

Nondiscrimination Notices: PK-12 Schools

Effective July 1, 2025

Introduction

Each school district is required to publish annual and continuous notices of nondiscrimination for career and technical education (CTE) programs and employment. Notices must include statements of nondiscrimination in programs and employment on the basis of all required protected classes under federal and state law (see below Tables 1 and 2). Both annual and continuous notifications may include protected classes for both programs and employment, or the district may choose to have separate notices for programs and employment. This document details the requirements for districts' annual and continuous nondiscrimination notices and provides sample language for such notices.

Federal Authority for Notice Requirements

Under federal law, school districts that receive federal funds must comply with two separate notice requirements and provide notice of nondiscrimination in the following ways:

- Annual Notice: Section IV-O of the U.S. Department of Education's Office for Civil Rights (OCR) Guidelines for Eliminating Discrimination in Vocational Education Programs of 1979 (Guidelines) requires an annual notice of nondiscrimination that is published prior to the beginning of each school year.
- Continuous Notice: Title VI of the Civil Rights Act of 1964 (Title VI), Title IX of the Education Amendments of 1972 (Title IX), Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act (ADA) require that notices of nondiscrimination be issued on a continuing basis.

The authority for these requirements resides in the following federal regulations:

- Title VI of the Civil Rights Act of 1964 – 34 C.F.R. Part 100
- Title IX of the Education Amendments of 1972 – 34 C.F.R. Part 106
- Section 504 of the Rehabilitation Act of 1973 – 34 C.F.R. Part 104
- Age Discrimination Act of 1975 – 34 C.F.R. Part 110
- U.S. Department of Education's Office for Civil Rights Guidelines for Eliminating Discrimination in Vocational Education Programs of 1979 – 34 C.F.R. Part 100 Appendix B
- Title II of the Americans with Disabilities Act – 28 C.F.R. Part 35

Protected Classes

Table 1 lists the protected classes under federal law that are required in continuous and annual notices of nondiscrimination.

Table 2 lists the protected classes under state law. Districts in Iowa shall include the protected classes in Iowa Code in their annual and continuous notices of nondiscrimination.

Table 1: Federal Protected Classes

| Authority | Protected Class |
|---|---|
| Continuous Notice | |
| Title VI (Programs and Employment) | Race Color National Origin |
| Title IX (Programs and Employment) | Sex |
| Title II of the ADA (Programs and Employment) | Disability |
| Section 504 (Programs and Employment) | Disability |
| Age Discrimination Act (Employment) | Age |
| Annual Notice | |
| OCR Guidelines | Race Color National Origin Sex Disability |

Table 2: Iowa Protected Classes

| Authority | Protected Class |
|---|--|
| Iowa Code 216.9 (Programs and Employment) | Race Color National Origin Sex Disability Creed Religion Sexual Orientation |
| Iowa Code 216.9(d) (Programs) | Includes protected classes covered under Iowa Code 216.9 and adds: Marital status |
| Iowa Code 216.6 (Employment) | Includes protected classes covered under Iowa Code 216.9 and adds: Age |

Annual Notice Requirements:

Section IV-O of the Guidelines requires school districts that receive federal funding and operate CTE programs to provide an annual notice of nondiscrimination prior to the beginning of each school year to students, parents or legal guardians, employees, and members of the general public. The annual notice must include the following:

- Statement of nondiscrimination in programs and employment;
- List of protected classes;
- Brief summary of the district's program offerings and admissions criteria for CTE programs.
- Name(s), title(s), address(es), telephone number(s) and email address(es) of the person(s) designated to coordinate Title IX and Section 504 compliance;
- District's grievance procedure; AND
- If the district's service area contains a community of national origin minority persons with limited English language skills, the annual notice must be disseminated to that community in its language and state that the district will take steps to assure lack of English language skills will not be a barrier to admission and participation in the district's CTE programs.
- OPTIONAL, but recommended: OCR regional office contact information.

The annual notice of nondiscrimination must be published in at least one of the following forums that will allow the widest possible audience of the general public to view it:

- Local newspapers
- District publications
- District website, and/or other media that reach the general public, including program beneficiaries, national origin persons with limited English language skills, and persons with disabilities.

If the district chooses to publish the annual notice on the district website, the notice must appear prominently on the home page or within one click on an obvious link (i.e., Equity or Nondiscrimination tab.) If the district chooses to publish the annual notice solely on the website, the district must be reasonably assured that most community members have Internet access.

