nondiscrimination.
2. Listing of protected classes.
3. Identification of designated coordinator.
4. OPTIONAL, but recommended: U.S. Department of Education, Office for Civil Rights contact information.

Specific Requirements of the Continuous Notice of Nondiscrimination

The continuous notice of nondiscrimination is to be included in all major publications, particularly those related to academic courses and programs, student services, and student or staff recruitment. These public documents would include, but are not limited to, course syllabi, faculty and student and other handbooks, applications, academic catalogs, and academic and student program brochures. The college is required to include a continuous notice of nondiscrimination in materials designed for recruitment that are made available to the public, students, applicants, or employees. The continuous notice should be prominently displayed in these publications.

The language in Example 1 satisfies the content requirements of the continuous notice of nondiscrimination.

Specific Requirements of the Annual Notice of Nondiscrimination

The annual notice of nondiscrimination is published prior to the beginning of each school year and must reach students, parents/legal guardians, employees, and the general public. The key difference between the annual and continuous notices of nondiscrimination is that the annual notice must include a list of the college's CTE program offerings and admissions criteria, when different from the general college admissions criteria (see sample annual notice of nondiscrimination statement below).

For CTE programs with entrance requirements that are different from the general college admissions criteria, the college must detail these program entrance requirements as listed in its approved program of study (AS-28). This includes, but is not limited to, prerequisite coursework, assessments, or specific experiences required to get into the program. For such programs, a recommended best practice is to provide a link from the program's name to an information page detailing the requirements for entry to that program.

Notification of this policy of nondiscrimination must be published in forums that will allow the entire public to view it. A recommended best practice is to include the annual notice of nondiscrimination statement in several publications widely distributed to the general public, including:

- college website and other media that reach the general public, including program beneficiaries, national origin persons with limited English language skills, and persons with disabilities;
- major college publications (e.g., continuing education catalog); and
- local newspapers.

However, it is generally acceptable to publish the annual notice only on the college's website.

Example 2. Sample Annual Notice of Nondiscrimination

[1] It is the policy of the *[Name of College]* not to discriminate in its programs, activities, or employment on the basis of race, color, national origin, sex, disability, age, sexual orientation, gender identity, creed, religion, and actual or potential family, parental, or marital status.

If you have questions or complaints related to compliance with this policy, please contact *[Name and/or Title]*, *[contact address]*, *[contact telephone number]*, *[contact email address]*, **[2]** or the Director of the Office for Civil Rights U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661-7204, Telephone: (312) 730-1560 Facsimile: (312) 730-1576, Email: OCR.Chicago@ed.gov.

[3] *[Name of college]* offers programs in the following career and technical education subject areas:

Architecture and Construction
Business
Nursing* **[4]**

1. Combined nondiscrimination statement

2. OPTIONAL, but recommended: U.S. Department of Education, Office for Civil Rights contact information.

3. List of CTE programs.

4. Indicate programs with entrance requirements which are different than the standard college entrance requirements. Provide method to access information, such as by providing a link.

Contact Information

Questions or comments regarding this guidance may be sent to:

Barbara Burrows, Ph.D.
Chief, Bureau of Community Colleges
Division of Community Colleges and Workforce Preparation
Iowa Department of Education
barbara.burrows@iowa.gov
515-281-0319

Chris Russell, Ph.D.
Education Program Consultant, Bureau of Community Colleges
Division of Community Colleges and Workforce Preparation
Iowa Department of Education
chris.russell@iowa.gov
515-725.2247

Office for Civil Rights
United States Department of Education
Citigroup Center - 500 W. Madison Street, Suite 1475
Chicago, IL 60661-7204
Telephone: (312) 730-1560
Facsimile: (312) 730-1576
Email: OCR.Chicago@ed.gov

It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sexual orientation, gender identity, national origin, sex, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by federal and state civil rights regulations. If you have questions or complaints related to compliance with this policy, please contact the legal counsel for the Iowa Department of Education, Grimes State Office Building, 400 E. 14th Street, Des Moines, IA 50319-0146, telephone number: 515-281-5295, or the Director of the Office for Civil Rights, U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661-4544, telephone number: 312-730-1560, FAX number: 312-730-1576, TDD number: 877-521-2172, email: OCR.Chicago@ed.gov.