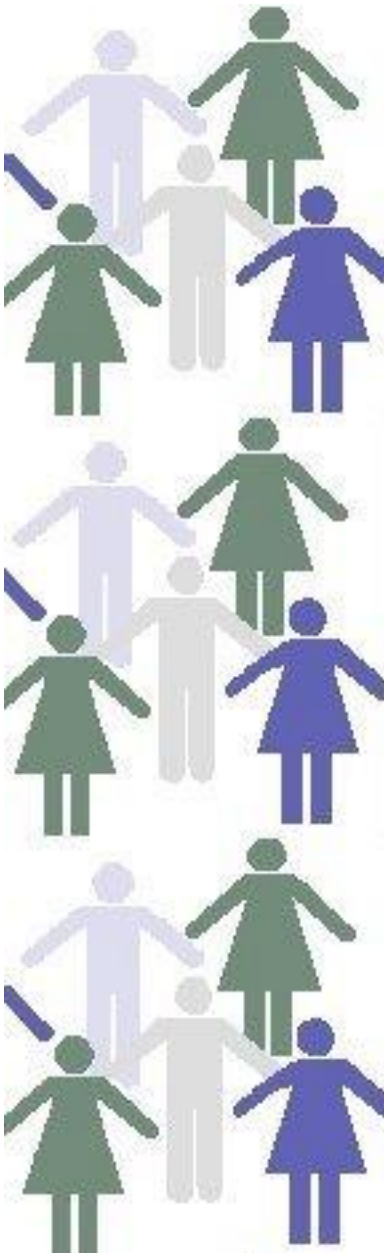
USDA NRCS Natural Resources Conservation Service



CIVIL RIGHTS DIVISION

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CIVIL RIGHTS COMPLIANCE REVIEW GUIDE

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This Guide provides direction and conveys policy and procedures to be followed by NRCS personnel when conducting CRCRs.

HELPING PEOPLE HELP THE LAND

An Equal Opportunity Provider and Employer

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I. INTRODUCTION

1. PURPOSE AND SCOPE

The NRCS Civil Rights Compliance Reviews (CRCRs) are conducted to: ensure that policy and procedures are being followed for all USDA Federally conducted and assisted programs and activities; evaluate employment and program delivery processes, policies, and functions; determine Civil Rights and Equal Opportunity compliance; and to provide direction, guidance, and technical assistance to NRCS managers and supervisors to correct any Civil Rights and/or Equal Opportunity compliance deficiencies.

2. POLICY

It is NRCS's policy to treat all customers and employees equitably regardless of race, color, national origin, sex (including gender identity and expression), religion, age, disability, political beliefs, sexual orientation, marital or familial status, parental status, protected genetic information **or because all or a part of an individual's income is derived from any public assistance program.** It is also our policy that customers and employees be free from reprisal or harassment in the pursuit of fairness and equal employment opportunities.

- Measuring the effectiveness of compliance in Program Delivery (Title VI) and Equal Employment Opportunity (Title VII) in State Offices and selected Field Offices, NRCS Divisions, and National Technology Centers.
- Recognizing commitment, leadership, creative and innovative management of the Civil Rights program.
- Ensuring that programs are administered in a fair and equitable manner to all NRCS customers.
- Determining the extent that NRCS employees understand their program delivery and equal employment opportunity responsibilities.
- Identifying program delivery and equal opportunity deficiencies.
- Providing assistance and guidance to fulfilling NRCS program delivery and equal opportunity goals and objectives.
- Systematically evaluating whether and the extent to which USDA conducts its programs and activities in a manner consistent with applicable Federal and USDA Civil Rights requirements.

No person shall be subjected to reprisal or harassment because he or she filed a discrimination complaint, participated in or contributed to the identification, investigation, prosecution or resolution of a Civil Rights violation in or by any USDA conducted program or activity; or otherwise aided or supported the enforcement of Federal or USDA Civil Rights laws, rules, regulations or policies. Any person, who believes that he, she, or any specific class of individuals has been subjected to discrimination by any USDA agency, may file a complaint personally or through a designated representative.

3. AUTHORITIES (Governing Regulations)

A. STATUTORY

- Title VI of the Civil Rights Act of 1964, as amended, 'Nondiscrimination in Federally Assisted programs'.
- Title VII of the Civil Rights Act of 1964, as amended, 'Equal Employment Opportunity'.
- Title IX of the Civil Rights Act of 1964, as amended, 'Intervention and Procedure after Removal in Civil Rights cases'; 1972 addition to Title IX "No person in the U.S. shall, on the basis of sex be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal aid."
- Rehabilitation Act of 1973, as amended; Section 504 and Section 508.
- 5 USC 301, Authority to Prescribe Departmental Regulations.
- Equal Credit Opportunity Act of 1974, Title VII of the Consumer Protection Act of 1974, as amended, Section 701 of the Equal Credit Opportunity Act of 1974, Public Law 93-49, 15 USC 1691.
- Age Discrimination in Employment Act of 1967, as amended.
- Equal Pay Act of 1963.
- Americans with Disabilities Act of 1990, as amended; Americans with Disabilities Act of 2008.
- Architectural Barriers Act of 1968.
- Civil Rights Restoration Act of 1987.

B. REGULATORY AND EXECUTIVE ORDERS

- 7 CFR Part 2, Subpart P, Delegation of Authority by the Assistant Secretary of Agriculture.
- 7 CFR Part 15d, Non-discrimination in Programs or Activities Conducted by the Department of Agriculture.
- 7 CFR Part 15e, Enforcement of Non-discrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Agriculture.
- 12 CFR Part 202, Equal Credit Opportunity Regulation B.
- 28 CFR Parts 42.401 – 42.415, Department of Justice Regulation, Subpart F, Coordination of Enforcement of Non-discrimination in Federally Assisted Programs.
- 29 CFR Part 1614, Federal Sector EEO.
- 41 CFR Part 102-76, Paragraph 102-76.85, Real Property Policies Update.
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.
- Executive Order 13166, Improving Access to Services for Persons with LEP.
- Executive Order 13160, Non-discrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Parental Status in Federally Conducted Education and Training Programs.
- Executive Order 13125, Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs.
- Executive Order 13087, Provides that, as a matter of Federal policy, an individual's sexual orientation should not be the basis for the denial of an employment or promotional opportunity.

