

CIVIL RIGHTS CAREER AND TECHNICAL EDUCATION ON-SITE REVIEW

**REPORT OF FINDINGS FOR PROGRAMS AND ACTIVITIES**

**Community College:**      **Columbia Gorge Community College**

**Reviewers:**                      Karin Moscon, ODE, MOA Coordinator  
   Winston Cornwall, ODE, Civil Rights Specialist  
   Victor Cato, ODE, Education Specialist  
   Luis Juarez, CCWD, Education Specialist  
   Analicia Nichols, Perkins Regional Coordinator

**Dates of Review**                      April 14 – 16, 2015

**Letter of Findings**                      Issued: May 29, 2015

**College Personnel Interviewed:**

- Dr. Frank Toda, President, Columbia Gorge Community College
- Mike Taphouse, Director of Advising and Career Services
- Sarajane Viemeister, Interim Director of Financial Aid
- Shayna Dahl, 504 Coordinator, Disability Services
- Dawn Justesen, Registrar
- Mary Kramer, Director of CTE, STEM, High School Articulation Coordinator
- Lori Ufford, Chief Academic and Student Affairs Officer, Title IX Coordinator
- Cody Yeager, Director of Transfer and Pre-College Programs, Title II and Title IV Coordinator
- Jess Miller, Director of Facilities
- Robb Van Cleave, Chief Operations Officer, Director of College Relations/Marketing, HR Director
- Courtney Judah, HR Administrative Assistant
- Tiffany Prince, Administrative Assistant to the President

5 Students interviewed representing some of the following:

Section 504	Students with Disabilities
Title VI	Male student in traditionally female CTE program
Title IX	Female student in traditionally male CTE program
English Language Learners	Students in approved CTE Programs of Study
Students of color	

## ON-SITE REVIEW FINDINGS

### **Federal Compliance Requirements**

#### U.S. Department of Education regulations implementing:

- Title VI of the Civil Rights Act of 1964 (Title VI), 34 CFR Part 100
- Title IX of the Education Amendments of 1972 (Title IX), 34 CFR Part 106
- Section 504 of the Rehabilitation Act of 1973 (Section 504), 34 CFR Part 104
- Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, and National Origin, Sex and Handicap (Guidelines), 34 CFR Part 100 Appendix B

#### U.S. Department of Justice regulations implementing:

- Title II of the Americans with Disabilities Act of 1990 (Title II), 28 CFR Part 35

## **ADMINISTRATIVE**

### **1. Civil Rights Assurance**

The community college has a statement of assurance (signed by the college CEO and/or Board Chair) for Title VI, Title IX and Section 504.

Title VI of the Civil Rights Acts of 1964 [34 C.F.R., 100.4(a) thru (d)],  
Title IX of the Education Amendments of 1972 [34 C.F.R., 106.4] and  
Section 504 of the Rehabilitation Act of 1973 [34 C.F.R. 104.5]

**The investigation did not reveal any evidence of a violation.**

### **2. Annual Public Notification - Noncompliant**

Prior to the beginning of each school year, the college must advise students, parents, employees and general public that all career and technical education opportunities will be offered regardless of race, color, national origin, sex or disability. Oregon-marital status and sexual orientation

The notice must include a brief summary of program offerings and admission criteria and the name, office address, and phone number of persons designated to coordinate compliance under Title IX and Section 504.

If a recipient's service area contains a community of national origin minority persons with limited English language skills, public notification materials must be disseminated to that community in its language and must take steps to assure that the lack of English language skills will not be a barrier to admission and participation in Career and Technical Education (CTE) programs.

Guidelines IV-O

Background: Based on interviews and a review of documents on the website, and provided by the college, it has been determined the college does not currently publish an annual notice of nondiscrimination which includes a summary of programs and admission criteria, and the name, address, and phone number of persons designated to coordinate compliance under section 504 and Title IX.

#### **Corrective Action(s):**

Publish a notice to the community each fall before the beginning of the school year. Include the college comprehensive statement of nondiscrimination notice stating that all CTE programs are open to all students, and the contact information for persons designated as coordinators under Title IX and Section 504, published in both Spanish and English. This could be a notice in the local newspaper, or a publication that the college sends out to the community, or other means that informs the public, and is not limited to staff and students of the college. Send a copy of the published public notice to the Oregon Department of Education (ODE).

### **3. Continuous Nondiscrimination Notice – Noncompliant**

The college must take continuing steps to notify participants, beneficiaries, applicants, elementary and secondary school parents, employees (including those with impaired vision or hearing), and unions or professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of race, color, national origin, sex, or disability.

Title IX: 34 CFR 106.9

Section 504: 34 CFR 104.8

Background: The College uses a notice of nondiscrimination, but it is not consistently used, and does not contain contact information for Title IX, and Section 504 Coordinators.

