

# EGMS PROGRAM CHECKLIST

Program Name: **CIVIL RIGHTS**

For resources and sample materials for each item on the Civil Rights checklist, visit: <https://www.k12.wa.us/policy-funding/equity-and-civil-rights/consolidated-program-review-civil-rights>.

Item #	Review Item Title	Item Description	Evidence Item # (letter)	Evidence Description
14.1	Section 504	<p>The LEA identifies, evaluates, and places students with disabilities in compliance with Section 504 and has implemented the legal standards under the ADA Amendments Act of 2008 (such as changes regarding major life activities, mitigating measures, etc.).</p> <p>The LEA receives parental consent before all initial evaluations and initial placements under Section 504.</p> <p>The LEA ensures that evaluation and placement decisions are made by a group of persons, including persons who are knowledgeable about the student, the meaning of the evaluation data, and placement options.</p> <p>The LEA provides all necessary accommodations, related aids, and services for students with disabilities, including students with health conditions who may also be served by a health plan.</p> <p><a href="#">Resources and Technical Assistance for 14.1</a></p> <p><b>Risk Score: 3</b></p> <p><b>Legal authority:</b> Section 504, 34 C.F.R. Part 104;</p>	A	<p><i>Submit the below Section 504 documentation for two students at an elementary school, middle/junior high school, high school, online or ALE program, and alternative school (where applicable). Submitted documentation must include at least one student with a health condition (e.g., diabetes, allergies, etc.).</i></p> <p>Section 504 plan documentation, including the following:</p> <ol style="list-style-type: none"> <li>1. Parent consent for initial evaluation.</li> <li>2. Evaluation documentation.</li> <li>3. Parent consent for initial placement.</li> <li>4. Section 504 plans.</li> <li>5. Evidence of manifestation determination meetings (if applicable).</li> </ol>

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		RCW 28A.642.010.		
14.2	Language Access (Interpretation and Translation Services)	<p>The LEA communicates with all limited-English proficient parents (LEP) in a language they can understand, which includes providing qualified and competent adult interpreters to communicate with LEP parents and translating vital documents when a significant percentage of the population in a school or LEA needs the information in a language other than English.</p> <p>If there is a small number of parents with particular language needs, or if a school or LEA is unable to translate a document because of undue expense, the LEA still otherwise provides the information to parents in a language they can understand (i.e., through oral interpretation).</p> <p>The LEA ensures that interpreters and translators have knowledge in both languages of any specialized terms or concepts to be used in the communication at issue and are trained on the role of an interpreter and translator, the ethics of interpreting and translating, and the need to maintain confidentiality.</p> <p><a href="#">Resources and Technical Assistance for 14.2</a></p> <p><b>Risk Score: 3</b></p> <p><b>Legal authority:</b> Title VI, 34 C.F.R. Sec.100.3; Lau v. Nichols, 414 U.S. 563 (1974); RCW 28A.642.010.</p>	A	Evidence or a description of the process the LEA uses to identify LEP parents, including a home language survey or questions about home language on a student enrollment form.
			B	<p>A description of the process the LEA uses to ensure that interpretation and translation services are provided to communicate vital information with limited-English proficient (LEP) parents, including at least the following:</p> <ol style="list-style-type: none"> <li>1. How the LEA determines when interpretation services are needed (e.g., how services are requested and the types of situations where interpretation services are routinely provided).</li> <li>2. How the LEA determines which documents need to be translated (e.g., how translations are</li> </ol>

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				<p>requested and what types of documents are typically translated).</p> <ol style="list-style-type: none"> <li>How the LEA determines which language(s) to translate documents into.</li> <li>How the LEA ensures its staff know how to access interpreters or translators to communicate with LEP parents.</li> </ol> <p><i>If the LEA does not have identified limited-English proficient (LEP) parents, please Add Comment to this item stating grounds for N/A.</i></p>
			C	<p>A description of the process the LEA uses to ensure that interpreters and translators, including LEA or school employees who perform this role, are qualified and competent to serve in the role of an interpreter or to translate documents, including:</p> <ol style="list-style-type: none"> <li>Having knowledge in both languages of any specialized terms or concepts to be used in the communication at issue, and</li> <li>Having training on the role of an interpreter and translator, the ethics of interpreting and translating, and the need to maintain confidentiality.</li> </ol> <p><i>If the LEA does not have identified limited-English proficient (LEP) parents, please Add Comment to this item stating grounds for N/A.</i></p>
14.3	<p>English Language Development Services</p> <p><i>For LEAs that receive Title III or TBIP funding, OSPI reviews this documentation under Title III/TBIP (Program Review Checklist 7) – no additional documentation is required for this item.</i></p>	<p>For LEAs that receive Title III or TBIP funding, OSPI reviews this documentation under Title III/TBIP (Program Review Checklist 7) – no additional documentation is required for this item.</p> <p>The LEA provides English language development (ELD) services to English Learners (EL) – national origin minority students with limited-English proficiency.</p> <p>The LEA has a process to identify, assess, and place EL students, which includes a home language survey and provisions for testing students on the state language proficiency assessment.</p>	A	<p>Evidence that the LEA identifies the language background of each student upon enrollment (including the first language learned, the language the student uses most often, and the language used in the home). Evidence should include a home language survey or student enrollment form with the required questions.</p> <p><i>Submit evidence for this item even if the LEA has not identified any English Learners.</i></p>

