

**Lake Sumter State College
Civil Right Compliance Onsite Review
January 11-13, 2016
Letter of Findings**

March 30, 2016



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Introduction

This report and Letter of Findings (LOF) reflect findings of possible discrimination as a result of a civil rights compliance onsite review conducted at Lake-Sumter State College, January 11-13, 2016 by the Florida Department of Education, Division of Florida Colleges (DFC). This LOF includes definitions, general college information, findings, relevant appendices and a summary list of findings that require corrective actions by the college.

Definitions used in the Letter of Findings

Area of Concern/Recommendation: a finding that does not rise to the level of a violation with the requirements of federal regulations, but could be a potential problem. Recommendations for addressing areas of concern may be included in this LOF.

Compliance: areas where no evidence of a violation of applicable standards or requirements of the federal regulations can be found.

Corrective Action Required: failure to comply with one or more requirements of the applicable federal requirements and where the review team determined that corrective action is required for compliance with a specific guideline or standard. Section (§)II-B.2 of the *Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs* (34 Code of Federal Regulations (CFR) Part 100, Appendix B (*Guidelines*), requires that subrecipients be notified of steps they must take to attain compliance.

Discrimination: any action that differentiates or distinguishes among persons or limits or denies a person or a group of persons opportunities, privileges, roles or rewards on the basis of their race, color, ethnicity, national origin, age, sex, disability, genetic information or marital status.

Letter of Findings (LOF): findings from the review used to inform the recipient of the compliance legal citations or standards applied during the review; identify the documents, facilities or other evidence examined relative to each citation; and explain any need for corrective action. The LOF also permits the U.S. Department of Education, Office for Civil Rights (OCR), to assess the adequacy of the review and any resulting corrective actions.

Recipient: refers to any state, public or private agency, institution or organization to which federal financial assistance is extended directly or through another recipient and that operates an education program or activity that receives or benefits from such assistance. (34 CFR Part 106.2(i))

Subrecipient: a local agency or vocational education center that receives financial assistance through a state agency (§II.B, *Guidelines*). Colleges that offer Career and Technical Education (CTE) programs are considered subrecipients for purposes of the review. A subrecipient may also be referred to as a recipient.

Voluntary Compliance Plan (VCP): a plan of action developed by the institution (or subrecipient) to eliminate or remedy any identified violation with the standards of the federal regulations. (*Guidelines* II-B)

Subrecipient Background

Lake-Sumter State College opened in 1962 as Lake-Sumter Junior College. The college changed its name to Lake-Sumter Community College (LSCC) in 1970, then to Lake-Sumter State College (LSSC) in 2012. Currently, LSSC has three locations with the main campus in Leesburg, Southlake in Clermont, and Sumter in Sumterville. The college offers Bachelor of Applied Science, Bachelor of Science, Associate in Arts and Associate in Science degrees, as well as certificate and workforce training options. LSSC also offers athletic programs, including baseball for men and softball and volleyball for women.

Dr. Charles Mojock had served the college as the fifth president for over twelve years; however, he retired in December, 2015. At the time of the review, Dr. Stanley Sidor had been announced as the college’s incoming president beginning in 2016.

The total enrollment for LSSC averages 7,200. The unduplicated headcount as of December 21, 2015 reflects student demographics, by gender and race/ethnicity, in percentages as follows.

<u>Gender</u>	<u>Total Enrollments</u>	<u>CTE Programs</u>
Females	62.80%	56.70%
Males	37.20%	43.30%
<u>Race/Ethnicity</u>	<u>Total Enrollments</u>	<u>CTE Programs</u>
Black	12.70%	12.60%
Hispanic	9.02%	8.67%
Other Minorities	7.56%	7.00%
White	70.80%	71.70%

Source: Student Data Base 2015, PK-20 Education Reporting and Accessibility, Florida Department of Education

The review team looked at college facilities, employment practices, student enrollment, student activities and practices, policies and procedures, publications, data and reports to determine the extent to which students and staff are provided equal educational and employment opportunities. Additionally, 54 college staff and eight students were interviewed to verify policy implementation and knowledge of nondiscrimination policies, grievance procedures and equity-related practices. All college facilities and parking lots were examined for compliance with appropriate accessibility standards, applicable at the time each facility and parking lot was constructed or altered. Information related to construction dates and accessibility findings are provided in Appendix 1.

PART 1. ADMINISTRATIVE REQUIREMENTS

1.1 Continuous Notice of Nondiscrimination

Applicable Requirements

- Title VI: 34 CFR §100.6(d)
- Section 504: 34 CFR §104.8
- Title IX: 34 CFR §106.9
- Title II: 28 CFR §35.106

Regulations require that notices of nondiscrimination be made on a continuing basis.

1.1 Finding(s)

LSSC has a notice of nondiscrimination. It is made available on its website, posters throughout the campuses, catalog and student handbook and other publications. There were no findings of evidence of any violations.