#### **Corrective Action(s):**

1. Develop and adopt a comprehensive statement of nondiscrimination that includes all of the federal, state and any local protected classes. Include information on who to contact for Title IX, Title II, and Section 504.  
Send a copy of that designated comprehensive statement of nondiscrimination to the Oregon Department of Education.
2. Use the designated comprehensive statement of nondiscrimination consistently on documents and publications, including but not limited to: district and school websites, parent/student handbook, staff handbook, and school newspaper or brochures.
  - a. Add the statement of nondiscrimination to the following documents:
    - 2014-15 Columbia Gorge CC Catalog
    - 2014-15 Columbia Gorge CC Personnel HandbookSend a copy of those publications with this information labeled to the ODE.
  - b. Add the statement of nondiscrimination to the following websites:
    - CGCC WebsiteSend a print out of the comprehensive statement of nondiscrimination on the websites to the ODE.

### **4. Persons Responsible For Coordinating Title II, Title IX and Section 504 - Noncompliant**

Each college shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Section 504, Title II, and Title IX.

The recipient must notify students and employees of the name, office address, and phone number of the designated employee(s).

Title II: 28 CFR 35.107 (a)

Title IX: 34 CFR 106.8

Section 504: 34 CFR 104.7(a)

Background: Questions during interviews with staff and students demonstrated that the titles of Title II, Title IX, and Section 504 Coordinators have been assigned, but the roles and job descriptions are unclear. Interviews with staff and students also indicated that the college is not sufficiently notifying students and employees of contact information.

**Corrective Action(s):**

1. Determine who is responsible for the Title II, Title IX, and Section 504 Coordinator designations at Columbia Gorge Community College, and designate which duties each coordinator is responsible for. Send the names, list of duties for each of the coordinators, and training that is provided for the position to the ODE.
2. Add the name/title, office address and phone number of employees designated to coordinate Title II, Title IX and Section 504 in the following publications(note, this can be as part of the Continuous Notice from #3 above).
  - 2013 - 2014 CGCC Catalog.
  - 2013 - 2014 CGCC Personnel Handbook.
  - 2013 - 2014 CGCC Student Handbook.

Send a printed copy or link to the webpage of these publications, with the coordinator information labeled, to ODE

**5. Notice of Contact for Special Needs**

The college has and uses an approved statement notifying the public who they should contact for special accommodations, by title, phone and address.

Title II/ADA Federal Code, Subpart E, Communications, 35.160 General (b) (1) (a)

**The investigation did not reveal any evidence of a violation.**

**6. Grievance Procedure – Noncompliant**

The college shall adopt and publish a grievance procedure providing for prompt and equitable resolution of student and employee complaints alleging any discrimination based on sex (gender) or disability.

Section 504: 34 CFR 104.7(b)

Title IX: 34 CFR 106.8(b)

Title II: 28 CFR 35.107(b)

ORS 659.850

Background: Columbia Gorge Community College has a grievance procedure that is located on the website. However, it is designed for grievances about student grades, and has not been designed for discrimination complaints by students and/or staff. When interviewed, students and employees were not aware of the procedures, or where to locate them.

**Corrective Action(s):**

1. Review and Update the grievance policy and procedures for students and employees, providing for prompt and equitable resolution of complaints alleging discrimination. Send a copy of the new policy and the new procedures to the ODE.
2. Provide assurance that each student has been informed of the grievance procedures. This can be accomplished in one or more of the following ways:
  - a. As part of student orientation students can hear the information and provide a signature that they have received it, and know where to find it.
  - b. Include information about the grievance procedures on student registration forms, and have students sign off that they are aware of them.

- c. Have faculty members include the grievance procedures as part of each course syllabus.
  - d. Include grievance procedures regularly in the monthly e-letter.
  - e. Some other method determined in concert between CGCC and ODE.
    - i. Notify the ODE which methods will be used.
    - ii. Send copies/proof of implementation to ODE
3. Provide assurance that staff has been notified of procedures to use for grievances concerning discrimination by including the new policy and procedures in the staff handbook. Send a copy of the handbook with procedures identified, to the ODE.

### **7. Distribution of Funds – Oregon**

The college may not adopt a formula or other method for the allocation of Federal, State, or local career and technical education funds that has the effect of discriminating on the basis of race, color, national origin, sex or disability.

Guidelines III, A-F,

The Carl D. Perkins Vocational and Technical Education Act of 2006

Title I - Voc & Tech Ed. Assistance to the States

Part B - State Provisions

Section 122 (c) (10)

Title III - General Provisions, Part A - Federal Administrative Provisions

Section 316 - Fed. Laws Guaranteeing Civil Rights,

Oregon State Plan for Vocational and Technical Education, March 31, 2000, VI, A

**The investigation did not reveal any evidence of a violation.**

## **ADMISSIONS**

### **1. Student Eligibility**

The college may not develop, impose, maintain, approve, or implement student admission eligibility criteria that discriminate on the basis of race, color, national origin, sex or disability.

Guidelines IV-A

**The investigation did not reveal any evidence of a violation.**

### **2. Admission Issues: Noncompliant**

The college may not judge candidates for admission to career and technical education programs on the basis of criteria that have the effect of disproportionately excluding persons of a particular race, color, national origin, sex, or disability. If such disproportionate exclusion occurs, the criteria or standards must be validated as essential to participation.

