

Part 4 - Civil Rights Review Program Records

This records series is generated by the Office for Civil Rights as it effectuates the provisions of Title VI of the Civil Rights Act of 1964 to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Education. (Sec. 601, Civil Rights Act of 1964; 78 Stat. 252; 42 U.S.C. 2000d)

ED/RDS

ITEM

NO.

DESCRIPTION OF RECORDS

DISPOSAL

AUTHORITY

1. Education Discrimination Review Files.

Case files developed in investigating complaints and in reviewing elementary, secondary and higher education programs to determine if these programs are in compliance with Federal laws which prohibit discrimination on the basis of race, color, national origin, sex, age and physical and mental handicaps in Federally-assisted programs. These records are created in response to Title VI of the Civil Rights Act of 1964, Title IX of the Higher Education Amendment of 1972, and Section 504 of the Rehabilitation Act of 1973.

Disposition: **TEMPORARY**.

- | | |
|---|--|
| a. <u>Headquarters</u> . Cutoff file at close of fiscal year in which the case is resolved, and transfer to the Federal Records Center after the case has been inactive for 5 years. Destroy 15 years after cutoff. | NARA Job No.
NC1-12-81-1
Item 1a |
| b. <u>Regions</u> . Cutoff at the close of the fiscal year in which the case is resolved and transfer to the FRC after the case has been inactive for 2 years. Destroy 15 years after cutoff. | NARA Job No.
NC1-12-81-1
Item 1b |

2. Request for ESAA Assistance.

Documents accumulated in determining the eligibility of school districts to receive financial assistance under the Emergency School Aid Act (ESAA).

Documents in these files include the notification of eligibility, supporting evidence, requests for waivers, Secretary's response concerning granting or denial of the waiver, and related correspondence and documentation.

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Disposition: Cutoff file annually following final determination of school district's eligibility for ESAA district eligibility for ESAA funds, in any one particular funding period. Transfer to the Federal Records Center when case has been inactive for 5 years. Destroy 15 years after file cutoff.

NARA Job No.
NC1-12-81-1
Item 2

3. Reports of Monitoring Visits.

Reports and background documents developed as a result of monitoring visits in regional offices. Reports are used in evaluating the regional investigations.

Disposition: Cutoff file annually after report is prepared. Destroy 3 years after cutoff.

NARA Job No.
NC1-12-81
Item 3

4. Civil Rights Investigation Manuals.

Procedural manuals prepared by the Special Projects and Procedures Division for the conduct of civil rights investigations in regional offices. The manual is used to assist investigators in determining problems, analyzing data, using statistical information, and similar techniques relating to investigations.

Disposition:

- a. Superseded Pages
Destroy 2 years after supersession, or when no longer needed for administrative purposes, whichever is earlier.
- b. Background Papers
Destroy six months after final action on project or 3 years after completion of project if no final action is taken.

NARA Job No.
NC1-12-81-1
Item 4a

NARA Job No.
NC1-12-81-1
Item 4b

5. Adams Order Files and Related Cases.

Files developed in responding to the Adams court order requiring ED to monitor statewide higher education desegregation policies and plans. Under the order, the Department was required to issue criteria for

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removing vestiges of segregation in six states. These files consist of copies of legal documents, evaluation reports of state activities in higher education, plan correspondence, and similar documents.

Disposition: **PERMANENT.**

Cutoff at the close of the fiscal year following a determination by ED or the courts that all states cited in the Adams order have a unitary system, and transfer to the FRC 5 years after cutoff. Offer to the National Archives after 20 years.

NARA Job No.
NC1-12-81-1
Item 5

6. Assurance of Compliance Statements.

Statements from an educational or health facility assuring OCR that the facility is in compliance with federal laws in federally-funded projects.

Disposition: Destroy on change of implementing regulation or repeal of enabling legislation, whichever is appropriate.