1.1 Area of Concern/Recommendation

The review team examined documents, such as program brochures, that simply stated “LSSC is an Equal Access/Equal Opportunity Institution.” In publications where the notice of nondiscrimination is not included or is incomplete, it is recommended that the college include a website link or website address for the college’s nondiscrimination notice.

1.2 Designation of Compliance Coordinators

Applicable Requirements

- *Guidelines IV-O*
- Title IX: 34 CFR §106.8(a)
- Section 504: 34 CFR §104.7(a)
- Title II: 28 CFR §35.107(a)

Regulations require that subrecipients designate at least one employee to coordinate the college’s efforts to comply with and carry out its responsibilities with Title IX, Section 504 and Title II. Responsibilities include investigations of complaints alleging sex discrimination and complaints alleging disability discrimination. Subrecipients must also make the name or title, office address and telephone number of the coordinator(s) available to all interested individuals, participants, beneficiaries, applicants, employees and unions.

1.2 Finding(s)

The review team met and interviewed employees responsible for investigations of complaints alleging discrimination, coordination of Title IX complaints and Section 504 and Title II complaints. The names, titles, office addresses, telephone numbers and email addresses are available in several locations, including the college’s notice of nondiscrimination. There were no findings of evidence of any violations.

Commendation

Ms. Christyne Hamilton is commended for her knowledge, leadership and assistance provided to both students and employees related to complaints alleging discrimination, including Title IX, Title II and Section 504. The college is also commended for a recent appointment of a Title IX Coordinator for purposes of implementing requirements under the Violence Against Women Act and amendments to the Clery Act.

1.3 Annual Public Notification

Applicable Requirement

- *Guidelines IV-0*

Prior to the beginning of each school year, recipients must advise students, parents, employees and the general public that all CTE program opportunities will be offered without regard to race, color, national origin, sex or handicap. Announcement of this policy of non-discrimination may be made, for example, in local newspapers, recipient publications and/or other media that reach the general public, program beneficiaries, minorities (including national origin minorities with limited English language skills), women and persons with disabilities. A brief summary of program offerings and admission criteria should be included in the announcement; also the name, address and telephone number of the person designated to coordinate Title IX and Section 504 compliance activity.

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 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 CTE programs.

1.3 Finding(s)

LSSC provides an annual notice of nondiscrimination in the college's course catalog; however, the notice did not state that all CTE program opportunities will be offered without regard to race, color, national origin, sex or handicap. Technical assistance was provided on site and the review team later reviewed revised annual notices of nondiscrimination for which there was no evidence of any violation. The notice is also available in Spanish to serve minority populations with limited English language skills. There were no findings of evidence of any violations.

1.4 Grievance Procedures

Applicable Requirements

- Section 504: 34 CFR §104.7(b)
- Title IX: 34 CFR §106.8(b)
- Title II: 28 CFR §35.107(a)(b)

All subrecipients must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging sex and disability discrimination.

1.4 Finding(s)

The college provides grievance procedures and makes them available on their website, student handbooks and employee handbooks. Procedures are also available in Spanish as well as English. There were no findings of evidence of any violations.

PART 2. RECRUITMENT

2.1 Recruitment Activities

Applicable Requirements

- *Guidelines V-A and V-C*
- Title IX: 34 CFR §§106.23(a) and (b)
- Section 504: 34 CFR §104.42
- Title VI: 34 CFR §100.3(b)

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

2.1 Finding(s)

The college recruits students from the geographic region it serves which includes Lake and Sumter Counties. LSSC engages in community events in efforts to recruit students, including minorities and students with disabilities; and it conducts college fairs where students are invited to visit campuses. There were no findings of evidence of any violations.

2.2 Recruitment Activities

Applicable Requirement

- *Guidelines V-E*

Recipients 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. If a recipient's service area contains a community of national origin minority persons with limited English language skills, promotional literature must be distributed to that community in its language.

2.2 Finding(s)

The review team examined program brochures and found no evidence of stereotyping or limitations based on race, color, national origin, sex or disability. The review team also inquired about the availability of materials in other languages for national origin minority persons with limited English language skills, however, none were examined. The college does serve national origin minority students with limited English language skills.

2.2 Corrective Action Required

LSSC should ensure that information about programs offered at the college are available in other languages if a community of national origin minority persons with limited English language skills is in the service area of the college.

2.3 Recruitment Teams

Applicable Requirement

- *Guidelines V-C*

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

2.3 Finding(s)

The review team conducted interviews with advisors, faculty and students. Faculty reported that diversity in all programs is present. Students reported that they felt welcomed and enjoyed events focused on diversity. There were no findings of evidence of any violations.

PART 3. ADMISSIONS

3.1 Admissions Criteria

Applicable Requirements

- *Guidelines IV-A*
- Title VI: 34 CFR §100.3(a) and (b)(i)(v)
- Section 504: 34 CFR §104.4(a) and (b)

Criteria controlling student eligibility for admission to CTE programs and facilities may not unlawfully discriminate on the basis of race, color, national origin, sex or disability.

3.1 Finding(s)

The review team examined admission forms and other documents related to eligibility criteria. There were no findings of evidence of any violations.