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		<p>The LEA's ELD services are based on a sound educational theory and have been implemented effectively, including qualified staff and adequate resources and facilities.</p> <p>The LEA evaluates the program's effectiveness and makes modifications as needed.</p> <p><a href="#"><u>Resources and Technical Assistance for 14.3</u></a></p> <p><b>Risk Score: 3</b></p> <p><b>Legal authority:</b> Title VI, 34 C.F.R. Sec.100.3; Lau v. Nichols, 414 U.S. 563 (1974); <i>Castañeda v. Pickard</i>, 648 F.2d 989 (5th Cir. 1981); Chapter 28A.642 RCW and 392-190 WAC.</p>		
			B	<p>Assessment and placement procedures for ELD services, including testing on the state language proficiency assessment and criteria for determining eligibility and exit.</p> <p><i>Submit evidence for this item even if the LEA has not identified any English Learners.</i></p>
			C	<p>A roster of eligible EL students, indicating language proficiency level and the type and amount of ELD services provided for each student.</p>
			D	<p><i>If LEA has identified EL students:</i> A list of all teachers who design, oversee, and evaluate ELD services. For each teacher listed, provide their qualifications to provide EL services, such as EL/ESL endorsement or ongoing training relating to the delivery of ELD services.</p>
			E	<p><i>If LEA has identified EL students:</i> A list of all paraeducators who assist in providing ELD services. For each paraeducator listed, provide evidence that they instruct under the direct supervision of a qualified teacher and receive ongoing training relating to the delivery of ELD services.</p>

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			F	<p><i>If LEA has identified EL students, submit the below documentation from two students at an elementary school, middle/junior high school, high school, ALE or online program, and alternative school, where applicable.</i></p> <p>Student files with completed home language survey, placement test, and annual language proficiency assessment score sheets.</p>
			G	<p><i>If LEA has identified EL students:</i></p> <p>Evidence of evaluation of the effectiveness of the LEA's ELD services (e.g., progress made in language acquisition and academic achievement, feedback from teachers and parents, meeting minutes, etc.).</p>
14.4	Equity in Course and Program Enrollment	<p>To ensure the LEA does not discriminate in the counseling and guidance of students, the LEA at least annually reviews disaggregated course and program enrollment data to identify disproportionalities based on sex, race, EL status, and disability (special education and Section 504).</p> <p>The review should include honors and advanced placement courses, career and technical education, highly capable programs, online programs, specialized programs, etc.</p> <p>If the review identifies a substantial disproportionality, the LEA takes prompt action to ensure it is not the result of discrimination.</p> <p><a href="#">Resources and Technical Assistance for 14.4</a></p> <p><b>Risk Score: 3</b></p> <p><b>Legal authority:</b> Title IX, 34 C.F.R. Sec.106.36; Section 504, 34 C.F.R. Sec.104.34; Title VI, 34 C.F.R. Sec.100.3; RCW 28A.640.020 and 28A.642.010; WAC 392-190-010.</p>	A	<p>A description of the process the LEA uses to annually review disaggregated course and program enrollment data at each building to identify and address substantial disproportionalities based on sex, race, EL status, special education status, and Section 504 status.</p> <p>At a minimum, the description must include:</p> <ol style="list-style-type: none"> <li>1. When the review occurs.</li> <li>2. Who is involved in the reviews.</li> <li>3. How the reviews are documented.</li> <li>4. Which course and programs are reviewed.</li> <li>5. How the LEA or building determines whether substantial disproportionalities exist.</li> </ol>
			B	<p><i>For 14.4.B and 14.4.C, select any two elementary schools, two middle/junior high schools, two high schools, and two online or ALE programs (where applicable).</i></p>