- Executive Order 13145, Prohibits discrimination in Federal employment based on genetic information.
- Executive Order 13152 Provides for a uniform policy within the Federal Government to prohibit discrimination based on an individual's status as a parent.
- Executive Order 12250, Leadership and Coordination of Nondiscrimination Laws.
- Executive Order 13175, Consultation and Coordination with Indian Tribal Governments.

C. DEPARTMENTAL REGULATIONS/MANUALS

- DR 1010-001, Organization.
- DR 1071-001, Memorandum of Understanding on Environmental Justice and EO 12898.
- DR 1350-001, Tribal Consultation.
- DR 1350-002, Tribal Consultation, Coordination, and Collaboration.
- DR 1390-001, Implementation of EO 12320.
- DR 4030-001, Section 508 Implementation – Final Guidance.
- DR 4070-735-001, Employee Responsibilities and Conduct.
- DR 4120-001, Annual Departmental Civil Rights Training.
- DR 4230-002, Special Emphasis Programs.
- DR 4300-003, Equal Opportunity Public Policy.
- DR 4300-004, Civil Rights Impact Analysis.
- DR 4300-005, Agency Civil Rights Programs.
- DR 4300-006, Civil Rights Policy for USDA.
- DR 4300-007, Processing EEO Complaints of Discrimination.
- DR 4300-008, Reasonable Accommodations for Employees and Applicants with Disabilities.
- DR 4300-009, EEO Complaints.
- DR 4330-001, Procedures for Processing Discriminations Complaints and Conducting Civil Rights Compliance Reviews in USDA Conducted Programs and Activities.
- DR 4330-002, Activities Receiving USDA Financial Assistance.
- DR 4330-003, Non-discrimination in Programs and Activities.
- DR 4330-005, Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA.
- DR 4360-001, Communicating with Underserved Communities.
- DR 4360-002, Coordination of Request for USDA Support for Outreach Activities.
- DR 4370-001, Collection of race, ethnicity, and gender data for civil rights compliance and other purposes in regard to participation in the programs administered by the FSA, NRCS, RMA, Rural Business Service, Rural Housing Service, and Rural Utilities Service.
- DR 4370-002 Providing a Receipt for Service or Denial of Service by the Farm Service Agency, the Natural Resources Conservation Service, the Rural Business Service, the Rural Housing Service, and the Rural Utilities Service.
- DR 4710-001, Alternative Dispute Resolution.
- DR 4720-001, USDA Onboarding Requirements.
- DR 5600-002, Environmental Justice.
- DM 4300-001, EEO Complaint Processing Procedure.
- DM 4300-002, Reasonable Accommodations Procedures.

D. NRCS POLICY

- eDirectives – General Manual, Title 120, Part 408, Correspondence and File Management
- eDirectives – General Manual, Title 230, Equal Opportunity
- NRCS CRD – Civil Rights Compliance Review Guide

4. NOTICE – (USDA NONDISCRIMINATION STATEMENT)

USDA prohibits discrimination against its customers. If you believe you experienced discrimination when obtaining services from USDA, participating in a USDA program, or participating in a program that receives financial assistance from USDA, you may file a complaint with USDA. Information about how to file a discrimination complaint is available from the Office of the Assistant Secretary for Civil Rights. USDA prohibits discrimination in all its pro-grams and activities on the basis of race, color, national origin, age, disability, and where applicable, sex (including gender identity and expression), marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual‘s in-come is derived from any public assistance program. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, complete, sign and mail a program discrimination complaint form, available at any USDA office location or online at www.ascr.usda.gov, or write to:

USDA, Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, S.W.
Washington, D.C. 20250-9410

Or call toll free at (866) 632-9992 (voice) to obtain additional information, the appropriate office or to request documents. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339 or (800) 845-6136 (in Spanish). USDA is an equal opportunity provider, employer and lender.

Persons with disabilities who require alternative means for communication of program information (e.g., Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

Alternative version of statement – “An Equal Opportunity Provider and Employer."

5. NRCS CIVIL RIGHTS COMPLIANCE PROCEDURES

a) OUTLINE ANNUAL COMPLIANCE REVIEW SCHEDULE

The annual CR Compliance Review schedule is predetermined on a five (5) year rotational basis wherein each NRCS State and US Territorial area is reviewed at least once during the five (5) year period. Between August and September of each year, the CRD contacts the upcoming States/Territorial areas to solicit their preferred dates. Upon confirmation of the agreed dates, but no later than October 1st of each year, the CRD must submit a copy of the upcoming FY NRCS CRCR schedule (States/Territorial areas and dates of each review) to the USDA, ASCR, Office of Compliance, Policy, and Training, Division.

Example of an outlined schedule notice to Department. Once the schedule has been set, CRD identifies/appoints the CRCR Team Leader and team members for each review.