NARA Job No.
NC1-12-81-1
Item 6

7. Statistical Surveys (Edited and Unedited Survey Forms).

Annual and bi-annual statistical data submitted to and used by OCR in monitoring the compliance status pursuant to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972 and Section 504 of the Rehabilitation of 1973. (Excluding Adams Surveys)

Disposition: Cutoff file annually after being superseded by next survey. Transfer to FRC 5 years after cutoff. Destroy 15 years after cutoff.

NARA Job No.
NC1-12-81-1
Item 7

Note: Recurring OCR statistical surveys conducted during the years 1968 through 1978 shall be cutoff at the end of FY80, transfer to the FRC at the end of FY85, and destroyed at the end of FY95 (one-time surveys will not become inactive until superseded by the next survey of the same data).

8. Big Cities Review Files.

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Files developed in the special comprehensive review of urban school systems in New York, Philadelphia, Chicago, and Los Angeles to determine if these systems are in compliance with Title VI, Title IX and Section 504. Included are contracts and related materials, monthly progress reports, preliminary analyses, final narrative reports, and administrative files.

Disposition:

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|--|--|
| a. <u>Contract Records (See GRS 3, Item 4, Routine Procurement Files).</u> | NARA Job No.
NC1-12-81-1
Item 8a |
| b. <u>Monthly progress reports and preliminary analysis.</u> Destroy with related contract records. | NARA Job No.
NC1-12-81-1
Item 8b |
| c. <u>Final narrative reports.</u> PERMANENT. Offer to NARA on completion of project. (Arranged by name of report. Volume: 4 reports) | NARA Job No.
NC1-12-81-1
Item 8c |

9. Case Management Data Files.

Forms and reports used for management purposes in monitoring the investigation of Civil Rights cases.

Disposition:

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|--|--|
| a. <u>Open Case System.</u> | |
| 1) <u>Monthly Case Control forms.</u>
Cutoff file annually. Destroy 2 years after cutoff. | NARA Job No.
NC1-12-81-1
Item 9a.1 |
| 2) <u>Close Case Control forms.</u> | NARA Job No. |

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Cutoff file annually. Destroy 2 years after cutoff.

NC1-12-81-1
Item 9a.2

3) Time Sheets.

Cutoff file annually. Destroy one year after cutoff.

NARA Job No.
NC1-12-81-1
Item 9a.3

4) Case Disposition Report.

Cutoff annually. Destroy 2 years after cutoff.

NARA Job No.
NC1-12-81-1
Item 9a.4

b. Closed Case System.

Print out reports, cutoff file annually. Destroy 1 year after cutoff.

NARA Job No.
NC1-12-81-1
Item 9b

10. Letters of Finding (LOF).

A comprehensive file of all letters of findings for complaints and compliance reviews issued by regional offices. These files are maintained by OMA for budget analysis to determine when compliance reviews should be conducted, for program analysis to identify precedential cases, and for purposes of administrative management.

Disposition: OCR/OMA: Cutoff file annually after issuance of LOF. Transfer to Washington Federal Records Center 4 years after cutoff. Destroy 10 years after cutoff.

NARA Job No.
NC1-12-81-1
Item 10

11. Case Production Statistical Data.

Data developed in analyzing case workloads on a national and regional basis. Charts or reports are prepared from this data to compare regional progress and MITS objectives, and to chart regional progress in each complaint and compliance review category.

Disposition: Destroy when no longer needed for administrative purposes.

NARA Job No.
NC1-12-81-1
Item 11

12. Early Warning Reports.

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Reports of letters of findings prepared by the regions and ready for release. These reports are evaluated by headquarters staff to determine if there is reason to withhold immediate release.

Disposition: Cutoff file annually after preparation of report. Destroy 2 years after cutoff.

NARA Job No.
NC1-12-81-1
Item 12

13. Special Problems and Requirements Survey.

Reports developed from interviews with regional officials concerning workload, records, staff needs, and staff efficiency. These reports are used by management personnel to analyze problems in the regions and to develop solutions to ensure better management.

Disposition: Cutoff file annually. Destroy 4 years after cutoff.