Program offerings and areas of study are defined as the six service areas:

- Agricultural, food, and natural resources
- Applied science, technology, engineering, and Manufacturing, including transportation, distribution, logistics, architecture, and construction
- Arts, communication, and information systems
- Business, finance, marketing, and management
- Health science
- Human services

Sample Annual Notice of Nondiscrimination

It is the policy of *[name of district]* Community School District not to discriminate in its programs, activities, or employment on the basis of race, color, national origin, sex, disability, religion, creed, sexual orientation, age (for employment), and actual or potential family, parental, or marital status (for programs). *[Name of district]* Community School District offers career and technical education programs in the following service areas: *[list CTE service areas]*. If you have a question or complaint related to this policy, or for information about the district's grievance procedures, please contact *[title]*, *[contact address]*, *[contact telephone number]*, *[contact email address]* or the Director of the Office for Civil Rights, U.S. Department of Education, Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582, Telephone: (303) 844-5695 FAX: (303) 844-4303, TDD: (800) 877-8339, Email: OCR.Denver@ed.gov.

Continuous Notice Requirements:

Title IX, Section 504, and Title II of the ADA require school districts that receive federal funding to provide notice of nondiscrimination on a continuous basis. Districts must implement specific and continuing steps to notify students, parents or legal guardians, employees, applicants for admission, applicants for employment, sources of referral of such applicants, unions with collective bargaining agreements, participants, and beneficiaries, including persons with impaired vision and/or hearing.

The continuous notice must include the following:

- Statement of nondiscrimination in programs and employment;
- List of protected classes;
- Brief summary of the district's program offerings and admissions criteria for CTE programs.
- Name(s), title(s), address(es), telephone number(s) and email address(es)¹ of the person(s) designated to coordinate Title IX and Section 504 compliance;
- District's grievance procedure; AND
- If the district's service area contains a community of national origin minority persons with limited English language skills, the continuous notice must be disseminated to that community in its language and state that the district will take steps to assure lack of English language skills will not be a barrier to admission and participation in the district's CTE programs.
- OPTIONAL, but recommended: OCR regional office contact information.

¹ The requirement to include email address(es) is a Title IX requirement. 34 C.F.R. 106.8(a) and (b) (2020),

Districts are required to prominently publish the continuous notice in the following places:

- District website, apps, and electronic publications
- District/school calendars and planners
- Course catalog
- Staff, student, parent and coaches' handbooks
- Written materials distributed to students and prospective students, including recruitment materials
- Announcements
- Bulletins
- Newsletters
- Local newspapers
- District publications
- Publicly posted notices
- Job application forms
- Registration materials
- Workplace based learning program contracts
- Any other materials made available to the public

If the district/agency's service area contains a community of national origin minority persons with limited English language skills, the notice must be disseminated to that community in its language and state that recipients will take steps to assure that the lack of English language skills will not be a barrier to admission and participation in the recipient's CTE programs.

In the continuous notice of nondiscrimination, it is acceptable to include a position title and generic contact information for the office in which the designated Title IX and/or Section 504 coordinator works if printed materials are not easily or routinely updated. This exception is permitted because more detailed contact information is included in the annual notice. Utilizing it may be useful if the role of Title IX, Section 504, and/or equity coordinator is an established, consistent responsibility of a specific job, or when the continuous notice would become outdated with staff turnover in that position. For example, a district may use the following or similar language: "For questions or complaints related to this policy, please contact the Equity Coordinator at (123) 456-7890 or equity@district.edu."

Sample Continuous Notice of Nondiscrimination

It is the policy of [*name of district*] Community School District not to discriminate in its programs, activities, or employment on the basis of race, color, national origin, sex, disability, religion, creed, sexual orientation, age (for employment), and actual or potential family, parental, or marital status (for programs). If you have a question or complaint related to this policy, or for information about the district's grievance procedures, please contact [*title*], [*contact address*], [*contact telephone number*], [*contact email address*] or the Director of the Office for Civil Rights, U.S. Department of Education, Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582, Telephone: (303) 844-5695 FAX: (303) 844-4303, TDD: (800) 877-8339, Email: OCR.Denver@ed.gov.

Department Contact

If you have questions or comments regarding this document, please contact:

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