In unforeseen circumstances when a scheduled review is not conducted, the review will be postponed for the following year (i.e., Natural Disaster, extreme conflict with schedule, etc.). Although a State's CR Compliance Review may be postponed to the following year, future Compliance Reviews for that State will be based upon the State's original 5-year rotational schedule.

b) PRE ON-SITE REVIEW PREPARATIONS and RESPONSIBILITIES

- CRD selects the field offices to be reviewed 75 to 90 days prior to the review ensuring to select at least 20% of the number of the State's field offices. The following criterions are considered in selecting the field offices: previously visited offices; offices found significantly non-compliant during previous review; predetermined records that were requested in advance that reflect race, sex, national origin, and persons with disability (RSNOD) data on employees; accessibility reviews; Civil Rights and EEO complaint inventory; and/or program application processing and servicing.
- The Initial Contact Letter is transmitted to the respective STC at least 60 days prior to the scheduled review. A detailed Document Request for supporting information is included in the Initial Contact Letter. The deadline for return of the requested materials is 30 days prior to the team's on-site arrival. The Initial Contact Letter also identifies the field offices and locations to be visited. (See Attachment for Initial Contact Letter Sample)
- The CRCR Team will evaluate Employee Awareness by means of an online questionnaire that should take each employee approximately 20 minutes to complete. Within one (1) week after the date of the Initial Contact Letter, the CRD CRCR Program Coordinator transmits an e-mail message to all State employees with a hyperlink to access the questionnaire. Employee participation in this activity is strictly voluntary and confidential. Employees that choose to complete the aforementioned questionnaire must do so within the prescribed 30 day timeframe. (See Attachment for Employee Questionnaire)
- Approximately one (1) week after sending the Initial Contact Letter, the Team Leader distributes interview questions via email to all of the State's CRAC members, SEPMs, SAO, Public Affairs Specialist, and the ASTC for Operations and Programs. The interview questions should be completed and returned to the Team Leader within two (2) weeks of receipt of the email. (See Attachment for Interview Questionnaires)
- NLT two (2) weeks prior to the review, the Team Leader provides the State's Compliance Review POC a copy of the final itinerary. As a courtesy, the itinerary may be forwarded earlier if it is anticipated that the State POC may have any problems making lodging arrangements consistent with the teams' planned itinerary. (See Attachment for Sample Itinerary)

c) ON-SITE REVIEW RESPONSIBILITIES

- The on-site Compliance Review is based on a three (3) to five (5) day work week. The day of departure depends on the location of the State and the number of field offices to be reviewed.

- The AM of the first day of the review is dedicated to the State Office for the Entrance Conference and review of the State Office. The goal of the Entrance Conference is to set the State officials at ease and to promote an atmosphere of cooperation. Upon arrival, the Team Leader and, if scheduled, the Team Members meet first with the STC. During this meeting, the Team Leader introduces the team; discusses the purpose, authorization, and scope of the review; reviews the significant employee survey findings and the State's Section 508 Report; explains the various onsite activities; and confirms any last minute scheduling or logistical changes.
- The Team Leader provides the STC with the CRCR Team Evaluation Form for completion. This form is to be completed by the STC post the review and faxed to the CRD PCB Branch Chief at the number listed at the bottom of the evaluation form. (See Attachment for Evaluation Form)

  After meeting with the STC, the Review Team meets with the State's principle staff for introductions and to set the tone for the onsite review process. The Team Leader reviews the goals and objectives of the review, explains how it will be conducted, and answers any questions about the review process. If not done prior to arrival, the Exit Conference will be scheduled at this time. The Team Leader ensures that an attendance sheet is routed and completed.
- Second and third days (Tuesday and Wednesday) are dedicated to reviewing field offices located throughout the State.
- The fourth day (Thursday) may include the review of a field office in the AM. If so, the afternoon of the fourth day may be reserved for return travel or for the team to meet to discuss their on-site findings.
- The last day is for the Team Leader and any remaining team members to conduct the Exit Conference by 9:00 AM; and travel return. The Exit Conference is usually scheduled between 8:00AM and 9:00 AM on the last day of the review. The Team Leader ensures that an attendance sheet is routed and completed. The STC decides on the attendees for the Exit Conference (The STC may reserve the right not to share certain findings with his/her management team). The Team Leader leads the Exit Conference to discuss the following items with the STC and management team:

  - Major review findings (If the STC objects to any of the preliminary findings, the team teleconferences with the PCB Branch Chief to discuss those concerns).
  - The Final Report will be received within 45 days of the Exit Conference date.
  - The Corrective Action Plan requirements for non-compliance findings (required actions) and that the State has 30 days to provide its Corrective Action Plan.
  - Reminder to complete the evaluation form and return it via fax to the PCB Branch Chief.

d) ON-SITE REVIEW OF OFFICES

The Team Leader: conducts or assigns the State Office's accessibility analysis/checklist (Form AD-2056); performs the public notification/poster review; and 230 file review. (See Attachment for form 2056)

- During each field office review, each team member:
  - Conducts a streamlined entrance conference (i.e. introductions, purpose and scope of review, and outline of review actions).
  - Performs the public notification/poster and 230 file review.
  - Conducts the accessibility checklist.
  - Interviews the landowners, Board members, and District Conservationist. (All interviews are allotted 30 minutes.)

e) POST REVIEW RESPONSIBILITIES

- The State has 30 days from receipt of the CRCR Report to submit its proposed Corrective Action Plan which displays the details of how the non-compliance required item(s) will be reconciled.
- CRD acknowledges receipt of the proposed Corrective Action Plan, reviews the proposed Action Plan, and notifies the STC of any suggestions and/or comments within 10 days of receipt.
- Upon acceptance of the Corrective Action Plan, the NRCS CRD Corrective Action POC notifies the State with a Corrective Action Plan acceptance notice and notifies the state that it has one year to comply with all required actions. The CRD Corrective Action POC and the State coordinate to identify the timeframe in which it will take to complete the proposed Corrective Action(s).
- Within 90 days, the STC notifies CRD with the State's quarterly progress report for its Corrective Action Plan and provides quarterly updates thereafter until completion. The State is required to submit supporting documentation of its compliance of the required actions**.**
- The CRD Corrective Action POC ensures receipt of the Corrective Action Plan and establishes a quarterly schedule for the State to report progress on the non-compliance findings.
- Upon completion of all Corrective Action items, the CRD Corrective Action POC initiates the State's CRCR final Close-out letter.

