

The MOA Program At A Glance

Common Terms

CTE: Career and technical education.

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

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.

Biennial Report: Each state agency submits a “biennial report” to OCR that reflects its MOA activities for the previous two years. The 1998 Dear Colleague Letter explains the eight information items that must be included in each report. Items 1 through 6 provide basic information about the agency’s subrecipient universe and compliance activities. Items 7 and 8 are the most substantive portions of the report: the LOFs issued pursuant to the on-site reviews conducted during the reporting period, and the VCPs for these on-site reviews.

Subrecipient Universe: Subrecipients receive U.S. Department of Education funding through the state agency, the “recipient,” and operate CTE programs. The “subrecipient universe” is included in Item 3 of the Biennial Report.

Targeting Plan: A targeting plan is a set of ranking procedures designed to help a state agency select for review those subrecipients with the greatest potential for civil rights noncompliance. OCR reviews a state agency’s targeting plan biennially. OCR’s instructions to state agencies for preparing targeting plans are provided in the 2005 Dear Colleague letter.

Ranked List: A list of the subrecipient universe ranked after applying the criteria in the state agency’s targeting plan. The ranked list is included in Item 4 of the Biennial Report.

LOF: An MOA agency issues a “letter of findings” to a subrecipient following an on-site review of the subrecipient’s policies and practices in the following areas: administrative requirements; recruitment, admissions, and counseling; accessibility; comparable facilities; services for students with disabilities; financial assistance; work-study, cooperative programs, and job placement; and employment. The documentation requirements for on-site reviews in LOFs are explained in the 2012 Dear Colleague letter and examples are provided in OCR’s Sample LOFs. LOFs are included in Item 7 of the Biennial Report.

VCP: A state agency and a subrecipient negotiate a “voluntary compliance plan” 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. VCPs are included in Item 8 of the Biennial Report.

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Monitoring: The state agency’s activities to confirm implementation of corrective actions in VCPs. Monitoring is often confused with on-site reviews. A summary of the agency’s monitoring activities is included in Item 5 of the Biennial Report.

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)

Guidance: 1998 Dear Colleague letter: Item-by-item discussion of what is expected for each of the 8 report items.

2005 Dear Colleague letter: Elements of a targeting plan and definition of vocational education program.

2012 Dear Colleague letter: Documentation requirements for on-site reviews in letters of findings

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.

Title IX of the Education Amendments of 1972 and its implementing regulations (34 C.F.R. Part 106) – Prohibits discrimination on the basis of sex.

Section 504 of the Rehabilitation Act of 1973 and its implementing regulations (34 C.F.R. Part 104) – Prohibits discrimination on the basis of disability.

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.

OCR’s Sample MOA Documents

- Sample Secondary LOF and VCP
- Sample Postsecondary LOF and VCP
- Sample Monitoring Chart
- Sample Targeting Plan

Contact Information

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