NARA Job No.
NC1-12-81-1
Item 13

14. Conference Briefing Reports.

Reports developed on a particular region in anticipation of a conference with the Regional Director. These reports are summaries of regional activities, and provide information on complaint processing, compliance reviews, compliance with the Adams Order, and administrative matters.

Disposition: Cutoff file annually. Destroy 1 years after cutoff.

NARA Job No.
NC1-12-81-1
Item 14

15. Case Information Management System (CIMS).

This automated system of files monitors each complaint or case of discrimination filed with OCR from the initial action to final resolution. The system contains background on the complaint, the action taken by OCR to investigate and resolve the complaint, the amount of time spent by OCR personnel, and the final disposition. The system produces a series of

reports which document the number and types of complaints and the

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effectiveness of OCR's investigative and enforcement activities and techniques.

Input documents to the system are scheduled in item 9a, and reports from the system are scheduled in item 9b.

Disposition:

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|--|---|
| a. <u>Input or initial data files.</u> Destroy after input into the system and no longer needed for reconstruction of the master database. | NARA Job No.
NC1-12-81-1
Item 15a |
| b. <u>Processing files.</u> Destroy after master database files have proved satisfactory. | NARA Job No.
NC1-12-81-1
Item 15b |
| c. <u>Master database files.</u> Destroy when no longer needed for Departmental use. | NARA Job No.
NC1-12-81-1
Item 15c |
| d. <u>Print or Publication files.</u> Destroy upon issuance of reports or publications. | NARA Job No.
NC1-12-81-1
Item 15d |

16. Elementary and Secondary School Civil Rights Surveys, biennial starting 1968. 1 - 2 per survey.

The machine-readable data files are compiled from OCR Forms 101 and 102 which are designed to assist in monitoring the progress of desegregation in elementary and secondary schools nationwide.

Information on the student body is broken down by race, ethnicity, and sex, school and classroom levels. Staff data is also included in the 1968, 1970, and 1972 files. Related textual records are scheduled in Item 7.

Disposition:

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<u>ED/RDS ITEM NO.</u>	<u>DESCRIPTION OF RECORDS</u>	<u>DISPOSAL AUTHORITY</u>
	a. <u>Final edited master.</u> PERMANENT. Transfer to the National Archives biennially as preparation of the final master is completed.	NARA Job No. NC1-12-81-1 Item 16a
	b. <u>Copies of the final master at headquarters used for in-house reference or analysis.</u> Destroy when no longer needed for Departmental use.	NARA Job No. NC1-12-81-1 Item 16b
	c. <u>Copies of the final master in regional offices used for in-house reference or analysis.</u> Destroy when no longer needed for Departmental use.	NARA Job No. NC1-12-81-1 Item 16c
17.	Limited Elementary and Secondary School Civil Rights Surveys, biennial in 1969, 1971, and 1973. 1 - 2 tapes per survey. These machine-readable data files were compiled from OCR Form 101 and 102 as in item 16 above, but they cover only a small portion of the systems included in even year surveys. The limited surveys were discontinued after 1973. Related textual records are scheduled in item 7. <u>Disposition:</u> Final edited master tape, copies used for in-house reference or analysis at headquarters and in regional offices. Destroy when no longer needed for Departmental use.	NARA Job No. NC1-12-81-1 Item 17
18.	Big Cities or Urban School Review Files. (Equal Education Services Review), 1973 data. Approximately 700 tapes. These machine-readable data files were compiled as part of the special comprehensive review of urban school systems in New York City, Philadelphia, Chicago, and Los Angeles conducted to determine if these systems are in compliance with Title VI, Title IX, and section 504. Data	

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begins in 1973 for the New York files, and in 1975 for the other three cities.

The master database is continuously updated from tapes sent per OCR request primarily from the cities, but also from state and federal agencies.

The data collection began as a shotgun approach, gathering a wide range of information in New York; when the other cities were added to the review, however, the scope was gradually narrowed and more specific concerns for each city were identified.

Related textual records are scheduled in Item 8.

Disposition:

- a. Original input tapes. Approximately 200 tapes received from cities, states, and federal agencies which are needed for legal backup of master database as proof of what data was submitted.