The following sections, II and III, provide the Program Delivery and Employment components of a NRCS Civil Rights Compliance Review. The 'Requirements' explain the statues, regulations, and policies; the 'Document Request' describe the information and data that the CRD request in advance of the review; 'On-Site Verification' describes the information, data, and materials that the Review team inspects on-site; and 'Documented Verification' describes documentation that CRD reviews/analyzes relative to State employee interviews.

II. CIVIL RIGHTS MANAGEMENT- PROGRAM DELIVERY (TITLE VI)

1. CIVIL RIGHTS RESPONSIBILITIES AND RECORDS

Requirements: 7 CFR Part 15, Nondiscrimination in Programs or Activities conducted by the Department of Agriculture; and NRCS GM 120 Part 408, Correspondence and File Management, require agencies to develop plans, procedures, and directives necessary to manage their Civil Rights programs. NRCS offices are required to manage their Civil Rights activities through Handbooks, Reports, Notices and Correspondence.

Document Request:

- A copy of the State's Strategic or Business Plan.
- A copy of the State's Outreach Plan.

On-Site Verification:

The team will examine the status on whether Civil Rights files have been established and updated to include NRCS Civil Rights management directives, policies, bulletins, memos, complaints, etc:

- ✓ Handbooks
- ✓ Reports
- ✓ Notices
- ✓ Correspondence
- ✓ National and In-State Bulletins

2. PRORAM DELIVERY TRAINING

Requirements: DR 4120-001, Annual Departmental Civil Rights Training; DR 4330-003, Nondiscrimination in Programs and Activities; and NRCS GM 230 Part 405, Civil Rights in Program Delivery, provide instructions on the responsibilities for providing training on Civil Rights laws and Regulations to all staff members.

Document Request:

- A copy of each employee's career training for the last three (3) years.

On-Site Verification:

- Employees hired in the past 12 months received training in:
  a) Civil Rights in Program Delivery (NEDC course if employee has program delivery responsibilities)
- Documented staff and district employee training (random sampling of IDPs).
- Civil Rights training included in State-wide training plan.

3. PUBLIC NOTIFICATION

Requirements: 7 CFR 15.5, Nondiscrimination in Programs or Activities Conducted by the Department of Agriculture; DR 4300-003, Equal Opportunity Public Policy; DR 4300-006, Civil Rights Policy for USDA; DR 4330-005 Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency (LEP) in Programs and Activities Conducted by USDA; and NRCS GM 230 Part 405, Civil Rights Compliance in Program Delivery, require NRCS offices to establish programs to ensure that all persons know about the availability and use of NRCS program services and are encouraged to participate.

On-Site Verification:

- Methods used to inform potential and non-traditional program beneficiaries *(particularly minorities, females, and persons with disabilities)* about NRCS programs and activities. Notification is provided through newsletters, publications, news releases, meetings, posters, personal contacts, electronic media, fact sheets, videos, and through contacts with Grassroots Organizations representing minorities, women, and persons with disabilities.
- Public meeting materials available in alternative means of communication (Braille, large prints, audiotape - captioning, etc.).
- Public meeting notices include State POC information including name, telephone number, and a respond by date for persons to request accommodations (interpreter, translator, etc.) or materials in an alternative format.
- Sign-in sheets document public meetings or workshops held by NRCS discussing USDA programs and services.
- Appropriate Nondiscrimination statement is placed or appears on all materials available for public distribution including, but not limited to: program information, district newsletter, fact sheets, publications, etc.
- Mandatory Civil Rights Policy Statements are prominently posted (clearly visible to program participants or persons seeking NRCS assistance and posted in languages appropriate for the local population: USDA Secretary's CR Policy Statement; NRCS Civil Rights Policy Statement; and NRCS Anti-Harassment Policy.
- Required posters are prominently displayed in the USDA Service Centers and field offices: "And Justice for All"; USDA EEO is the Law; USDA Sexual Harassment is Illegal; and NRCS EEO Counseling Program posters.

4. PROGRAM OUTREACH

Requirements: 7 CFR 15.5, Nondiscrimination in Programs or Activities conducted by the Department of Agriculture; EO 13166, requires federal agencies to provide LEP persons with meaningful opportunity to participate in programs and activities conducted by USDA; DR 1071-001, Memorandum of Understanding on Environmental Justice and EO 12898; EO 13175, Consultation and Coordination with Indian Tribal Governments; DR 1350-001, Tribal Consultation; DR 1350-002, Tribal Consultation, Coordination, and Collaboration;

DR 1390-001, Implementation of EO 12320; DR 4360-001, Communicating with Underserved Communities; DR 4360-002, Coordination of Requests for USDA Support for Outreach Related Activities; DR 4370-002, Providing a Receipt for Service or Denial of Service by the FSA, NRCS, Rural Business Service, Rural Housing Service, and Rural Utilities Service; and NRCS GM 230 Part 406, National Outreach Policy require the establishment of outreach programs at the local level to ensure that all persons know about the availability of NRCS program services effectively and are encouraged to participate.

On-Site Verification:

- Methods used by NRCS with grassroots organizations in reaching non-traditional and under-served customers within the State.
- Examples of the State's outreach activities for minorities, women, and persons with disabilities.
- Materials developed by the State to assist producers with disabilities or those with Limited English Proficiency (LEP).
- Ascertain whether the CRAC has a business plan that includes program outreach action items.
- Examples of how notification is provided include:

  - ✓ Newsletters
  - ✓ Publications
  - ✓ News releases
  - ✓ Meetings
  - ✓ Posters
  - ✓ Personal contacts
  - ✓ Electronic media
  - ✓ Fact sheets
  - ✓ Videos
  - ✓ Through Grassroots Organizations representing minorities, women, and persons with disabilities.

