

# **Methods of Administration Plan**

**Guidelines for Eliminating Discrimination and Denial of  
Services on the Basis of Race, Color, National Origin, Sex  
and Handicap (34 C.F.R. Part 100, Appendix B)**

**Submitted to the  
U.S. Department of Education Office of Civil Rights**

**July 2025**

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### Agency Purpose

Our purpose is to strengthen Texas through higher education. By making higher education accessible to a wide range of people, we can ensure Texas remains one of the world’s most innovative, valuable educational systems. By bringing together data, policymakers, and institutions, we can inform sensible policies that make a difference and make education beyond high school available to every person in our state. When we do that, we will improve our lives, communities, and our shared economy.

### Agency Vision

The THECB will be recognized as an international leader in developing and implementing innovative higher education policy to accomplish our mission.

### Agency Philosophy

The THECB will promote access to and success in quality higher education across the state with the conviction that access and success without quality is mediocrity and that quality without access and success is unacceptable.

The THECB’s core values are:

**Accountability:** We hold ourselves responsible for our actions and welcome every opportunity to educate stakeholders about our policies, decisions, and aspirations.

**Efficiency:** We accomplish our work using resources in the most effective manner.

**Collaboration:** We develop partnerships that result in student success and a highly qualified, globally competent workforce.

**Excellence:** We strive for excellence in all our endeavors.

The THECB does not discriminate on the basis of race, color, national origin, gender, religion, age, or disability in employment or the provision of services.

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## **Executive Summary**

The Texas Higher Education Coordinating Board's (THECB's) Methods of Administration plan is submitted in response to the Memorandum of Procedures published by the U.S. Department of Education (ED) on February 6, 2020, and in compliance with 34 CFR Part 100, Appendix B, "Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap" (MOA Guidelines). The MOA guidelines explain the civil rights responsibilities of recipients of federal funds offering or administering career and technical education programs.

This MOA plan has been prepared and updated following the instructions of the MOP, in conjunction with the requirements of the MOA Guidelines, and is respectfully being presented for your approval.

# Methods of Administration Plan

## I. Introduction

The Texas Higher Education Coordinating Board (THECB) is the primary authority overseeing public higher education in Texas. The Board consists of nine members appointed by the Governor of Texas and confirmed by the Senate for staggered six-year terms, along with one non-voting student representative serving a one-year term. The Texas Commissioner of Higher Education, appointed by the Board, acts as the Chief Executive Officer of the agency.

The Memorandum of Agreement (MOA) is developed collaboratively by the THECB and the Texas Education Agency (TEA). Since these agencies are separate legal entities under Texas law, responsibilities are divided within the MOA so that each agency can independently oversee its own subrecipients. Specifically, the THECB monitors postsecondary subrecipients, while the TEA oversees secondary education subrecipients. The TEA is designated as the lead organization responsible for submitting the MOA documents to the U.S. Department of Education (ED). The overall MOA plan will consist of two separate documents submitted together as a single package.

This plan was originally created by the Workforce Education Department within the THECB's Academic Quality and Workforce Division.

The current updated version (July 2025) is approved by Dr. Tina Jackson, Assistant Commissioner for Workforce Education, and Lee Rector, Associate Commissioner for Workforce Education, indicated by the signatures.

## II. Plan for Performing Oversight Responsibilities

This section of THECB's MOA plan outlines the agency's strategy for fulfilling its responsibilities under Section II.B of the MOA Guidelines to ensure that its subrecipients are complying with civil rights laws.

### A. Plan for Collecting and Analyzing Data

Texas is a data-rich State regarding information collected and reported by its institutions of higher education. For that reason, the THECB plans to analyze a variety of data points as part of its MOA compliance oversight process. The THECB will continue to examine the following data utilized for its most recent targeting plan to determine whether a compliance review of a subrecipient must be conducted:

- Minority participation in CTE programs.
- Female participation in CTE programs.
- Participation of individuals with disabilities in CTE programs.
- The number of students enrolled in CTE programs at the institution.

- Non-traditional student participation in CTE programs; and
- Length of time since the most recent on-site MOA review.

In addition to the data sources currently used, THECB will incorporate analysis of disaggregated Perkins special populations data to identify colleges with the most significant performance gaps for the nine Perkins V special populations as compared to CTE concentrators statewide. THECB will also incorporate analysis of colleges' CLNA implementation, as evidenced by Perkins core indicator performance trends.