3.2 Preadmission Inquiries Regarding Marital or Parental Status

Applicable Requirement

- Title IX: 34 CFR §106.21(c)(4)

A subrecipient shall not make any pre-admission inquiries as to the marital status of an applicant for admission, including whether such applicant is “Miss” or Mrs.” A subrecipient may make a pre-admission inquiry as to the sex of an applicant for admission, but only if such inquiry is made equally of such applicants of both sexes and if the results of such inquiry are not used in connection with prohibited discrimination.

3.2 Finding(s)

The review team examined a variety of forms, including forms for employment, admission and financial aid. Admission applications request a person’s maiden name, which could be construed as discriminatory.

3.2 Corrective Action Required

LSSC should remove references to a person’s maiden name from any admission forms and/or include language that providing a maiden name is voluntary and will not be used in a discriminatory manner.

3.3 Postsecondary Inquiries Regarding Disabilities

Applicable Requirement

- Section 504: 34 CFR §§104.42(b)(4) and (c)

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

3.3 Finding(s)

The review team interviewed personnel responsible for enrollments and admissions and found no evidence regarding inquiries about disabling conditions. There were no findings of evidence of any violations.

3.4 Admission Criteria

Applicable Requirements

- *Guidelines IV-K*
- Title IX: 34 CFR §106.21

Subrecipients may not judge candidates for admission to CTE 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.

3.4 Finding(s)

LSSC offers its programs to all students, regardless of race, color, national origin, sex or disability. There were no findings of evidence of any violations.

3.5 Access for National Origin Minority Students with Limited English Language Skills

Applicable Requirement

- *Guidelines IV-L*

Recipients may not restrict an applicant's admission to CTE programs because the applicant, as a member of a national origin minority with limited English language skills, cannot participate in and benefit from CTE instruction to the same extent as a student whose primary language is English. Recipients must take steps to open all CTE programs to these national origin minority students. A recipient must demonstrate that a concentration of students with limited English language skills in one of a few programs is not the result of discriminatory limitations upon the opportunities available to such students.

3.5 Finding(s)

The review team found no concentrations of students with limited English language skills in one of a few programs. The college employs persons who can speak Spanish or other languages and advisors and registrars will contact them if needed to provide interpretive services for these students. There were no findings of evidence of any violations.

3.6 Access to CTE and Academic Programs

Applicable Requirements

- Section 504: 34 CFR §104.10
- Section 504: 34 CFR §104.43
- *Guidelines IV-N*

No qualified student with a disability shall, on the basis of a disability, be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination under any postsecondary education aid, benefits or services. Access to CTE programs or courses may not be denied to students with disabilities on the ground that employment opportunities in any occupation or profession may be more limited for persons with disabilities than for non-disabled persons. Access may not be denied to students with disabilities because of architectural or equipment barriers, or because of the need for related aids and services or auxiliary aids.

3.6 Finding(s)

The review team spent considerable time with the Assistant Director, Ms. Raelynn Poole, of student disability services as well as with students with disabilities. The college makes every effort to provide auxiliary aids and services to enable all students to pursue academic programs, including CTE programs or courses regardless of a disability. There were no findings of evidence of any violations.

3.7 Postsecondary Admission Tests

Applicable Requirement

- Section 504: CFR §104.44(c)

Tests should be administered in such a way that they accurately reflect the aptitude or achievement of an applicant with disabilities rather than measuring the disability (except where the disability is the factor the tests purports to measure).

3.7 Finding(s)

There were no findings of evidence of any violations.

3.8 Site Selection and Modifications

Applicable Requirement

- *Guidelines IV-B*

Recipients may not select or approve a site that has the purpose or effect of excluding, segregating or discriminating on the basis of race, color or national origin. Facilities must be readily accessible to both minority and non-minority students.

3.8 Finding(s)

There were no findings of evidence of any violations.

PART 4. COUNSELING

4.1 Counseling Practices and Materials

Applicable Requirements

- Title VI: 34 CFR §100.3(a) and (b)
- Title IX: 34 CFR §106.36
- Section 504: 34 CFR §104.43
- Section 504: 34 CFR §104.47(b)
- Title II: 28 CFR §35.130
- *Guidelines V-A, V-B, V-C, V-D and V-E*

Issues relating to counseling and advising for program enrollments may not include steering of students toward particular courses or programs that are “traditional” for the student’s race, color, national origin, English language proficiency, sex or disability status. Services and materials related to counseling and recruitment must be free from of discrimination and stereotyping in language, content and illustration.

4.1 Finding(s)

The application for admissions to LSSC includes a questionnaire related to the applicant’s planned courses of study, previous college information and a listing of all programs offered by the college. The college also provides “Advising Guides,” to assist students with initial course planning. There were no findings of evidence of any violations.

4.2 Disproportionate Enrollment

Applicable Requirements

- *Guidelines V-B*
- Title IX: CFR §106.36(c)

If a CTE program disproportionately enrolls male or female students, minority or nonminority students, or students with disabilities, the college must take steps to ensure that the disproportionate enrollment does not result from unlawful discrimination in counseling activities.