5. PROGRAM DISCRIMINATION COMPLAINTS

Requirements: 7 CFR 15.6, Complaints; 28 CFR 42.408, Complaint Procedures; DR 4330-003, Non-discrimination in Programs and Activities; NRCS GM 230 Part 405, Civil Rights Compliance in Program Delivery; and the *"And Justice for All"* poster provide instructions for customers filing complaints of discrimination in program and/or service delivery. These regulations should be on file and the poster displayed in a prominent location.

On-Site Verification:

- Supervisors and managers discuss the program complaint procedures with staff (Review staff meeting minutes).

6. EVALUATION OF PROGRAM DELIVERY

Requirements: 7 CFR Part 15.5, Nondiscrimination in Programs or Activities conducted by the Department of Agriculture; 28 CFR Part 42.406, Data and Information Collection, requires federal agencies to collect data from applicants of recipients of federal assistance

to enforce Title VI; 28 CFR Part 42.408, Complaint Procedures; EO 12250, Leadership and Coordination of Nondiscrimination Laws; EO 13166 requires federal agencies to provide LEP persons with meaningful opportunity to participate in programs and activities conducted by USDA; DR 4330-002, Activities Receiving USDA Financial Assistance; DR 4330-003, Nondiscrimination in Programs and Activities; DR 4370-001, Collection of race, ethnicity, and gender data for civil rights compliance and other purposes in regard to participation in the programs administered by the FSA, NRCS, RMA, Rural Business Service, Rural Housing Service, and Rural Utilities Service; and NRCS GM 230 Part 405, Civil Rights in Program Delivery, require: the monitoring and evaluation of programs in order to ensure that they are administered in a nondiscriminatory manner and the collection and evaluation of race, sex, national origin, and disability (RSNOD) participation and eligibility data for programs. Data is necessary to determine both quantitatively and qualitatively how effectively agency programs are reaching all potential beneficiaries.

Document Request:

- Program participation reports, PROTRACTS, SCIMs, and ToolKit, for each scheduled field office inspection for the last three (3) fiscal years with RSNOD status. Data collected should reflect parity in program participation.
- A copy of the State's schedule of conducting Compliance Reviews in field offices.
- A copy of the last CRCR Report for each field office to be inspected.
- Current list of Soil and Water Conservation District (SWCD) Board, and State Technical Committee by RSNOD.
- Provide the number of land-users receiving USDA program payments prior fiscal year for installing conservation practices and participating in any of the following programs from prior fiscal year:
    - ✓ AMA – Agricultural Management Assistance
    - ✓ AWEP – Agricultural Water Enhancement Program
    - ✓ CFO – Conservation Farm Option
    - ✓ CPI – Conservation Partnership Initiative
    - ✓ CPMC – Conservation Plant Material Center
    - ✓ CRBSC – Colorado River Basin Salinity Control Program
    - ✓ CSP – Conservation Security Program
    - ✓ CTA – Conservation Technical Assistance
    - ✓ EQIP – Environmental Quality Incentives Program
    - ✓ EWP – Emergency Watershed Protection Program
    - ✓ FRLPP – Farm and Ranch Land Protection Program
    - ✓ GRP – Grassland Reserve Program
    - ✓ CPGL – Conservation of Private Grazing Land
    - ✓ HFRP – Healthy Forest Reserve Program
    - ✓ NCSS – National Cooperative Soil Survey Program
    - ✓ SSWSF – Snow Survey & Water Supply Forecasting
    - ✓ SSP – Soil Survey Programs
    - ✓ WHIP – Wildlife Habitat Incentives Program
    - ✓ WPFP – Watershed Protection and Flood Prevention Operations Program
    - ✓ WRP – Wetland Reserve Program

On-Site Verification:

- File inspection for pre-post award contract compliance.
- Utilization of program participant data to determine potential eligible program beneficiaries (i.e., Ag Census, Decentenial Census, PROTRACTS, SCIMS).
- Note the retention of program data after the end of a program year.
- In findings of disparities, note actions taken to correct findings.

7. PARTNERSHIP RESPONSIBILITY

Requirements: 7 CFR Part 15.5, Nondiscrimination in Programs or Activities conducted by the Department of Agriculture; DR 4330-002, Activities Receiving USDA Financial Assistance; DR 4330-003, Nondiscrimination in Programs and Activities; DR 4360-001, Communicating with Underserved Communities; DR 4360-002, Coordination of Requests for USDA Support for Outreach Related Activities; and NRCS GM 230 Part 405, Civil Rights in Program Delivery, set forth the recipients responsibilities in program delivery, i.e. increase the diversity of representation on partnership boards and councils, adhere to Agency rules and regulations with respect to Equal Opportunity, develop plans, procedures, and directives necessary to manage Civil Rights programs, ensure that all offices be accessible to persons with disabilities, and establish, maintain, and carry out an effective equal opportunity employment program.

Document Request:

- A copy of all Memorandums of Understandings established with Conservation Districts and American Indian Tribes, as applicable.

Documented Verification (District Board Members Interview Questionnaires):

- Methods used to encourage eligible females and minorities to serve as Board members.
- Qualifications for membership on the Board.
- Methods used to inform the public about Board membership.
- Does the current Board's makeup reflect the community's makeup?
- Methods used by the Board members to recruit and/or appoint minorities, females, or persons with disabilities to serve on the Board.
- Methods used to encourage minority and female participation in the electoral process and; as Directors or Officers on the Board.
- Assurance of annual Memorandum of Understanding between NRCS and the Board.
- Determine whether the following are discussed with District Board members:
    a) Prevention of Sexual Harassment;
    b) Civil Rights policy and training;
    c) "And Justice For All" poster.