**Data Collection.** Colleges report data for students, class cohorts, graduation, occupational skills achievement, and licensure attainment on a schedule running from October 15 to June 15 each year. A college certifies each reported data set within 30 days of the report date. Colleges may additionally conduct a follow-up survey of students included in the student report but not found in subsequent data analysis by the THECB. Follow-up survey results are added to a college's certified data. The THECB analyzes these data and state UI wage data in calculating Perkins core indicator performance data by college and for the state for the Perkins V Consolidated Annual Report (CAR). The reported data are also examined for the THECB's current MOA compliance oversight process to target colleges for review, as described above.

**Disaggregated Special Populations and CLNA Implementation Data.** Since fall 2020, colleges identify and report students falling into each of the nine Perkins V special population categories. The THECB analyzes disaggregated Perkins V special populations data by college as needed for risk assessments and the Perkins V CAR currently.

Colleges are required to identify gaps in student performance, including special populations performance, in the Perkins V CLNA. Where student performance and/or participation gaps are identified, colleges must establish goals for overcoming barriers to success. Since fall 2020, colleges must incorporate CLNA goals for student performance and special populations access to CTE programs into the Perkins V local application. The THECB analyzes trends in colleges' performance on the Perkins V core indicators to monitor implementation of these CLNA goals.

The THECB's Perkins special populations and CLNA implementation data analysis will inform the MOA compliance oversight process. The THECB will use disaggregated special populations data and core indicator performance trends data to identify colleges with significant gaps in CTE student performance, including special populations access to CTE, as further described in Section II.B of this plan.

**Assurance of Accessibility.** Since summer 2021, the THECB requires institutions administering federal CTE programs to submit an assurance annually with their Perkins V local application that the institution follows Section 504 of the

Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA) and their implementing regulations. The purpose of this assurance will be to ensure institutions follow federal law regarding physical access to CTE programs. Based upon review of the data, as discussed in Section II.B, instructions may be forwarded to a college to undertake a self-assessment of physical access that requires third-party certification of accessibility and areas of noncompliance to be provided to the THECB.

## **B. Compliance Review Process, Selection, Timeline, and Number of Reviews**

The THECB will conduct periodic compliance reviews of selected subrecipients, as determined to be necessary through the data analysis and assurance identified above. Compliance reviews will consist of a combination of desk and on-site reviews. The THECB will rely on the data outlined in Section II.A of this plan to determine whether an institution is selected for an on-site or desk compliance review in the upcoming review cycle.

The THECB will use a point system based on analysis of existing data for MOA compliance, disaggregated Perkins V special populations data, and core indicator performance data to rank colleges in order of priority for MOA compliance reviews. Each data category will be weighed and assigned a point value. Colleges will be ranked for potential MOA compliance review based on their total point value. The point system will ensure that those colleges with significant gaps in CTE participation and performance of females, minorities, and Perkins V special populations students, including students with disabilities, will be flagged for an MOA compliance review. Based on the points assigned and a college's associated rank among other colleges, the review may consist of a desk review or an on-site review.

As noted in Section II.A, colleges will be required to submit Section 504 and Title II ADA annually to THECB, in addition to the data points identified above. As part of the THECB's data analysis, the THECB will review performance and participation of individuals with disabilities in CTE programs. The data analysis process will flag and identify any colleges that have poor performance for students with disabilities in CTE programs. Those colleges with the poorest performance will be selected for an on-site visit to interview students with disabilities to gather additional information about physical access provided by their college and other potential impediments to success experienced by students with disabilities at the college. We require an external facilities audit for all on site visit reviews. Further, should an institution fail to submit the required Section 504 and Title II ADA assurance, it will be automatically flagged by the THECB for an on-site MOA review.

**Timeline.** In December of each year, the THECB will analyze disaggregated special populations data and core indicator performance data for preparation of the Perkins Consolidated Annual Report. Since fall 2021, THECB has incorporated these data into

the existing MOA data analysis described in Section II.A above. This data analysis for MOA compliance oversight will determine whether a desk review or on-site review of a subrecipient must be conducted. Colleges identified for an MOA compliance review will be notified in fall of each year of a pending desk review or on-site review to be conducted during the fall when colleges have been notified.

**Number of Reviews Annually.** According to the THECB's targeting plan, the agency will conduct nine reviews annually, an increase from the four reviews conducted since 2020. The aim is to shorten and streamline the intervals between reviews of the 54 community and technical colleges, ensuring more frequent oversight and timely assessments. Starting in fall 2025, the agency will conduct five desk reviews and four on-site visits each year.