Guidelines IV-K

Background: The demographics of the CTE programs at CGCC are disproportional to the total student population, notably in the areas of minority, disability, and gender. The College requires application for three of the CTE programs, and uses them as part of the screening process when determining which applicants to accept. There is also a system of "first come first served" in the processing of the applications, which results in long lines of students waiting to "get into" programs. According to students interviewed, the lines are formed at only one of the campuses, which requires students from other areas to leave in the very early morning hours in order to get to the line waiting to get in. Any of those who rely on the public transportation system cannot make it that early. The Latino populations enrolled in CGCC have a large representation in adjoining communities, and may be impacted by these practices. Many students reported not knowing about the process or the need to arrive at least 2 hours early in order to be in the group considered. The programs are Nursing, RET, and Medical Assistant. The applications list a range of requirements, including: physical strength requirements, urine samples, criminal record/background check. The college was not able to validate that these procedures and requirements that may be disproportionately excluding students are essential for participation in the program courses.

### **Corrective Action(s):**

Review and modify applications to eliminate procedures or requirements that have the effect of disproportionately excluding persons of a particular race, color, national origin, sex, or disability. Send copies of the modified applications for Nursing, RET, and Medical Assistant programs to the ODE.

### **3. Preadmission Inquiries Noncompliant**

The college must avoid preadmission inquiries about marital, parental, or disability status.

Title IX: 34 CFR 106.21(c)

Section 504: 34 CFR 104.42 (b) (4)

Background: The college enrollment forms ask for prior “last names” rather than simply prior names. This was explained by the college to be a request for maiden names in order to find previous school records or transfer information, which is asking about marital status. This request is found in the on-line application, but not in the paper and pencil version. The on-line enrollment application also has check boxes asking about disability status.

#### **Corrective Action(s):**

Modify the enrollment application to avoid any preadmission inquiries about marital, parental, or disability status. Send a copy of both the printed pencil and paper application and the on-line application to the ODE.

### **4. Unlimited Occupational Opportunities for Disabled Persons – Noncompliant**

The college must not deny access to CTE and academic programs or courses to students with a disability on the basis that employment opportunities in any occupation or profession may be more limited for disabled persons than for non-disabled persons.

Section 504: 34 CFR 104.10

Section 504: 34 CFR 104.43(c)

Guidelines IV-N

Background: The college enrollment data shows disproportional enrollment of students with disabilities. A conversation with one of the college staff indicated that “students with disabilities would not be able to complete the RET program anyway”, so the electronics course in the program does not need to be made accessible.

#### **Corrective Action(s):**

Ensure that students with disabilities are not denied access to CTE and academic programs or courses on the basis that employment opportunities may be more limited for disabled persons than for nondisabled persons.

- a. Develop and provide training for all staff about the availability of courses to students with disabilities, regardless of employment opportunities. Include in the training the accommodations and resources available for student and staff use to ensure that students with disabilities are not denied access to CTE and academic programs. Send a copy of the training, along with information on how it is disbursed, to the ODE.

### **5. Limited English Skills - Noncompliant**

The college may not restrict admission to career and technical education programs because the applicant, as a member of a national origin minority group with limited English language skills, cannot participate in and benefit from career and technical education to the same extent as students whose primary language is English.

Guidelines IV-L

Background: The college does not currently provide materials in languages other than English, which limits participation of national origin minority groups with limited English language skills. During interviews it was determined that there is a Spanish speaking community in the service area.

#### **Corrective Action(s):**

1. Provide essential documents in Spanish as well as English.
  - a. Determine which documents are essential to participation in college programs and activities. Send a list of essential documents to the ODE.
  - b. Send copies of essential documents translated into Spanish to the ODE.

### **6. Impaired Sensory, Vocal or Speaking Skills**

Postsecondary admission tests are selected and administered in such a way that they accurately reflect the aptitude or achievement of an applicant with impaired sensory, vocal, or speaking skills, rather than measuring the disability (except where these skills are the factors the tests purports to measure).

Section 504: 34 CFR 104.42 (b) (3)

Guidelines IV-N

**The investigation did not reveal any evidence of a violation.**

### **7. Preadmission Inquires re: Disabilities to Increase Participation**

Postsecondary institutions may not make preadmission inquiries regarding disabling conditions except when taking remedial steps to increase participation when under-representation is identified.

Section 504: 34 CFR

104.42(b) (4) & (c)

**The investigation did not reveal any evidence of a violation.**

## RECRUITMENT

### 1. Non-exclusive Recruitment

Colleges must conduct their recruitment activities so as not to exclude or limit opportunities on the basis of race, color, national origin, sex, or disability.

Title IX: 34 CFR 106.23 (a) (b)

Guidelines V-C

**The investigation did not reveal any evidence of a violation.**

Background: Interviews with staff indicated that the college does not currently have a plan for recruiting underrepresented groups of students.