8. ACCESS TO ALL NRCS FACILITIES BY PERSONS WITH DISABILITIES

Requirements: Architectural Barriers Act of 1968 (P.L. 90-480) requires that all buildings and facilities be accessible to people with disabilities if, since 1968, they were designed, built, or altered with certain Federal funds, or if they are leased for occupancy by Federal agencies; 41CFR Part 102-76, Paragraph 102-76.85, Real Property Policies Update; Uniform Federal Accessibility Standards (UFAS) provide the guidelines for architectural compliance with the Act. If a lease is renewed after May 2008, buildings must comply with The Architectural Barriers Act Accessibility Standards (ABAAS); Section 504 and 508 of the Rehabilitation Act of 1973, as amended; 7 CFR Part 15e, Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the USDA; DR 4300-008, Reasonable Accommodations for Employees and Applicants with Disabilities; DM 4300-002, Reasonable Accommodations Procedures; and NRCS GM-230 Part 405, Civil Rights in Program Delivery, require that all offices and electronic communications are accessible to persons with disabilities.

Document Request:

- Provide names of staff that have received 508 Compliance Training and the status of the required 508 website compliance tasks.

On-Site Verification:

- Workspace accommodates persons with disabilities such as: a person using a wheel chair, someone who is hearing impaired or someone who is visually impaired.
- Perform accessibility evaluation – Form AD 2056 (Checklist available at: http://www.nrcs.usda.gov/about/civilrights/disability_resources.html)

III. EEO MANAGEMENT– (TITLE VII)

1. WORKFORCE ANALYSIS

Requirements: 29 CFR 1614, Federal Sector EEO, require that the head of each agency exercise personal leadership by establishing, maintaining, and carrying out plans, procedures, and directives necessary to manage an effective EEO program that promotes equality in employment, development, advancement, and treatment of employees. NRCS offices are required to manage their EEO activities through handbooks, directives, reports, notices, and correspondence; and EO 11478, EEO in the Federal Government.

Document Request:

- Workforce analysis reports for the last three (3) fiscal years (basic employee list) which display race, sex, national origin, and disability (RSNOD) status.

On-Site Verification:

- Random review of vacancy announcements to ascertain how and where they are posted, and how long they are maintained on file.
- Review of actions taken to increase the employment of persons with disabilities at NRCS.

2. PROMOTIONS

Requirements: 29 CFR Part 1614.101(b)(4), General Policy, requires the head of each agency to exercise personal leadership in establishing, maintaining, and carrying out a continuing Affirmative Employment Program. This program is designed to promote equal opportunity in every aspect of agency personnel policy and practice in the employment, development, advancement, and treatment of employees.

Document Request:

- Reports for the last three (3) fiscal years for employee promotions and time in grade. Reports must show race, sex, national origin, and disability (RSNOD) status.

3. RECRUITMENT

Requirements: 29 CFR 1614.102(a)(4), Agency Program; EOs: 11246, 13163, and 13171 require agencies to solicit assistance in the recruitment of minorities, women, and persons with disabilities; DR 4720-001, USDA Onboarding Requirements; and NRCS GM 230 Part 401.5, EEO, require agencies to communicate their EEO policies, program, and employment needs to all sources of job candidates without regard to age, color, disability, national origin, race, religion, sex, political beliefs, sexual orientation, and/or marital and familial status.

Document Request:

- Reports for the last three (3) fiscal years for all recruitment sources.
- State's Recruitment Plan.

On-Site Verification:

- Random review of Job Vacancy Announcements to ascertain whether they contain the Equal Opportunity Nondiscrimination statement.
- Ascertain whether hiring procedures take into account if EEO barriers exist.
- Determine if recruitment efforts are being coordinated between Human Resources and Special Emphasis Program Managers to obtain optimum effectiveness.
- Ascertain whether recruitment literature has pictures of women and minorities, and if they are indicative of a desire for a diversified workforce.
- Determine if organizations with minorities, women, and individuals with disabilities are informed about vacancy announcements.
- Determine if recruitment efforts are being employed at the following institutions:
  a) 1862 Colleges and Universities (Tribal Colleges)
  b) 1890 Colleges and Universities
  c) 1994 Colleges and Universities
  d) Hispanic Serving Institutions (HSI)
  e) Asian American/Pacific Islander Colleges and Universities.

4. EMPLOYEE AWARENESS AND EEO TRAINING

Requirements: 29 CFR 1614.102, Agency Program; DR 4070-735-001, Employee Responsibilities and Conduct; DR 4120-001, Annual Departmental Civil Rights Training; and DR 4710-001 Alternative Dispute holds Agencies responsible for communicating EEO policies, programs, and employment needs to all employees via the following notices:

Document Request:

- A copy of each employee's career training for the last three (3) years.

On-Site Verification:

- Determine if the following posters, notices, or statements are prominently displayed in locations where applicants, employees, and customers can easily see them:
  a) Secretary of Agriculture's Civil Rights Policy Statement;
  b) NRCS Civil Rights Policy Statement;
  c) NRCS Anti-Harassment Policy Statement
  d) "And Justice For All" poster;
  e) USDA "Prevention of Sexual Harassment" poster;
  f) NRCS EEO Counseling and Mediation poster.

- Employees hired in the past 12 months received training in:
  a) EEO
  b) Prevention of Sexual Harassment
  c) EEO Counseling, Mediation, and Complaints
  d) Special Emphasis Programs
- Documented staff and district employee training (random sampling of IDPs).
- EEO training included in State-wide training plan.
- Determine whether managers and supervisors discuss the following with their respective staff members:
  a) EEO policy;
  b) Prevention of Sexual Harassment;
  c) Civil Rights policy.

Documented Verification:

To gain insight on employee perceptions and knowledge of Civil Rights and EEO policies and programs, NRCS measures this effectiveness through the Agency's Civil Rights Compliance Review Employee Questionnaire which captures: 1. Civil Rights Policy and Oversight; 2. Observations About Civil Rights Programs; 3. EEO Counseling, Mediation, and Complaints; 4. Employee Background Information; and 5. Provide orientation, training, and advice to managers/supervisors to assure their understanding and implementation of EEO policies and programs.

5. DISCIPLINARY ACTIONS

Requirements: 29 CFR Part 1614.101, General Policy, requires federal agencies to provide equal opportunity in employment for all persons, to prohibit discrimination in employment because race, color, religion, sex, national origin, age, or handicap.