4.2 Finding(s)

Data for all students by race, sex, disability and limited English proficiency is provided in Table 1 on page 12. Data related to students with disabilities is based on students who self-identified a disability in order to obtain auxiliary aids and services. As the table reflects, there were no percentage differences over one percentage point for black, Hispanic, other minority, white students, students with disabilities or students with limited English proficiency when comparing the percentage of students in CTE programs to total enrollments. There was a percentage difference of 6.10 percentage points between CTE enrollments of both males and females and males and females in total enrollments. The review team interviewed advisors and faculty and could find no evidence of discrimination. There were no findings of evidence of any violations.

Table 1. Disproportionate Total Enrollments compared to CTE Enrollments
 by Race, Gender, Disability and Limited English Proficiency for Lake-Sumter State College 2015

	Total Enrollments		CTE Enrollments		Difference in Numbers	Difference in Percentages
	Number	Percent	Number	Percent	Number	Percentage Points
Gender						
Females	3,341	62.80%	543	56.70%	2,798	6.10
Males	2,035	37.20%	414	43.30%	1,621	6.10
Race						
Black	693	12.70%	121	12.60%	572	0.10
Hispanic	494	9.02%	83	8.67%	411	0.35
Other minorities	414	7.56%	67	7.00%	347	0.56
White	3,875	70.80%	686	71.70%	3,099	0.90
Other Characteristics						
Students with disabilities	164	2.99%	28	2.93%	136	0.06
Students with limited English proficiency	179	3.27%	30	3.13%	149	0.14

Source: Student Data Base 2015, PK-20 Education Reporting and Accessibility, Florida Department of Education

PART 5. STUDENT FINANCIAL ASSISTANCE

5.1 Availability

Applicable Requirements

- Title VI: 34 CFR §100.3(b)
- Title IX: 34 CFR §106.37
- Section 504: 34 CFR §104.46(a)
- *Guidelines* VI-B

Financial assistance should be made available to all students regardless of race, sex, color, national origin or disability, except to overcome the effects of past discrimination.

5.1 Finding(s)

The review team interviewed staff of the Financial Aid Office and examined financial application forms and informational materials. There were no findings of evidence of any violations.

5.2 Information Relating to Financial Assistance

Applicable Requirements

- *Guidelines* VI-B

Information about financial assistance is equitably written and does not lead students to believe it is awarded on a discriminatory basis. Additionally, if a recipient's area contains a community of national origin minority persons with limited English language skills, such information must be disseminated to that community in its language.

5.2 Finding(s)

The review team could find no evidence of financial aid information that was available to national origin minority persons with limited English language skills. The college reported that minorities of Hispanic decent reside in the college's service area and that interpreters are available upon request. However, the review team did not observe any source of information to inform such students of interpreter services.

5.2 Corrective Action Required

LSSC should provide information about financial aid, including information about interpreter resources, to national origin minority persons with limited English language skills in their native language.

PART 6. SERVICES FOR STUDENTS WITH DISABILITIES

6.1 Discrimination Prohibited

Applicable Requirements

- *Guidelines* IV-N
- Section 504: 34 CFR §104.4(a)
- Title II: 28 CFR §35.130(a)

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.

6.1 Finding(s)

The review team interviewed personnel who are involved with serving students with disabilities, including the Assistant Director, Ms. Raelynn Poole. According to the 2015 Florida College System Student Database provided by PK-20 Education Reporting and Accessibility Office, Florida Department of Education, LSSC currently serves 177 students with disabilities who have self-reported. There were no findings of evidence of any violations. Students with disabilities who were interviewed reported that, overall, they were very pleased with services they received from both the Office for Students with Disabilities and faculty. The review team also examined forms to apply for services and administrative policies and procedures related to serving students with disabilities. There were no findings of evidence of any violations.

6.2 Exclusion Prohibited

Applicable Requirement

- *Guidelines* IV-N

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

6.2 Finding(s)

There were no findings of evidence of any violations.

6.3 Academic Adjustments and Requirements

Applicable Requirements

- Section 504:34 CFR 104.44(a)
- Title II: 28 CFR §35.130(b)(7)
- *Guidelines* IV-N

A recipient shall make modifications to its academic requirements, practices, policies and procedures as necessary to ensure that such requirements do not discriminate on the basis of disability against a qualified student or applicant with a disability. Academic requirements that the recipient can

demonstrate are essential to the instruction being pursued or to any related licensing requirement will not be regarded as discriminatory. Adjustments may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements and adaptation of the manner in which specific courses are conducted.

6.3 Finding(s)

LSSC has Board Rule 4.08, titled *Disability Services*, which addresses aspects of serving students with disabilities, including definitions, determining eligibility, modification/substitution requests and other related topics. There were no findings of evidence of any violations.

6.4 Academic Achievements

Applicable Requirements

- Section 504: 34 CFR §104.44(c)
- Title II: 28 CFR §35.130(b)(8)

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

6.4 Finding(s)

There were no findings of evidence of any violations.

