Civil Rights Compliance Review Process: Hispanic-Serving Institutions

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Objective

To provide grantee Hispanic-serving institutions with a general overview of NIFA’s civil rights compliance review process, including:

• Authority, purpose, and process;
• Review areas and subcomponents.
Part I: Authority, Purpose and Process
Statutory Authority


**Section 504 of the Rehabilitation Act of 1973**, as amended, 29 USC 794, and USDA’s implementing regulations for that title at 7 CFR part 15b

**Title IX of the Education Amendments Act of 1972**, et. Seq., and USDA’s implementing regulations at 7 CFR part 15a


Purpose and Goals

- Check-up / Check-in
- Technical Assistance
- Voluntary Compliance
When and How Reviews Happen

• Compliance reviews are systematic checks of policies, procedures and practices.
• Two HSIs will be randomly selected each fiscal year from a pool of all HSIs currently receiving NIFA funding.
• Reviewed HSIs will be subsequently removed from the selection pool for five years.
Review Cycle Process

1. Scheduling & Document Review (90/45 Days)
2. On-site or Remote Visit (Interviews)
3. Findings
4. Monitoring (Response: 60 days)
5. Compliance
Part II: Review Areas and Subcomponents
Civil Rights Compliance Review Areas

1. Organizational Capacity
2. Civil Rights Knowledge and Procedures
3. Advisory Boards and Committees
4. Equitable Distribution of Benefits
5. Non-Discrimination Based on Sex
6. Public Notification and Outreach
7. Accessibility for Individuals with Disabilities
8. Language Access
1. Organizational Capacity

- Clear organizational structure.
- Designated staff member at recipient institution for civil rights/diversity issues.
- Regular communication between designated civil rights staff member and project team/recipient college or division.
- Written assurances of nondiscrimination with any project partners or subrecipients.
- No discriminatory/problematic employment practices.
2. Civil Rights Knowledge and Procedures

- Sufficient training for staff on civil rights requirements.
- Staff have access to needed civil rights documents and information.
- Procedures in place for filing employment and program discrimination complaints.
- Internal civil rights compliance reviews or checks are in place.
3. Advisory Boards and Committees

• Any advisory board, awarding committee, or review board associated with the project has members that are reflective of the local/service population in terms of race, ethnicity, and gender.

• Selection processes of any such board or committee encourage diversity and/or adequate representation of the service population.

• If diversity or representation issues have been identified, efforts to obtain diversity on boards/committees and/or address barriers to adequate representation have been made.
4. Equitable Distribution of Benefits

• Race, ethnicity and gender (REG) data is collected for beneficiaries/participants of all federally funded programs and activities in accordance with OMB standards.

• Participant/beneficiary REG data is analyzed over time and against eligible service population data.

• Beneficiaries of programs and activities are at parity with the demographics of the potential service population; OR corrective actions are implemented for identified diversity and/or parity concerns.

• Educational opportunities are available to all eligible individuals; Such opportunities and requirements for participation are clear and easily available to potential recipients.

• Procedures for allocating benefits or services are clear, equitable, and easily available to potential recipients.
5. Non-Discrimination Based on Sex

• No program, activity, group names contain sex-stereotyped names or illustrations.
• Programs, activities, contests, or awards are not separated by sex.
• Recipient has adequate sexual harassment policy.
• Sexual harassment complaints are handled appropriately.
• Staff have had adequate Title IX training.
6. Public Notification and Outreach

- Nondiscrimination statement is utilized on all print and nonprint materials, including web sites.
- USDA “... And Justice for All” poster is utilized in public spaces.
- Participants in virtual environments are properly notified of nondiscrimination statement.
- Recipient institution, project, or college makes efforts to conduct outreach to traditionally underserved communities; to include collaboration with community groups.
7. Accessibility for Individuals with Disabilities

- Sufficient reasonable accommodation policies and procedures are in place.
- Reasonable accommodation statement is used on documents and/or Web sites announcing activities or events.
- Project staff have had training on reasonable accommodations.
- RA requests are handled appropriately.
- Barriers for individuals with disabilities have been considered in project planning and implementation.
8. Language Access

• Potential service population and language needs have been assessed.

• Language access plan has been developed.

• Staff has been trained on language access obligations and prohibited practices.

• Competent interpretation and translation services are consistently provided free of charge.

• Notification of services is provided, and outreach to LEP individuals takes place.
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The recording for this webinar: https://www.youtube.com/watch?v=XJKmWjtKLRk