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				<p>Evidence of implementation of the LEA's process to annually review disaggregated course and program enrollment data for the 2024–25 or 2025–26 school year. Evidence must include at least the following:</p> <ol style="list-style-type: none"> <li>1. Disaggregated course and program enrollment data reviewed.</li> <li>2. A narrative, report, or meeting minutes that demonstrate how the LEA or building analyzed the data to identify substantial disproportionalities.</li> <li>3. A list of any identified substantial disproportionalities.</li> </ol>
			C	<p><i>Please submit evidence for the same schools previously selected in 14.4.B.</i></p> <p>If substantial disproportionalities were identified, evidence that the LEA or building is addressing each substantial disproportionality to ensure it is not the result of discrimination. Evidence must include the following:</p> <ol style="list-style-type: none"> <li>1. A narrative, report, or meeting minutes that demonstrate the LEA or building's analysis to determine the causes of substantial disproportionalities (i.e., root cause analysis).</li> <li>2. The LEA or building's plan to address each substantial disproportionality to ensure it is not the result of discrimination (e.g., reviews of counseling practices, identification and selection of students, recruitment materials and strategies, and course scheduling).</li> </ol> <p><i>If no substantial disparities were identified, please Add Comment to this item stating grounds for N/A.</i></p>
14.5	Equity in Student Discipline	<p>To ensure the LEA does not discriminate in the administration of student discipline, the LEA at least annually reviews disaggregated discipline data to identify disproportionalities based on sex, race, EL-status, and disability (special education and Section 504).</p> <p>At a minimum, the review should include suspensions (both in-school, short-term, and long-term), expulsions, and emergency expulsions.</p>	A	<p>A description of the process the LEA uses to annually review disaggregated student discipline data at each building to identify and address substantial disproportionalities based on sex, race, EL status, special education status, and Section 504 status.</p> <p>At a minimum, the description must include:</p> <ol style="list-style-type: none"> <li>1. When the review occurs.</li> <li>2. Who is involved in the reviews.</li> <li>3. How the reviews are documented.</li> </ol>

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		<p>If the review identifies a substantial disproportionality, the LEA takes prompt action to ensure it is not the result of discrimination.</p> <p><a href="#">Resources and technical assistance for 14.5</a></p> <p><b>Risk Score: 3</b></p> <p><b>Legal authority:</b> Title VI, 35 C.F.R. Sec.100.3; Section 504, 34 C.F.R. Sec.104.4; Title IX; 34 C.F.R. Sec.106.31; RCW 28A.640.010; RCW 28A.642.010; and WAC 392-190-048.</p>		<ol style="list-style-type: none"> <li>4. What data is reviewed.</li> <li>5. How the LEA or building determines whether disproportionalities exist.</li> </ol>
			B	<p><i>For 14.5.B and 14.5.C, select any two elementary schools, two middle/junior high schools, two high schools, and two online or ALE programs (where applicable).</i></p> <p>Evidence of implementation of the LEA's process to annually review student discipline data at each building for the 2024–25 or 2025–26 school year. Evidence must include at least the following:</p> <ol style="list-style-type: none"> <li>1. Disaggregated student discipline data reviewed.</li> <li>2. A narrative, report, or meeting minutes that demonstrate how the LEA or building analyzed the data to identify substantial disproportionalities.</li> <li>3. A list of identified substantial disproportionalities.</li> </ol>
			C	<p><i>Please submit evidence for the same schools previously selected in 14.5.B.</i></p> <p>If substantial disproportionalities were identified, evidence that the LEA or building is addressing each substantial disproportionality to ensure it is not the result of discrimination. Evidence must include the following:</p> <ol style="list-style-type: none"> <li>1. A narrative, report, or meeting minutes that demonstrate the LEA or building's analysis to determine the causes of substantial disproportionalities (i.e., root cause analysis).</li> <li>2. The LEA or building's plan to address each substantial disproportionality to ensure it is not the result of discrimination (e.g., reviews of student discipline policies, procedures, and</li> </ol>