PART 7. WORK STUDY, COOPERATIVE EDUCATION PROGRAMS, JOB PLACEMENT AND APPRENTICESHIPS

7.1 Work Study

Applicable Requirements

- Title VI: 34 CFR §100.3(b)
- Title IX: 34 CFR §106.31(d)
- Section 504: 34 CFR §104.4(B)
- *Guidelines VII-A*

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

7.1 Finding(s)

LSSC has work study programs and the review team examined application forms for students to be considered for the program. The application includes the college's nondiscrimination statement, although the statement does not appear to be the most current version. The college also offers internships and application forms were reviewed. Information and employer agreements included the college's notice of nondiscrimination. There were no findings of evidence of any violations.

7.2 Student Employment

Applicable Requirements

- Title VI: 34 CFR §100.3(b)
- Title IX: 34 CFR §106.38
- Section 504: 34 CFR §104.46(b)
- *Guidelines VII-A*

A recipient 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.

7.2 Finding(s)

The review team examined information, including a brochure about career development services offered by the college and websites directed at employers to consider recruitment from LSSC. There were no findings of evidence of any violations.

7.2 Recommendation

LSSC should include the notice of nondiscrimination or the website address for the college's equity office on all career development services brochures.

PART 8. ACCESSIBILITY

Applicable Requirements

- Section 504: 34 CFR §104.22
- Section 504: 34 CFR §104.23
- *Guidelines IV-N*
- Title II: 35 CFR §35.151

Applicable accessibility standards are determined by the date the facility was constructed or last altered by the institution. An alteration is a change that affects or could affect the usability of the facility or part of the facility. The following federal regulations and accessibility standards apply accordingly:

- Existing facilities where construction or alterations were initiated before June 4, 1977, are considered “readily accessible.” Programs must be made available to persons with disabilities where the facility is not accessible.
- New construction or alterations initiated between June 4, 1977, and January 17, 1991, should comply with the American National Standards Institution (ANSI) A117.1-1961 (R1071) for making buildings and facilities accessible to and usable by, persons with physical disabilities.
- New construction or alterations initiated on or after January 18, 1991, and before January 27, 1992, must comply with the Uniform Federal Accessibility Standards (UFAS).
- Americans with Disabilities Act (ADA): 28 CFR §35.151: New construction or alterations initiated on or after January 27, 1992, and before September 15, 2010, must comply with the UFAS or 1991 ADA Standards for Accessible Design.
- New construction or alterations initiated on or after September 15, 2010, and before March 15, 2012, must comply with the UFAS, the 1991 ADA Standards for Accessible Design or the 2010 ADA Standards for Accessible Design.
- New construction or alterations initiated on or after March 15, 2012, must comply with the 2010 ADA Standards for Accessible Design.

8.01 – 8.68 Finding(s)

The review included a comprehensive tour of facilities, sidewalks and parking lots on each campus and college center. The college provided information that includes dates of construction or alterations for buildings, facilities and parking lots. This information was referred to for determination of the applicable accessibility standards at the time of construction or alteration. Findings of violations based on applicable standards are provided in a spreadsheet as Appendix 1, titled *Florida College System Accessibility Review of Lake-Sumter State College*. This spreadsheet includes and identifies the following:

- The campus
- Building and room numbers that have findings
- Other identifiable information, such as parking lots
- The years of construction and/or alterations
- The applicable accessibility standard used at the time of construction or alteration
- The finding along with the applicable 2010 ADA Standard for Accessible Design to be used for the corrective action

8.01 – 8.68 Required Corrective Action(s) (Appendix 1)

Each finding should be addressed for compliance by the college. The college must use and reference the 2010 ADA Standards for Accessible Design as provided for any new construction or corrective action taken to address these findings. Corrective action plans must include all information in the spreadsheet in Appendix 1 and the following:

- The corrective action to be taken
- The date by which the correction will be completed
- A description of any technical assistance or resources required to correct the finding
- A description of how the college will provide proof that the corrective action has been completed
- The name of the lead person to be responsible for the corrective action

PART 9. EMPLOYMENT

9.1 Employment

Applicable Requirements

- Title VI: 34 CFR §100.1
- Title VI: 34 CFR §100.3(c)
- Title IX: 34 CFR §106.51 and §106.57
- Section 504: 34 CFR §104.13 and §104.14
- Title II: 28 CFR §35.140
- *Guidelines VIII-A*

Recipients may not engage in any employment practice that discriminates against any employee or applicant for employment on the basis of race, color, national origin, sex or disability. Recipients 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.

9.1 Finding(s)

The review team examined employee manuals, policies and procedures related to recruitment, professional development and nondiscrimination. There were no findings of evidence of any violations.

9.2 Pre-employment Inquiries: Marital Status or Sex

Applicable Requirement

- Title IX: 34 CFR §106.60

A recipient shall not make pre-employment inquiries as to the marital status of an applicant for employment, including whether such applicant is "Miss or Mrs." A recipient may make pre-employment inquiries as to the sex of an applicant for employment; but only if such inquiry is made equally of such applicants of both sexes, and if the results of such inquiry are not used in connection with discrimination prohibited based on sex.