Document request:

- Reports for the last three (3) fiscal years for disciplinary actions by employees' race, sex, national origin, and disability (RSNOD) status.

6. AWARDS AND RECOGNITION

Requirements: 29 CFR 1614.102(a) (5)(10)(13), Agency Program, and DR 4040-451-1, USDA Employee Awards and Recognition Program; DR 4040-451-04, Referral Bonus Awards requires agencies to:

- ✓ Review, evaluate, and control managerial and supervisory performance in such a manner to ensure a continuing affirmative application and vigorous enforcement of the policy of equal opportunity,
- ✓ Provide recognition to employees, supervisors, managers, and units demonstrating superior accomplishment in EEO, and
- ✓ Inform its employees, recognize employee organizations of the Affirmative EEO policy and program, and enlist their cooperation.

Document request:

- Reports for the last three (3) fiscal years for awards (monetary and non-monetary) including amounts and recipients' race, sex, national origin, and disability (RSNOD) status.

Documented Verification (Interview Questionnaires – ASTCs and DCs):

- Determine if any manager, supervisor, or employee has received an award or recognition for outstanding achievement in EEO or CR activities.
- Ascertain whether a respective manager or supervisor has recognized an employee, or nominated anyone for outstanding achievements in EEO or CR activities.

7. CIVIL RIGHTS ADVISORY COMMITTEE/SPECIAL EMPHASIS PROGRAMS

Requirements: DR 4230-002, Special Emphasis Programs (SEP); and NRCS GM 230 Parts: 403, SEPs; and 404, Civil Rights Advisory Committee (CRAC) , require the establishment of Special Emphasis Program Managers and CRAC members to assist and enhance opportunities for designated groups that may be under represented in employment, recruitment, and/or personal advancement and development.

Documented Verification (Interview Questionnaires – CRAC and SEPMs):

- Ascertain whether the CRAC has a business plan that includes MD-715 action items.
- Determine if CRAC members and SEPMs have a MOU regarding their collateral duty assignment.
- Determine if CRAC members and SEPMs have received training pertaining to their respective role and responsibilities.
- Determine if CRAC members and SEPMs have a stand-alone performance element which addresses their respective collateral duty assignment.
- Ascertain who evaluates CRAC members and SEPMs performance regarding their collateral duty assignment.
- Determine what methods are used to inform employees of CRAC/SEPM activities.
- Ascertain whether CRAC members and SEPMs participate in the development of the State's Recruitment Plan.

8. EMPLOYMENT DISCRIMINATION COMPLAINTS

Requirements: 29 CFR 1614.102(b)(7), Agency Program, requires federal agencies to publicize, communicate to all employees, and post at all times the names and contact Information of the EEO Counselors; DR 4300-007, Processing EEO Discrimination Complaints; and DM 4300-001, EEO Complaint Processing Procedure.

On-Site Verification:

- Supervisors and managers discuss the EEO complaint procedures with staff (Review staff meeting minutes).
- Review State notices and bulletins regarding EEO complaint procedures.

ONLINE EMPLOYEE QUESTIONNAIRE

In an effort to perform a more effective analysis of employee awareness and to evaluate whether the Agency is meeting its responsibility for communicating CR and EEO policies and programs, an online employee questionnaire will be emailed to each State employee. The online employee questionnaire is attached for reference.

IV. PERSONNEL INTERVIEWS

On-site interviews are conducted of State and Field office personnel to: verify information received in the document request; gather additional information regarding program participation, outreach efforts, recruitment, etc.; and to verify and encourage the State to maintain information for reporting requirements.

A. Pre-Onsite Office Interviews

a. **Civil Rights Advisory Committee Chair**
b. **Civil Rights Advisory Committee Members**
c. **CRAC Advisor**
d. **Special Emphasis Program Managers**
e. **State Administrative Officer**
f. **Public Affairs Specialist**
g. **Assistant State Conservationist for Operations**
h. **Assistant State Conservationist for Programs**

B. Onsite Interviews

a. **District Conservationist**
b. **Landowners**
c. **Soil and Water Conservation District Board Members**

V. CLOSE OUT PROCESS

The NRCS GM 230 Part 405 specifies the process to complete the CRCR process. It may be summarized as follow:

- If required actions are identified, the STC submits a proposed Corrective Action Plan to the CRD for review and approval **within 30 calendar days from the receipt of the report.**
- The CRD reviews the Corrective Action Plan for approval within 30 calendar days of receipt.
- Upon approval, the STC submits to the CRD a quarterly progress report on the status of full implementation of the Corrective Action Plan. The first quarterly report is 90 days from the notice of approval.
- The Corrective Action Plan shall be completed within one year of date of conclusion of the CRCR (corrective action approval notice).

1. Required Action Non-Compliance Action Items

The Civil Rights Corrective Action Plan should include the following; and be completed on the Corrective Action Plan template:

- List the Required Action Non-Compliance item(s) that have been identified in the Civil Rights Compliance Review Report.
- The Required Action Non-Compliance item(s) should be listed succinctly according to the CRCR Report.

2. Proposed Implemented Corrective Actions

- The implemented action plan must provide detailed information on the dates, locations, programs, and activities covered in the CRCR.
- The proposed implemented actions should cover and correct the identified non-compliance action item(s).
- The Corrective Action Plan should negotiate a solution to the non-compliance action item(s).

3. Responsible Person

- Identify the individual that will have direct responsibility for this action item.
- The identified individual should be able to implement the Corrective Action Plan within a reasonable timeframe.

4. Targeted Completion Dates

- Identify the timeframe in which it will take to complete the proposed corrective action.

- The monitoring and evaluation on the progress of the Corrective Action Plan will be conducted periodically by the CRD.
- The CRCR will not be officially closed until the entire plan has been formally addressed and implemented.
- The Corrective Action Plan should be completed within one year of date of conclusion of the CRCR.