Recommendation: Create a written recruitment plan that addresses outreach to diverse populations of students. Send a copy of this plan and proof of implementation to ODE.

### 2. Recruitment Materials

Recruitment materials' description of career and occupational opportunities should not be limited on the basis of race, color, national origin, sex, or disability.

Guidelines V-C

**The investigation did not reveal any evidence of a violation.**

### 3. Recruiting Teams

To the extent possible, recruiting teams should represent persons of different races, national origins, sexes, and disabilities.

Guidelines V-C

**The investigation did not reveal any evidence of a violation.**

Recommendation: It is recommended that recruitment teams are designed with diversity in mind, and that persons of differing races, genders, and disabilities are included as part of the team. If possible, include students in the recruitment process.

### 4. A Community with Persons of limited English Proficiency - Noncompliant

If a college's service area contains a community with persons of limited English proficiency, information must be available to that community in its language.

Guidelines V-E

Background: Interviews with staff and students indicated that there is a Spanish speaking community in the service area of Columbia Gorge Community College. However, the college does not provide recruitment materials in Spanish.

#### **Corrective Action(s):**

Send examples of at least 2 recruitment materials that have been translated into Spanish to the ODE.

### **5. Promotional Efforts and Materials**

Colleges may not undertake promotional efforts in a manner that creates or perpetuates stereotypes or limitations based on race, color, national origin, sex, or disability.

Materials that are part of promotional efforts may not create or perpetuate stereotypes through text or illustration.

Guidelines V-E

**The investigation did not reveal any evidence of a violation.**

Background: The materials reviewed by the site visit team did not show diverse populations in respect to race, color, national origin, sex, or disability. Interviews with staff indicated that this has not been a consideration when creating publications.

Recommendation: *Create promotional materials with diverse and nontraditional populations in mind.*

## **SITE LOCATION**

### **1. Site Selection**

The college may not select or approve a site that has the purpose or effect of excluding, segregating, or otherwise discriminating on the basis of race, color, or national origin. Colleges must locate career and technical education facilities at sites that are readily accessible to both minority and non-minority communities and that do not tend to identify the facility or program as intended for minority or non-minority students.

Guidelines IV-B

**The investigation did not reveal any evidence of a violation.**

### **2. Site Modifications**

A college may not add to, modify, or renovate the physical plan of a professional technical facility in a manner that creates, maintains, or increases segregation on the basis of race, color, national origin, sex, or disability.

Guidelines IV-D

**The investigation did not reveal any evidence of a violation.**

### **3. Residency**

A college may not establish, approve, or maintain geographic boundaries that unlawfully exclude students on the basis of race, color, or national origin.

Guidelines IV-C

**The investigation did not reveal any evidence of a violation.**

## SERVICES FOR STUDENTS WITH DISABILITIES

### 1. No Exclusion Based on Disability

No qualified person with a disability is excluded from, denied benefits of, or subjected to discrimination in any course, program, service, or activity solely on the basis of disability.

Section 504: 34 CFR 104.4(a)

Title II: 28 CFR 35.130(a)

Guidelines IV-N

Students with disabilities must not be excluded from career and technical education, or academic programs, courses, services or activities due to equipment barriers or because necessary related aids and services or auxiliary aids are not available.

Guidelines IV-N

**The investigation did not reveal any evidence of a violation.**

### 2. Academic Adjustments

If academic requirements that are essential to the career and technical program have the effect of discriminating against applicants or students on the basis of a disability, the institution should provide academic adjustments, including modified course examinations and auxiliary aids and services, for qualified disabled persons to complete a degree program and/or licensure requirements.

Section 504: 34 CFR 104.44 (a)

**The investigation did not reveal any evidence of a violation.**

### 3. Adjusted Academic Requirements

Postsecondary recipients need to adjust academic requirements to meet the needs of individual students with a disability.

Section 504: 34 CFR 104.44(a)

Title II: 28 CFR 35.130(b) (7)

Guidelines IV-N

Background: Currently the college expects students to self-advocate and ask for accommodations if needed. The data reported by the college to the state through the OCCURS reporting system indicated that there were no students with disabilities attending Columbia Gorge Community College. However, in interviews it was reported that many students with disabilities receive services each term.

Recommendation: As part of the college procedures, incorporate a best practice for each instructor to include a notice on the syllabus for students in need of accommodations to advise the instructor by the end of the 2nd week of class. The instructor can report those accommodations to the 504 Coordinator, which would provide the college with data to report to the state on an annual basis.

#### **4. Course tests and Evaluations -**

Course examinations or other procedures for evaluating students' academic achievements are administered in such a way that disabled students' aptitudes or achievement levels or other relevant factors are measured and not the disability.

Section 504: 34 CFR 104.44(c)

Title II: 28 CFR 35.130(b)(8)

Guidelines IV-N

**The investigation did not reveal any evidence of a violation.**

#### **5) Housing in Community Colleges—NOT APPLICABLE**

Students receive equitable opportunities to benefit from housing programs regardless of their sex, national origin, color, race, or disability.