9.2 Finding(s)

The review team examined employment applications and found no evidence of pre-employment inquiries as to the sex of the applicant, including whether such applicant is "Miss" or "Mrs." Each page of the application included the college's notice of nondiscrimination. There were no findings of evidence of any violations.

9.3 Employment

Applicable Requirement

- *Guidelines VIII-B(a)*

Recipients may not limit their recruitment for employees to schools, communities or companies disproportionately composed of persons of a particular race, color, national origin, sex or disability except for the purpose of overcoming the effects of past discrimination. Every source of faculty

recruitment must be notified that the recipient does not discriminate in employment on the basis of race, color, national origin, sex or disability.

9.3 Finding(s)

The review team examined employment data by sex and race, compared with persons over the age of 25 in the college’s service region and who have acquired a master’s degree or higher. These data are used as benchmarks for achievement of goals to hire more minorities and females in three targeted professional areas: senior level positions, faculty positions and faculty positions with continuing contract status. The college reported that although minorities are hired for the three targeted areas of employment as listed in Table 2 below, most minorities in instructional positions are recruited by other institutions and companies that can pay higher salaries. There were no findings of evidence of any violations.

Table 2. Lake-Sumter State College Employment Data 2014-2015

Race/ Gender	U.S. Census of service area of persons by race and gender by number and percentage with Master’s Degrees or higher		Employment by Number and Percentage					
			Senior-Level Administrators		Full-time Faculty		Full-time Faculty with Continuing Contract	
			#	%	#	%	#	%
Black	342	3.2%	4	16.0%	5	6.2%	1	4.2%
Hispanic	375	3.6%	1	4.0%	1	1.2%	0	0%
Other Minority	313	3.0%	1	4.0%	1	1.2%	0	0%
White non-Hispanic	9,533	90.2%	19	76.0%	74	91.4%	23	95.8%
Female	4,506	42.7%	13	52.0%	55	67.9%	18	75.0%
Male	6,057	57.3%	12	48.0%	26	32.1%	6	25.0%

**Source: Florida Department of Education, IPEDS Fall Staff Data for 2015 and American Factfinder Educational Attainment Census Data*

9.4 Employment

Applicable Requirements

- Title IX: 34 CFR §106.54
- Section 504: 34 CFR §104.11 and §104.12
- *Guidelines VIII-D*

Recipients 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. Faculty assignment patterns should be nondiscriminatory on the basis of race, color, national origin, sex or disability. Non-faculty salary administration should be based on conditions without regard to race, color, national origin, sex or disability.

9.4 Finding(s)

Salary schedules were examined by the review team and there were no findings of evidence of any violations.

9.5 Employment

Applicable Requirements

- Section 504: 34 CFR §104.12
- *Guidelines VIII-E*

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

9.5 Finding(s)

LSSC employs persons with disabilities and they provide appropriate accommodations where necessary. There were no findings of evidence of any violations.

APPENDIX 1

Accessibility Findings

Lake-Sumter State College

Part 8. Accessibility Findings

Finding #	Campus or Center	Facility	Room #	Year Built	Alterations	Accessibility Standards	Standard Referenced	Finding	2010 Standard to be used
8.01	Leesburg	Administration Building	100	1967	2010	1991	4.15.5	Water fountain not accessible type	602.2
8.02	Leesburg	Administration Building	113A	1967	2010	1991	4.1.2(7)(d)	Handicap (HC) stall not accessible	216.8
8.03	Leesburg	Administration Building	113C	1967	2010	1991	4.1.2(7)(d)	HC stall not accessible	216.8
8.04	Leesburg	Administration Building	113C	1967	2010	1991	4.7.3	Toilet 20 1/2 " off of wall; 18" is maximum allowed	405.5
8.05	Leesburg	Administration Building	121	1967	2010	1991	4.4.1	Mailboxes stick out in hallway 7.5" 4" is the maximum allowed off wall	307.2
8.06	Leesburg	Lake Hall Building	106	1967	2011	1991	4.30.1	Room sign not on latched side of door	703.1
8.07	Leesburg	Liberal Arts Building	12	1964	2006	1991	4.4.1	Tables stick out 24" off of wall: 4" is the maximum allowed	307.2
8.08	Leesburg	Liberal Arts Building	12	1964	2006	1991	4.4.1	Fire extinguisher sticks 7" off of wall 4" is the maximum allowed off wall	307.2
8.09	Leesburg	Liberal Arts Building	19	1964	2006	1991	4.17.3	6 stalls in women's restroom; 1 amatory stall required	2.13.3.1