PERMANENT. Offer to the National Archives as soon as no longer needed for projects or upon termination of the project, whichever is sooner.

NARA Job No.
NC1-12-81-1
Item 18a

- b. Copies of original input tapes. Approximately 200 tapes made by OCR which are cleaned, edited, and used for updating and merging new data with master file. Destroy when no longer needed for project.

NARA Job No.
NC1-12-81-1
Item 18b

- c. Processing tapes. Approximately 250 tapes. Destroy after most recent update of the master file has proven satisfactory.

NARA Job No.
NC1-12-81-1
Item 18c

- d. Master database. Equivalent to approximately 50 tapes.

PERMANENT. Transfer to the National Archives at termination of project according to FPMR 101-11, 411-9.

NARA Job No.
NC1-12-81-1
Item 18d

19. Adams Files (Files on Progress in Implementing Statewide Higher

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Education Desegregation Plans), annual since 1975.

Approximately 3 tapes per survey. These machine-readable data files are compiled annually to monitor desegregation plans in the public higher education systems of several states cited as part of an order in Adams vs. Califano litigation: Arkansas, Florida, Georgia, North Carolina, Oklahoma, Pennsylvania, and Virginia. The files are compiled from yearly surveys known by progressive numbers (e.g. the OCR 1000 Survey was taken in 1975, the OCR 2000 Survey was taken in 1976, and so on).

The surveys contain detailed information collected in October of each year on employees of colleges, universities, and state agencies and governing boards related to higher education; applications, acceptances and actual enrollments for each college's student body; financial assistance granted; degrees and other formal awards conferred; and progression of students in higher education programs.

Related textual records are scheduled in Item 5.

Disposition:

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|--|---|
| a. <u>Program and print tapes (1-2 tapes per survey).</u> Destroy when no longer needed for Departmental use. | NARA Job No.
NC1-12-81-1
Item 19a |
| b. <u>Final clean master file (1 tape per survey).</u> PERMANENT. Transfer to National Archives annually as soon as preparation of final master is completed. | NARA Job No.
NC1-12-81-1
Item 19b |
| c. <u>Copies of final master at headquarters used for in-house reference and analysis.</u> Destroy when no longer needed for Departmental use. | NARA Job No.
NC1-12-81-1
Item 19c |
| d. <u>Copies of final master in regional offices used for in-house reference and analysis.</u> Destroy when no longer needed for Departmental use. | NARA Job No.
NC1-12-81-1
Item 19d |

20. Higher Education Civil Rights Survey Files, biennial in 1968, 1970,

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1972, 1974. One tape per survey.

These machine-readable data files were compiled biennially from Forms OS-10 and OS-34 to assist in monitoring desegregation in institutions of higher education nationwide. Information for full and part-time students is broken down by race, ethnicity, and sex. The survey was discontinued after 1974.

Related textual records are scheduled in Item 7.

Disposition:

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|---|---|
| a. <u>Final edited master.</u> PERMANENT. Transfer to the National Archives per NC3-235-80-1. | NARA Job No.
NC1-12-81-1
Item 20a |
| b. <u>Copies of the final master at headquarters used for in-house reference or analysis.</u> Destroy when no longer needed for Departmental use. | NARA Job No.
NC1-12-81-1
Item 20b |
| c. <u>Copies of the final master in regional offices used for in-house reference or analysis.</u> Destroy when no longer needed for Departmental use. | NARA Job No.
NC1-12-81-1
Item 20c |

21. Machine-readable Files for One-Time or Short-Term Studies or Projects.

OCR personnel frequently engage in one-time short-term studies or projects on a wide range of topics. They usually entail extracting and manipulating data from the large data files created or held by OCR which are listed separately in this schedule. The projects might focus on a particular school system or state, or they might compare data on a particular topic from several selected geographic areas.

Disposition: Tapes containing extracts of data as reformatted data from OCR files previously scheduled. Destroy tapes at termination of project or when no longer needed for reference or analysis.

NARA Job No.
NC1-12-81-1
Item 21