Title VI: 34 CFR 100.3(b)

Title IX: 34 CFR 106.32

Section 504: 34 CFR 104.45

Guidelines VI-C

#### **6) Comparable Housing—NOT APPLICABLE**

The institution offers students with disabilities on-campus or off-campus housing that is comparable, convenient, and accessible to students with disabilities, at the same cost and under the same conditions as offered to non-disabled students.

Section 504: 34 CFR 104.45

Guidelines VI-C

#### **7) Off Campus Housing Does Not Discriminate—NOT APPLICABLE**

If an off-campus housing service is provided for students by arrangement with the institution, there is evidence that it is serving all students regardless of their sex, race, color, national origin or disability.

Title VI: 34 CFR

Title IX: 34 CFR

Section 504: 34 CFR

Guidelines VI-C

The college does not cooperate with any landlord who discriminates on the basis of race, color, national origin, sex, or disability.

Title VI: 34 CFR

Title IX: 34 CFR

Section 504: 34 CFR

## PROGRAM ACCESSIBILITY

### 1. Section 504/ADA Accessibility Issues - Noncompliant

The college may not exclude students with disabilities from enjoying the benefits of its program or service because its facilities are inaccessible to or unusable by persons with disabilities.

Existing facilities/Section 504 (34 CFR, 104.22)

New construction/Section 504 (34 CFR 104.23)

New construction/Section 504 (34 CFR 104.23)

New construction/ ADA (28 CFR 35.151)

Building Name/Number	Construction Date	Date and Alteration	Activity or Programs	Construction Standard
Building 1	1963	<b>1998</b> –renovated unused space to teaching kitchen, Basic trades labs <b>2003</b> - Renovated tutoring center into classroom, basic trades to EET Labs <b>2005</b> - Renovated 4 <sup>th</sup> floor south into Nursing Simulation Center <b>2008</b> - Renovated Café Renovated library/media center, student tutoring center, pre-college labs and office spaces, renovated student government location <b>2009</b> – New HVAC, replaced carpets, renovated boardroom <b>2014</b> – Renovated EET classrooms into ECE classrooms.	Classrooms Library Bookstore Cafeteria Student services	1991 ADA          2010 ADA
Building 2	1929	<b>1997</b> - Renovated 4 <sup>th</sup> floor into office space <b>2002</b> - Renovated unused space to facilities service offices, installed HVAC, purchased wheelchair lift, and renovated lecture hall <b>2005</b> – Remodeled Business Office <b>2009</b> – New HVAC and replaced carpets	Administration  Community outreach services  counseling	1991 ADA
Building 3	2008	<b>2011</b> - renovated classroom into financial aid space	Classrooms and labs Counselors Student Services	1991 ADA
Building 4	1938	<b>2009</b> - New HVAC and Windows <b>2014</b> - Renovated RET lab into art classroom	Art classes	Readily Accessible  2010 ADA
Building 10	2014		RET program courses Community convention center	2010 ADA

Building Name/Number	Construction Date	Date and Alteration	Activity or Programs	Construction Standard
Building 11	2009		RET program	1991 ADA

Parking Facility	Year of construction or alteration and Construction Standard	Total # parking spaces	# accessible spaces	# van accessible spaces
Building 1 and 4	2008/1991 ADA	27	0	0
Building 2	2008/1991 ADA	101 spaces	3	0
Building 3	1991 ADA	230 spaces	12	0
Building 10	2014/2010 ADA	4 spaces	1	1

Hood River Indian Creek Campus

Building	Construction year	Date and alterations	Program or activity	Construction standard
Building 1	2008	<b>August 2010-</b> Front reception counter space renovated	Classes, registration,	1991 ADA 2010 ADA

Parking Facility	Construction year	Total parking spaces	#accessible spaces	#van accessible spaces
Indian Creek	2008	124	5	1

**The following refer to findings and actions for facilities out of compliance with those built or altered prior to June 3, 1977, using the standards for Existing (Readily Accessible) facility under Section 504 – Built or altered beginning June 3, 1977, or earlier -**

The college shall operate its program or activity so that when each part is viewed in its entirety, it is readily accessible to disabled persons. A recipient is not required to make each of its existing facilities or every part of a facility accessible to and usable by persons with disabilities.

Section 504: 34 CFR 104.22

**New construction under ADA Title II – Built after January 26, 1992 and before September 15, 2010; exercising the option to follow 1991 ADA Standards for Accessible Design – Title II : 28 CFR 35.151 (a), (b) & (c) (1)**

Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity is designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities. Conformance with the 1991 ADA Standards for Accessible Design (1991 ADA Standards) (Appendix A to 28 CFR Part 36). Departures from particular requirements permitted when it is clearly evident that equivalent access to the facility or part of the facility is thereby provided. Sub recipients may also exercise the option to follow UFAS.