Finding #	Campus or Center	Facility	Room #	Year Built	Alterations	Accessibility Standards	Standard Referenced	Finding	2010 Standard to be used
8.10	Leesburg	Liberal Arts Building	19	1964	2006	1991	4.17.6	Grab bar too short behind toilet at 24"; a 36" bar is required	609.4
8.11	Leesburg	Liberal Arts Building	19	1964	2006	1991	4.19.4	Wrap pipes under sink	606.5
8.12	Leesburg	Center for Teaching	113	1964	2009	1991	4.15.5	Water fountain too low at 26"; 27" is the minimum	602.2
8.13	Leesburg	Gymnasium	4	1967	1998	1991	4.18.2	Urinal too high at 19"; 17" is the maximum allowed	605.2
8.14	Leesburg	Gymnasium	1	1967	1998	1991	4.1.3(19)(a)	540 seats in bleacher section; only 2 HC seats provided; 6 are required	221.2
8.15	Leesburg	Maintenance Building	3B	1967	2011	1991	4.17.6	Grab bars are needed at toilet	608.8.1.2
8.16	Leesburg	Maintenance Building	entry	1967	2011	1991	4.7.1	Ramp needed at entry for accessibility	405
8.17	Leesburg	Student Center	117A	1970	2003	1991	4.30.1	HC sign missing at door to restroom	703.1
8.18	Leesburg	Student Center	116A	1970	2003	1991	4.30.1	HC sign missing at door to restroom	703.1
8.19	Leesburg	Student Center	116	1970	2003	1991	4.7.3	Toilet 20 " off of wall; 18" is the maximum allowed	405.1
8.20	Leesburg	Student Center	117	1970	2003	1991	4.7.3	Toilet 20 " off of wall; 18" is the maximum allowed	405.1

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Finding #	Campus or Center	Facility	Room #	Year Built	Alterations	Accessibility Standards	Standard Referenced	Finding	2010 Standard to be used
8.21	Leesburg	Student Center	116	1970	2003	1991	4.19.4	Wrap pipes under sink	606.5
8.22	Leesburg	Student Center	117	1970	2003	1991	4.19.4	Wrap pipes under sink	606.5
8.23	Leesburg	Student Services Building	100	1986	2009	1991	4.4.1	Open stairs; railing or barrier needed at bottom 27"	307.2
8.24	Leesburg	Student Services Building	100 Men's Restroom	1986	2009	1991	4.18.2	Urinal too high at 19"; 17" is the maximum allowed	605.2
8.25	Leesburg	Student Services Building	100 Men's Restroom	1986	2009	1991	4.17	No accessible HC stall	604.8
8.26	Leesburg	Student Services Building	Women's Restroom	1986	2009	1991	4.17	No accessible HC stall	604.8
8.27	Leesburg	Student Services Building	Women's Restroom	1986	2009	1991	4.30.1	HC sign missing at door to restroom	703.1
8.28	Leesburg	Student Services Building	163	1986	2009	1991	4.32.4	Counter too high at 42"; a writing top at 28" to 34" needed	902.3
8.29	Leesburg	Student Services Building	160	1986	2009	1991	4.19.4	Wrap pipes under sink	606.5
8.30	Leesburg	Student Services Building	Elevator	1986	2009	1991	4.10.4	No up or down bell on the elevator	407.2.2.1

Finding #	Campus or Center	Facility	Room #	Year Built	Alterations	Accessibility Standards	Standard Referenced	Finding	2010 Standard to be used
8.31	Leesburg	Student Services Building	211C	1986	2009	1991	4.27.4	Round knobs on sink; lever or flapper type needed	309.4
8.32	Leesburg	Health Sciences Building	101A	2001	2001	1991	4.4.1	TV sticks 7" out from wall at 67" high; 4" is the maximum allowed	307.2
8.33	Leesburg	Health Sciences Building	102	2001	2001	1991	4.4.1	Automated External Defibrillator (AED) sticks 9" out from wall; 4" is the maximum allowed	307.2
8.34	Leesburg	Health Sciences Building	114	2001	2001	1991	4.19.4	Wrap pipes under sink	606.5
8.35	Leesburg	Health Sciences Building	210	2001	2001	1991	4.7.3	Toilet 20" off of wall; 18" is the maximum allowed	405.1
8.36	Leesburg	Health Sciences Building	212	2001	2001	1991	4.7.3	Toilet 19" off of wall; 18" is the maximum allowed	405.1
8.37	Leesburg	Business Resources	102	2004	2006	1991	4.18.2	Urinal too high at 19"; 17" is maximum	605.2
8.38	Leesburg	Business Resources	151	2004	2006	1991	4.18.2	Urinal too high at 19"; 17" is the maximum allowed	605.2
8.39	Leesburg	Science-Math Building	103	2007	2007	1991	4.15.5	Both water fountains too low at 25"; 27" is the minimum allowed	602.2