This timeline is consistent with the THECB's existing Perkins programmatic risk assessment and the MOA report timeline, which is now aligned with submission of the Perkins Consolidated Annual Report.

### **C. Addressing Unlawful Discrimination**

The THECB will transmit a Letter of Findings (LOF) within 30 days of a desk review, on-site review, or receipt of a college's facilities accessibility report. A college subject to an MOA compliance review or facilities accessibility assessment will submit a Corrective Action Plan (CAP) within 30 days following receipt of an LOF. Upon receiving a college's CAP, THECB will respond within 30 days with approval or a request for revision of the CAP. For a CAP requiring revision, THECB and the college will negotiate a mutually agreeable final CAP. Approved CAPs will include a timeline for bringing all findings into compliance. The THECB will provide technical assistance as needed or upon request toward completion of the CAP.

## **III. Technical Assistance for Subrecipients**

The THECB aims to collaborate with the administration, faculty, and students at each institution administering federal career and technical education programs to prevent discrimination. Providing technical assistance is a vital component of both preventing discrimination and addressing it effectively when it occurs.

The THECB will offer regional and statewide training sessions for colleges on MOA compliance. These training courses will outline institutions' responsibilities under the MOA Guidelines and explain the THECB's process for monitoring compliance. The goal is to promote a discrimination-free environment in CTE programs and to prepare colleges for identifying and addressing potential instances of discrimination. Additionally, the THECB will ensure that subrecipients understand how to request further technical assistance. The training will also include information on civil rights requirements under Perkins V, as well as strategies for

recruitment and ensuring equitable access to CTE opportunities for students in special populations.

The THECB may utilize its own staff and engage external experts or consultants to deliver training. Moreover, the agency will incorporate relevant federal resources into its technical assistance efforts, tailoring support based on guidance from the U.S. Department of Education (ED), including insights shared at the annual MOA conference, and any future formal guidance or resources issued by ED regarding MOA compliance.

#### **A. Procedure for Notifying Institutions of Technical Assistance Availability**

The availability of technical assistance will be publicized in several different ways:

1. At regional meetings.
2. At the time of notification of desk audits and on-site reviews.
3. At the time of notification of on-site review results.
4. At the time of the meeting to discuss findings and compliance plans.
5. At the time of reviewing the compliance plans.
6. On the [THECB MOA website](#).

#### **B. Technical Assistance Personnel**

Technical Assistance will be the primary responsibility of the Workforce Division's postsecondary MOA coordinator, who serves as Assistant Director – Workforce, and Workforce Department staff, including three program directors and a director.

### **IV. Reporting to the Department**

The THECB shall compile a report of its MOA activities for each fiscal year to be submitted biennially to the U.S. Department of Education's Office for Civil Rights.

The Biennial Civil Rights Compliance Report will include the following components:

1. **Organization and Staff.**  
A summary of any changes related to staff authority, personnel assignments, or organizational structure occurring during the year.
2. **State Policy Review.**  
Documentation of any actions taken by the State agency to amend or revise policies identified as having discriminatory effects.

3. **Review of Institutions and Programs**

The report will detail:

- a. A list of all colleges subject to agency-level reviews, along with a summary of findings for each.
- b. A list of all entities that underwent on-site reviews, including the results of those reviews. It will also include copies of voluntary compliance plans that institutions found in violation of OCR regulations were asked to develop.

4. **Technical Assistance Provided.**

A description of technical assistance offered to address access and success gaps for CTE students in the programs.

5. **Assistance Requests and Support**

A list of colleges that requested or received technical assistance, along with a summary of the support provided.

6. **Monitoring Activities**

An overview of the agency's efforts to ensure that colleges identified as noncompliant have taken appropriate corrective actions.

7. **Federal Civil Rights Resources**

When applicable, the report will include an assessment of which federal civil rights resources were helpful in executing the MOA work. It may also include recommendations for developing, revising, improving, or discontinuing specific federal resources to better support State agencies in administering CTE programs.

**Texas Higher Education Coordinating Board  
1800 Congress Ave. Suite 12.200  
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Respectfully submitted.

By:  \_\_\_\_\_

**Tina Jackson, Ph.D.**  
**Assistant Commissioner of Workforce Education**

Date: 7/14/25 \_\_\_\_\_

By: \_\_\_\_\_

**Lee Rector**  
**Associate Commissioner of Workforce Education**

Date: \_\_\_\_\_

# **Texas Higher Education**

## **COORDINATING BOARD**

This document is available on the Texas Higher Education Coordinating Board website:  
<https://highered.texas.gov>.

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