Title II: 28 CFR 35.151 (a), (b) & (c) (1)

**Building 1**

**Background:**

1. The automatic opening door marked as the accessible entrance leads to a ramp with a slope of 10.5%, which is out of compliance with the 1991 ADA Standard 4.4. There is an alternate route which leads to an elevator and is in compliance with the 1991 ADA Standard 4.4, but the route is not identified by signage.
2. Both the men's and women's restroom doors on the 4<sup>th</sup> floor require 15 lbs. of pressure to open, which is out of compliance with the 1991 ADA standard 4.13.11.

**Corrective Action(s):**

1. Provide signage consistent with 2010 ADA standard 703 to indicate the accessible route to the elevator. Send proof of implementation to ODE.
2. Adjust the door pressure for both the Men's and Women's restrooms on the 4<sup>th</sup> floor to require less than 5 pounds of pressure to open, consistent with the 2010 ADA Standard 404.2.9. Send proof of implementation to the ODE.

**Background:** The library is located in Building 1. The majority of the library is accessible to students, but the book shelf stacks numbered 700 – 812 are located such that there is a passing space ranging between 26 and 30 inches between shelves, and between the shelves and the wall.

**Corrective Action(s):**

Rearrange the book shelf stacks to provide a passing space of at least 36 inches, meeting requirements of regulation 403 of the 2010 ADA standards. Send photo proof of this change to the ODE.

**Building 2**

Both the men's and women's restroom doors on the basement level require 14 lbs. and 11 pounds of pressure, respectively, to open, which is out of compliance with the 1991 ADA standard 4.13.11.

**Corrective Action(s):**

Adjust the door pressure for both the Men's and Women's restrooms on the basement level to require less than 5 pounds of pressure to open, consistent with the 2010 ADA Standard 404.2.9. Send proof of implementation to the ODE.

**Accessible Routes**

Columbia Gorge Community College is located in an extremely scenic location with a view of the Columbia River Gorge. The site is built on a hilly area, creating challenges for accessible routes and pathways between buildings. There are multiple options to select from for routes to and between buildings. However, many of the routes lead only to stairways, or other inaccessible entrances. The routes leading to accessible entrances are not marked with signage. One person interviewed on the visit mentioned that he finds many routes to be "misleading" for him as he navigates his wheelchair between buildings. The lack of a well- marked accessible route is out of compliance with the 1991 ADA Standards 4.1.

**Corrective Action(s):**

1. Provide signage indicating accessible routes between buildings that is in compliance with the 2010 ADA standard 206, 403, and 408. Send proof of implementation to the ODE.
2. Indicate on campus maps where the accessible routes are leading from accessible parking to buildings, and where accessible routes are between buildings. Send a copy of the revised campus maps to the ODE.

**Accessible route between building 2 and 1**

Background: The accessible route to building 1 begins in the parking lot of building 2. Currently the accessible route between buildings 2 and 1 requires persons in a wheelchair to exit building 1 from a side door, and navigate around the buildings to arrive at building 1, which houses the cafeteria, library, bookstore, student government, classrooms, and other gathering locations for students. This route is uncovered and not protected from weather. There is an alternative route leading from the first floor of building 2 to building 1 that is a shorter distance and is covered from the elements. This route is not accessible because the door does not meet standards

**Bookstore Stairway Background:** The stairway outside of the bookstore does not have handrails, which is not in compliance with the 1991 ADA standards.

**Corrective Action(s):**

Provide handrails on both sides of the stairs leading into building 1 and the bookstore. Send photo proof of installation to the ODE.

**Parking:**

**Lot for Building 1 and 4**

A car driving into Columbia Gorge Community College will first arrive at a juncture with signs pointing patrons to specific parking facilities. The signage directing the public to parking for buildings 1 and 4 leads to a parking facility with no accessible parking. This lot provides the only access to building 4, but very limited access to building 1, and is not compliant with 1991 ADA Standard 4.6.4.

**Corrective Action(s):**

1. Provide directional signage consistent with 2010 ADA Standard 703 to notify the public of where there is accessible parking for Building 1 and 4. Send photo proof of signage to the ODE.
2. Provide at least 2 accessible parking spaces, one of which is van accessible, meeting 2010 ADA Standard 502 in parking lot for building 4, complete with an accessible route into buildings served by this parking lot, consistent with 2010 ADA Standard 502.7.

**Lot for Building 2 (and building 1)**

The lot outside of building 2 has 101 parking spaces, with 3 designated as accessible. The accessible spaces have vertical signs that are 48 inches from ground level, which is out of compliance with 1991 ADA Standards.

**Corrective Action(s):**

Provide one additional parking space with at least one designated as van accessible complying with 2010 ADA Standards 208.2, 502 and 703.7.2.1., requiring vertical signs to be 60 inches in height from the ground. Send photo proof of implementation to the ODE.

**Lot for Building 3**

The parking lot for building 3 has 230 total parking spaces, with 12 designated as accessible. The accessible spaces are not designated by signage as van accessible, which is not in compliance with the 1991 ADA Standards.

**Corrective Action(s):**

Provide signage to designate at least 2 spaces as van accessible, consistent with 2010 ADA standard 502 and 703. Send photo proof of implementation to the ODE.