Finding #	Campus or Center	Facility	Room #	Year Built	Alterations	Accessibility Standards	Standard Referenced	Finding	2010 Standard to be used
8.40	Leesburg	Facilities Building	Men's Restroom	2010	2011	1991	4.17.6	Grab bars are needed at toilet	608.8.1.2
8.41	Leesburg	Facilities Building	Women's Restroom	2010	2011	1991	4.17.6	Grab bars are needed at toilet	608.8.1.2
8.42	Leesburg	Park	south	1967	2001	1991	4.1.2(7)	Sign does not line up with HC parking; Van sign needed	216.5
8.43	Leesburg	Park	north	1967	2001	1991	4.1.2(7)	HC signs needed in front of parking spaces	216.5
8.44	Sumter Center	2001	1105	1995	2015	1991	4.30.1	HC sign missing at door to restroom	703.1
8.45	Sumter Center	2001	1106	1994	1994	1991	4.30.1	HC sign missing at door to restroom	703.1
8.46	South Lake Center	300	1&2	2008	2010	1991	4.32.3	No accessible student station; 5% of stations require accessibility	226.3
8.47	South Lake Center	301	102	1999	1999	1991	4.4.1	Open stairs; railing or barrier needed at bottom 27"	307.2
8.48	South Lake Center	301	102	1999	1999	1991	4.15.5	Water fountain too low at 26"; 27" is the minimum allowed	602.2
8.49	South Lake Center	301	All	1999	1999	1991	4.30.1	All door signs not on latch side of doors	703.1
8.50	South Lake Center	301	122	1999	1999	1991	4.2.6	Emergency shower handle too high at 67"; the maximum is 48"	902.3

Finding #	Campus or Center	Facility	Room #	Year Built	Alterations	Accessibility Standards	Standard Referenced	Finding	2010 Standard to be used
8.51	South Lake Center	301	129	1999	1999	1991	4.7.3	Toilet 20" off of wall; 18" is the maximum allowed	405.1
8.52	South Lake Center	301	131	1999	1999	1991	4.7.3	Toilet 19.5" off of wall; 18" is the maximum allowed	405.1
8.53	South Lake Center	301	129	1999	1999	1991	4.19.4	Wrap pipes under sink	606.5
8.54	South Lake Center	301	131	1999	1999	1991	4.19.4	Wrap pipes under sink	606.5
8.55	South Lake Center	301	141	1999	1999	1991	4.30.1	HC sign missing at door to restroom	703.1
8.56	South Lake Center	301	144	1999	1999	1991	4.30.1	HC sign missing at door to restroom	703.1
8.57	South Lake Center	301	141	1999	1999	1991	4.18.2	Urinal too high at 19"; 17" is the maximum allowed	605.2
8.58	South Lake Center	301	141	1999	1999	1991	4.19.4	Wrap pipes under sink	606.5
8.59	South Lake Center	301	160	1999	1999	1991	4.15.5	Water fountain too low at 26"; 27" is the minimum	602.2

Finding #	Campus or Center	Facility	Room #	Year Built	Alterations	Accessibility Standards	Standard Referenced	Finding	2010 Standard to be used
8.60	South Lake Center	301	148	1999	1999	1991	4.32.4	Counter too high at 42"; a writing top at 28" to 34" needed	902.3
8.61	South Lake Center	302	132	2002	2002	1991	4.18.2	Urinal too high at 19"; 17" is the maximum allowed	605.2
8.62	South Lake Center	302	2113	2002	2002	1991	4.18.2	Urinal too high at 19"; 17" is the maximum allowed	605.2
8.63	South Lake Center	302	311	2002	2002	1991	4.18.2	Urinal too high at 19"; 17" is the maximum allowed	605.2
8.64	South Lake Center	302	247	2002	2002	1991	4.15.5	Water fountain too low at 26"; 27" is the minimum allowed	602.2
8.65	South Lake Center	303	125	2008	2009	1991	4.32.3	No accessible student station; 5% of stations require accessibility	226.3
8.66	South Lake Center	West	Parking	2002	2012	1991	4.1.2(7)(a)	3 van parking signs needed	216.5
8.67	South Lake Center	North	Parking	2002	2012	1991	4.1.2(7)(a)	van parking sign needed	216.5
8.68	South Lake Center	East	Parking	2002	2012	1991	4.1.2(7)(a)	van parking sign needed	216.5

**Lake-Sumter State College
Civil Rights Compliance Review
Summary List of Required Corrective Actions**

This Letter of Findings (LOF) requires that the college respond with a Voluntary Compliance Plan (VCP) to address all findings with “Corrective Action Required”. Areas of concern and recommendations are also included in the report for the college’s consideration and may be included in the VCP. Findings related to “Part 8. Accessibility” are in Appendix 1. The VCP must include the following:

- applicable requirements (legal citations)
- corrective action required
- action to be taken by the college
- the date by which the action will be completed
- the name of a lead contact person for each finding
- a description of any technical assistance or resources required to correct the finding
- A description of how the college will provide proof that the corrective action has been completed.

The VCP must be approved by a designated official with the college. A hard copy should be sent to the Division of Florida Colleges, 325 West Gaines Street, Suite 1544, Tallahassee, Florida 32399-0400. An electronic copy of the VCP should also be submitted to the following email address: Lynda.Earls@fldoe.org. Please call Lynda Earls at 850-245-9468 if you have any questions or need technical assistance in completing the VCP.

Division of Florida Colleges
325 W. Gaines Street, Suite 1544
Tallahassee, Florida 32399-0400

