



# TITLE IV TRAINING

- TITLE IV OF THE HIGHER EDUCATION ACT (HEA)
- TITLE VI CIVIL RIGHTS ACT OF 1964/AGE DISCRIMINATION ACT OF 1975
- The Americans with Disabilities Act (ADA)
- Section 504 of the Rehabilitation Act of 1973
- The Individuals with Disabilities in Education Act (IDEA)



# Overview

- **Title IV of the Higher Education Act (HEA) authorizes programs that provide financial assistance to students to assist them in obtaining a post-secondary education at certain institutions of higher education.**
- **The regulations pertaining to Title IV funding are designed to ensure that a school provides quality instruction and can help students secure a good job after graduation.**



# Why The Discussion?

- **The Higher Education Act of 1965 authorizes a broad array of federal student aid programs that assist students and their families with financing the cost of a postsecondary education, as well as programs that provide federal support to postsecondary institutions of higher education (IHEs).**
- **Programs authorized by the HEA provide support for higher education in several ways, including providing support to students in financing a postsecondary education, with additional support and services given to less-advantaged students; providing support to students pursuing international education and certain graduate and professional degrees; and providing support to IHEs in improving their capacity and ability to offer postsecondary education programs.**



# Why The Discussion?

- **The Department of Education (ED) administers the programs authorized by the HEA. Compliance with the regulations is vital because audit findings and other examples of non-compliance could mean that the ability to offer federal financial aid can be stripped from a school.**
- **The Civil Rights Division, Educational Opportunities Section enforces several federal civil rights laws which prohibit discrimination on the basis of race, color, national origin, language, sex, religion, and disability in schools and institutions of higher education.**



# Related Federal Laws

- **Various federal laws interplay with Title IV. Some laws are specific to higher education and some simply include higher education among broader application laws. One key concept of discrimination laws is that the protections are environment-centered, therefore discrimination can exist and may not be unlawful-discrimination is considered unlawful when it effectively denies an individual access to an environment that they would otherwise be able to access but for the discriminatory conduct.**



# Types of Discrimination

- **Title VI prohibits discrimination based on race, color, or national origin in the programs or activities of all recipients of Federal financial assistance. Office for Civil Rights (OCR) enforces Title VI with respect to recipients of Federal financial assistance from the Department, including States, school districts, public schools, and public and private colleges.**



# Race and/or National Origin Discrimination

- The **Civil Rights Act of 1964** is the landmark legislation prohibiting discrimination in several areas including housing, employment, and education. The sections of the Act relating to education are Title IV, which authorizes the Attorney General to address certain equal protection violations based on race, color, national origin, sex, and religion in public schools and institutions of higher education; Title VI, prohibiting discrimination by recipients of federal funds on the basis of race, color, and national origin; and Title IX, permitting the United States to intervene in pending suits alleging discrimination.
- Additionally, the **Equal Educational Opportunities Act of 1974** prohibits, among other conduct, deliberate segregation on the basis of race, color, and national origin.



# Sex-Based Discrimination

- Title IV of the **Civil Rights Act of 1964** authorizes the Attorney General to address certain equal protection violations based on sex, among other bases, in public schools and institutions of higher education. Additionally, Title IX of the **Education Amendments of 1972** prohibits discrimination on the basis of sex in education programs and activities operated by recipients of federal financial assistance.
- Pursuant to these statutes the Educational Opportunities Section works to ensure that all persons regardless of their sex are provided equal educational opportunities. The Section's work includes addressing sex-based discrimination, including sexual harassment, harassment based on not conforming with gender stereotypes, and unequal athletic participation opportunities for students.



# Religious Discrimination

- Title IV of the **Civil Rights Act of 1964** authorizes the Attorney General to address certain equal protection violations based on religion, among other bases, in public schools and institutions of higher education.
- The Educational Opportunities Section works to ensure that all persons regardless of their religion are provided equal educational opportunities. The Section's work includes addressing discrimination and harassment on the basis of religion, and spans all religious affiliations.



# English Language Learner Students

- The Section is charged with enforcing the **Equal Educational Opportunities Act of 1974** (EEOA). Section 1703(f) of the EEOA requires state educational agencies (SEAs) and school districts to take action to overcome language barriers that impede English Language Learner (ELL) students from participating equally in state and district educational programs.
- As part of its efforts to enforce the EEOA, the Section investigates complaints that SEAs or school districts are not providing adequate services to ELL students or are failing to take appropriate action in other ways.



# English Language Learner Students

Although section 1703(f) of the EEOA does not require schools to adopt a particular type of language acquisition program, courts generally consider three factors to assess the adequacy of such a program:

1. whether the school's program is based upon sound educational theory or principles;
2. whether the school's program is reasonably calculated to implement the educational theory effectively; and
3. whether, after a period of time sufficient to give the program a legitimate trial, the results of the program show that language barriers are actually being overcome.



# Disability Discrimination

- The **Americans with Disabilities Act (ADA)** was enacted in 1990 to address discrimination against persons with disabilities. Title II of the ADA provides that no individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, program, or activities of a public entity, or be subjected to discrimination by any such entity.
- Title III of the ADA prohibits discrimination on the basis of disability in public accommodations, such as schools, operated by private entities. The Civil Rights Division has primary responsibility for enforcing Title III as it relates to education and shares responsibility for investigating Title II complaints with the Department of Education.



# Disability Discrimination

- **Section 504 of the Rehabilitation Act of 1973** prohibits the exclusion, the denial of benefits, and discrimination by reason of disability in programs or activities receiving federal funds. OCR has primary responsibility for enforcing Section 504's provisions with respect to its recipients of federal funds.
- The Individuals with Disabilities in Education Act (IDEA) requires States and local education agencies to provide a free and appropriate public education to children with disabilities. The Department of Education has primary responsibility for enforcing IDEA. The Civil Rights Division gets involved in 504 cases through referrals from the other federal agencies, complaint investigations or compliance reviews of recipients of DOJ funding, and in 504 and IDEA cases through participation in pending lawsuits.



# **CIL Statement of Policy**

**The Culinary Institute Lenotre is committed to maintaining a healthy and safe learning environment where no person shall be discriminated against or excluded from, participation in, or deprived of benefits in the Institution's education program or activity because of race, color, national origin, or age nor will CIL tolerate harassment on the basis of these protected categories.**



# CIL Statement of Policy

- If a student, employee, or other third party believes his/her rights have been violated the student may submit a complaint to the Title VI/Age Discrimination Coordinator.
- The student may also submit a complaint to the Campus Director and the Campus Director will forward it to the Title VI/Age Discrimination Coordinator. A complainant is not required to file a complaint within any specified timeframe following the alleged incident.
- A complainant is not required to make an informal resolution attempt with the other party. Once a complaint has been received by the Title VI/Age Discrimination Coordinator, an investigation will be conducted thoroughly and promptly.



# **Title VI/Age Discrimination Coordinator**

**Marilyn Edwards**

**Human Resources Director**

**7070 Allensby St., Houston, TX 77022**

**713-358-5085**

**medwards@ciaml.com**



# Your Responsibilities



**“ If you see something, say something.” If you are a witness to or made aware of an incident involving a coworker or student, it is your responsibility to report it to your Title VI Coordinator.**



# Your Responsibilities



**You must complete mandatory compliance training every year to remain informed of any new or updated rules and regulations.**



# Completing This Training

**Congratulations! You have completed your training on Title VI.**

**Thank you for your participation in this course!**