**7. New construction under ADA Title II – Built on or after September 15, 2010, and before March 15, 2012; exercising the option to follow the 2010 ADA Standards for Accessible Design**

Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity is designed and constructed in such a manner that the facility is readily accessible to and usable by persons with disabilities. Conformance with the 2010 ADA Standards for Accessible Design (2010 ADA Standards) Available at:  
<http://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.pdf>.

Departures from particular requirements permitted when it is clearly evident that equivalent access to the facility or part of the facility is thereby provided. (Sub-recipients may also exercise the option to follow UFAS or the 1991 ADA Standards. The elevator exemption contained at 1991 ADA Standards 4.1.3(5) and 4.1.6(1)(k) shall not apply.)

Title II: 28 CFR 35.151(c)(2)

**Hood River Indian Creek Campus**

**Background:** The front counter area is where guests make their first stop to ask for information, or to register on the computer provided. There are various informational fliers and pamphlets displayed on the top of this counter area. The area was recently remodeled, and a new counter that is 42 inches high was installed. This is not in compliance with the 2010 ADA standard 904 requiring counter surface 36 inches long minimum and 36 inches high maximum above the finished floor.

**Corrective Action(s):**

Provide a counter or work surface 36 inches long (minimum) and 36 inches high (maximum) that serves the same purpose for information and access to computer registration. Send photo proof of implementation to the ODE.

## **COMPARABLE FACILITIES**

### **1. Changing Rooms/Showers Comparable**

Changing rooms, showers, and other facilities for students of one sex are comparable to those provided to students of the other sex.

Guidelines VI-D

**The investigation did not reveal any evidence of a violation.**

## **WORK STUDY, COOPERATIVE EDUCATION & JOB PLACEMENT**

### **1. Opportunities Available to All**

Opportunities in work study, cooperative education, and job placement programs are available to all students regardless of race, color, national origin, sex, or disability.

Title VI: 34 CFR 100.3(b)

Title IX: 34 CFR 106.31(d)

Section 504: 34 CFR 104.4(b)

Section 504: 34 CFR 100.3 (c)

Section 504: 34 CFR 104.46 (b)

Guidelines VII-A

**The investigation did not reveal any evidence of a violation.**

### **2. Assurance of Employer Nondiscrimination**

A college that assists employers and prospective employers in making employment opportunities available to any of its students must ensure that the employer does not discriminate on the basis of race, color, national origin, sex, or disability in recruitment, hiring, placement, assignment to work tasks, hours of employment, levels of responsibility, and pay.

Title VI: 34 CFR 100.3(b)

Title IX: 34 CFR 106.38

Section 504: 34 CFR 104.46(b)

Guidelines VII-A

**The investigation did not reveal any evidence of a violation.**

## **APPRENTICESHIP TRAINING**

### **1. Agreement with Non-discriminating Labor Union or Apprenticeship Sponsor**

Schools may not enter into an agreement for the provision or support of apprentice training for students or union members with any labor union or other sponsor that discriminates against its members or applicants on the basis of race, color, national origin, sex, or disability.

Title VI: 34 CFR 100.3(c)

Title IX: 34 CFR 106.31(d)

Section 504: 34 CFR 104.11(a)(4)

Guidelines VII-B

**The investigation did not reveal any evidence of a violation.**

### **2. Written Agreement with the Labor Union or Apprenticeship Sponsor - NA**

A written agreement between the college and the labor union or other sponsor includes an assurance of nondiscrimination on the basis of race, color, national origin, sex, or disability.

Guidelines VII-B

**The investigation did not reveal any evidence of a violation.**

## **GUIDANCE AND COUNSELING**

### **1. Counseling Materials and Activities Do Not Discriminate - Noncompliant**

Colleges must ensure that their counseling materials and activities (including student program selection and career/employment selection), promotional, and recruitment efforts do not discriminate on the basis of race, color, national origin, sex, or disability.

Title IX: 34 CFR 106.36 (a)

Section 504: 34 CFR 104.47 (b)

Guidelines V-A

**The investigation did not reveal any evidence of a violation.**

### **2. Career and Technical Education Programs Open to All Students**

Counselors must not direct students into programs based on their race, color, national origin, sex, or disability. Colleges must ensure that counselors do not direct or urge any student to enroll in a particular career or program, or measure or predict a student's prospects for success in any career or program, based upon the student's race, color, national origin, sex, or disability.

Title IX: 34 CFR 106.36

Section 504: 34 CFR 104.47(b)

Guidelines V-A, V-B

**The investigation did not reveal any evidence of a violation.**

### **3. Nonrestrictive Career Objectives for Students with Disabilities**

Colleges may not counsel disabled students toward more restrictive career objectives than non-disabled students with similar abilities and interests.

Section 504: 34 CFR 104.47(b)

Guidelines V-B

**The investigation did not reveal any evidence of a violation.**

### **4. Counseling of Students with Limited English Proficiency or Hearing Impairments**

Colleges must ensure that counselors can effectively communicate with students with limited English proficiency and with students with sensory impairments.