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				<p>practices, and implementation of evidence-based practices reasonably calculated to address the root causes of disproportionalities).</p> <p><i>If no substantial disparities were identified, please Add Comment to this item stating grounds for N/A.</i></p>
14.6	Equity in Athletics: Accommodating Student Interests and Abilities (Three-Part Test)	<p>Each building that offers an interscholastic athletic program equally accommodates the interests and abilities of male and female students as demonstrated in one of the following ways ("Three-Part Test"):</p> <ol style="list-style-type: none"> <li>1. The ratio of male/female student enrollment is substantially proportionate to the ratio of male/female athletic participation,</li> <li>2. The school has a history and continuing pattern of program expansion for the underrepresented sex, or</li> <li>3. The school's current program fully and effectively accommodates the interests and abilities of the underrepresented sex as demonstrated by the athletic interest survey and other requests for specific sports.</li> </ol> <p>The LEA administers the OSPI student athletic interest survey at least once every three years at each building that offers interscholastic athletics.</p> <p>The LEA disaggregates and summarizes its survey results by sex and by building and considers these results when planning and developing which recreational and athletic activities to offer and when determining whether equal opportunities are available to members of both sexes.</p> <p><a href="#">Resources and Technical Assistance for 14.6</a></p> <p><b>Risk Score: 3</b></p>	A	<p><i>If your LEA operates, sponsors, or provides interscholastic athletics, submit evidence for this item.</i></p> <p>A complete copy of the student athletic interest survey instrument administered within the last three years, and date it was last administered.</p>



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		<b>Legal authority:</b> Title IX, 34 C.F.R. Sec.106.41; RCW 28A.640.020; WAC 392-190-030, 392-190-035, 392-190-040, and 392-190-045.		
			B	<p><i>For 14.6.B and 14.6.C, select two middle/junior high schools and two high schools (where applicable).</i></p> <p>Student athletic interest survey results for each selected building, with a summary of student responses <i>disaggregated by sex</i> (use the <a href="#">OSPI's Sample Summary Worksheet</a> or equivalent), including at a minimum:</p> <ol style="list-style-type: none"> <li>1. The number of students surveyed.</li> <li>2. The number of students enrolled (i.e., eligible to take the survey).</li> <li>3. The top five sports requested, including the number of students who expressed interest in each sport.</li> <li>4. The top reasons for non-participation.</li> </ol>
			C	<p><i>Please submit evidence for the same two middle/junior high schools and two high schools previously selected in 14.6.B.</i></p> <p>A completed Three-Part Test analysis for each selected building, using <a href="#">OSPI's Athletic Opportunities Tool</a>.</p>
14.7	Equity in Athletics: Annual Athletic Evaluation and Outside Sources of Funding	<p>The LEA provides equal opportunities and benefits for male and female students to participate in athletics. Each building that offers an athletic program conducts an annual evaluation of its athletic program to ensure that the overall benefits and treatment of the boys' and girls' athletic programs are comparable, considering the following factors:</p> <ul style="list-style-type: none"> <li>• Accommodation of interests and abilities (addressed in Item 14.6)</li> <li>• Coaching and tutoring</li> <li>• Equipment and supplies</li> <li>• Scheduling</li> <li>• Facilities</li> <li>• Medical services and training</li> <li>• Publicity and awards</li> <li>• Travel and per diem</li> </ul>	A	<p><i>If your LEA operates, sponsors, or provides interscholastic, club, or intramural athletics, submit evidence for this item.</i></p> <p>A description of the LEA's process for annually evaluating girls' and boys' athletic programs at each building to identify and address disparities based on each required factor.</p>

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		<p>The LEA has a process in place to ensure that outside sources of athletics funding (i.e., fundraisers, donations, or booster club activities) do not result in disparities in benefits or treatment between the girls' and boys' programs.</p> <p>If fundraising or donations result in a disparity along gender lines, the LEA corrects the disparity, using its own funds if needed.</p> <p><a href="#"><u>Resources and Technical Assistance for 14.7</u></a></p> <p><b>Risk Score: 3</b></p> <p><b>Legal authority:</b> Title IX, 34 C.F.R. Sec.106.41; RCW 28A.640.020; WAC 392-190-030, 392-190-035, 392-190-040, and 392-190-045.</p>		
			B	<p><i>For 14.7.B and 14.7.C, select evidence for two middle/junior high schools and two high schools (where applicable).</i></p> <p>Evidence of implementation of annual athletic evaluations for each selected building for the 2024–25 or 2025–26 school year. Evidence must include dated and completed building-level worksheets and analysis, or equivalent.</p>
			C	<p><i>Please submit evidence for the same two middle/junior high schools and two high schools previously selected in 14.7.B.</i></p> <p>If the athletic evaluations identified disparities that favor one sex at any selected building, evidence that the LEA or building is taking effective steps to correct the disparity.</p> <p><i>If no disparities were identified, please Add Comment to this item stating grounds for N/A.</i></p>
			D	<p>A description of the LEA's process to ensure that outside sources of athletic funding—including fundraisers, donations, and booster club activities—do not result in disparities that favor one sex over another.</p>