Guidelines V-D

**The investigation did not reveal any evidence of a violation.**

### **5. Disproportional Enrollment - Noncompliant**

If disproportionate enrollments occur, efforts must be made to ensure that counseling services and materials are not responsible. Colleges must take steps to ensure that any disproportionate enrollment does not result from unlawful discrimination in counseling activities.

Title IX: 34 CFR 106.36

Guidelines V-B

Background: OCCURS data shows that Columbia Gorge Community College has disproportional enrollment for nontraditional students in CTE programs by gender and by national origin/race minority.

#### **Corrective Action(s):**

Brainstorm and identify a minimum of 5 strategies that can be used to increase nontraditional student enrollment. Send this list to the ODE. Implement at least 3 of the strategies, and send proof of implementation to the ODE.

## FINANCIAL ASSISTANCE

### 1. Financial Assistance Available to All Students

Financial assistance is available to all students regardless of sex, race, color, national origin, or disability.

Title VI: 34 CFR 100.3(b)

Title IX: 34 CFR 106.37

Section 504: 34 CFR 104.46(a)

Guidelines VI-B

**The investigation did not reveal any evidence of a violation.**

### 2. Sex-Restricted Awards

Sex-restricted awards are made only when established by will, trust, bequest, or other legal instrument. The overall effect of such restricted awards and scholarships must not lead to discrimination in access to total scholarships on the basis of sex, race, color, national origin or disability.

Title IX: 34 CFR 106.37

Guidelines VI-B

**The investigation did not reveal any evidence of a violation.**

### 3. Financial Aid Information Written Equitably - Noncompliant

Information about financial assistance is equitably written and does not lead students to believe it is awarded on a discriminatory basis.

Guidelines VI-B

Background: The written financial information and assistance given by the college for review did not contain a notice of nondiscrimination assuring students that the college does not discriminate.

#### **Corrective Action(s):**

Include the college's newly developed continuous notice of nondiscrimination on printed financial information. Send a copy to the ODE.

### 4. Aid Information In Other Languages - Noncompliant

National origin minority persons with limited English language skills receive information about financial assistance in their own language.

Guidelines VI-B

Background: Currently the only documents available to students, families, and the community listing available scholarships are only provided in English (except for those provided through FAFSA) This limits awareness and availability of scholarships to all students.

#### **Corrective Action(s):**

Provide a list of available scholarships in Spanish, and post on the website. Send a copy to the ODE.

## **EMPLOYMENT**

### **1. Pre-employment & Employment Practices**

Colleges may not engage in any employment practice that discriminates against any employee or applicant for employment on the basis of sex or disability. Colleges may not engage in any employment practice that discriminates on the basis of race, color, or national origin if such discrimination tends to result in segregation, exclusion, or other discrimination against students.

Colleges may not make pre-employment inquiries concerning disability, marital, or parental status.

Title IX: 34 CFR 106.60

Section 504: 34 CFR 104.14

Guidelines VIII-A

**The investigation did not reveal any evidence of a violation.**

### **2. Notice to Faculty of Nondiscrimination**

The college must notify every source of faculty that it does not discriminate on the basis of race, color, national origin, sex, or disability.

Guidelines VIII-B

**The investigation did not reveal any evidence of a violation.**

### **3. Faculty Salary Scales Do Not Discriminate**

The college should establish and maintain faculty salary scales on the basis of the conditions and responsibilities of employment without regard to race, color, national origin, sex, or disability.

Title IX: 34 CFR 106.54

Section 504: 34 CFR 104.11 and 12

Guidelines VIII-D

**The investigation did not reveal any evidence of a violation.**

### **4. Equal Employment Opportunities for Applicants with Disabilities**

Colleges must provide equal employment opportunities for teaching and administrative positions to disabled applicants who can perform the essential functions of the positions and make reasonable accommodations for the physical or mental limitations of disabled (otherwise qualified) applicants unless it can be demonstrated that such accommodations would impose undue hardship.

Section 504: 34 CFR 104.12

Guidelines VIII-E

**The investigation did not reveal any evidence of a violation.**

### **Commendations!**

*The following are commendations made by members of the site visit team:*

- Disabilities Services Coordinator, and her staff provide outstanding service and counsel to current and prospective students.
- The staff of Columbia Gorge Community College were very open when providing information to the site review team.
- Students report that they appreciate the personal services they receive from College Staff.
- Students report that their instructors are caring and work to help them.
- The selection of CTE classes have been designed with the needs of the community in mind.
- Faculty members have a very proactive approach to their work. Most everything we were asking them to do or consider was already on their radar.
- CTE instructors interviewed were excited about their programs and the students they serve.
- The facilities are in excellent condition, and show a high level of care to meet the needs of students.
- The Student Government works to meet needs of students on both campuses, and to celebrate successes.
- The Multicultural Club provides students with an opportunity to voice concerns.
- The RET program is recognized nationally.
- The new conference center is utilized by the community and other groups throughout the state.
- Students remarked that all faculty and staff, "including President Toda" are very approachable.