5. Status and Comments

- Provide comments on the progress of any actions taken.

- **Corrective Action Plan Template** (See Attachment)

Attachment (Sample Initial Contact Letter)

SUBJECT: EOP – Civil Rights Compliance Review – **(Month, Dates, Year)**

TO: **STC Name** File Code: 230-15
State Conservationist
City, State

This is to confirm that the New Hampshire Civil Rights Compliance Review is scheduled for **(Month, Dates, Year)**. **(Name of Specialist)**, Equal Opportunity Specialist, of the Civil Rights Division (CRD) will lead the review. Attached are a copy of the Civil Rights Compliance Review Requirements and a listing of offices that will be reviewed. An itinerary showing the date and time of each office to be visited will be forthcoming.

The CRCR Team will evaluate Employee Awareness by means of an online questionnaire that should take each employee approximately 20 minutes to complete. Within one (1) week after the date of this letter, an e-mail message with a hyperlink to access the questionnaire will be sent to all NRCS **(State)** employees. Employee participation in this activity is strictly voluntary and confidential. Employees that choose to complete the aforementioned questionnaire must do so within the prescribed 30 day timeframe; and from the original link sent by CRD. For your reference, a copy of the questionnaire is attached. We have found that there is a higher response rate to the questionnaire when the State leadership sends an email encouraging employee participation in the process. I suggest that such a message be sent to your respective employees because increased participation gives enhanced validity to the survey results.

Approximately, one (1) week after the date of this letter, CRD will distribute, via email, interview questions to the Civil Rights Advisory Committee (CRAC) members; Special Emphasis Program Managers (SEPMs); Assistant State Conservationist for Programs, Assistant State Conservationist for Operations, State Administrative Officer, and State Public Affairs Officer. The interview questions should be completed and returned to **(CRCR Team Leader)** within two (2) weeks of receipt of the email.

(Team Leader) will arrive in the State Office on Monday, **(Date and Time)** for a CRCR Entrance Conference with you and your principal staff to explain the scope and methodology of the review process. Upon completion of the Entrance Conference, an on-site public notification, 230-file review, and facility accessibility evaluation will be conducted of the State office.

The following information is requested prior to the review:

1. A copy of the State's Business or Strategic Plan.

2. A copy of the State's Outreach Plan.

3. A copy of State's schedule for conducting Compliance Reviews in field offices for FYs (3 most recent).

4. A copy of the last Civil Rights Compliance Review Report for each field office that will be visited.

5. Statewide project reports or proposals for urban and minority initiatives.

6. A copy of all Memorandums of Understandings established with Conservation Districts and American Indian Tribes, as applicable for each field office that will be visited.

7. The names of staff that have received 508 Compliance Training and the status of the required 508 website compliance tasks.

9. If applicable, please provide a narrative description of action(s) the State has taken during Fiscal Years 2011, 2012, and 2013 to ensure environmental justice in the delivery of NRCS federally assisted and/or conducted programs to the degree that all people regardless of race, color, national origin, or income enjoy:

   a) The same degree of protection from environmental and health hazards; and

   b) Equal accesses to the decision-making process to have a healthy environment in which to live, learn, and work.

10. Reports from Fiscal Years 2011, 2012, and 2013 on the attached charts. We do not need letters or names of individuals.

11. As a courtesy, we would like to request a liaison from the state staff to accompany us during the review if possible.

Please send all requested information to **(Team Leader)** on or before **(Date)** at the following address:

USDA-NRCS, Civil Rights Division
5601 Sunnyside Avenue, Room 1-2180C
Mailstop 5472
Beltsville, Maryland 20705

We are requesting that each District Conservationist arrange to have at least one Board member and one landowner available for interviews (either at the field office or by telephone). Interviews with SWCD Board members and NRCS staff should last approximately 30 minutes each.

A CRCR Exit Conference will be conducted to discuss the preliminary review findings at the State Office on **(Date)**. We encourage the participation of the CRAC Chairperson in the exit conference. If there are any areas that you would like **(Team Leader)** to give special consideration to or if you have any special needs or assistance, please discuss them with her during her visit.

A CRCR Evaluation form will be given to you at the Entrance Conference. Please complete the evaluation and return it via fax or scanned attachment within 10 days of the Exit Conference to **(Program Compliance Branch, Branch Chief)** at (301) 504-2336.

If you have questions, please contact **(Team Leader)** at (301) 504-XXXX or via e-mail at @wdc.usda.gov.

(NAME)
Director
Civil Rights Division

Attachments

cc: **(Name)**, Regional Conservationist, **(Area)**, NRCS, Washington, DC

Attachment (Sample Initial Contact Letter – Selected Offices for review)

Selected On-site Offices

(State) State Office, City, State

Team 1 (Team Member) – Area 3

ABC Field Office, City, State
DEF Field Office, City, State
GHI Field Office, City, State
JKL Field Office, City, State
MNO Field Office, City, State

Team 2 (Team Member) – Area 5

PQR Field Office, City, State
STU Field Office, City, State
VWY Field Office, City, State
ZZZ Field Office, City, State
123 Field Office, City, State

Team 3 (Team Member) – Area 2
456 Field Office, City, State
789 Field Office, City, State
AAA Field Office, City, State
BBB Field Office, City, State
CCC Field Office, City, State

Team 4 (Team Member) – Area 1

DDD Field Office, City, State
EEE Field Office, City, State
FFF Field Office, City, State
GGG Field Office, City, State
HHH Field Office, City, State

Attachment (Sample Initial Contact Letter – Document Request)

I. Analysis of program participation:

FY 2011 Cost-Share Dollars Awarded for EQIP in **MASSACHUSETTS** (PROTRACTS)

	Male	Female	American Indian	Asian American	African American	Hispanic	White
Number of Contracts							
Funds Awarded							
Percentage of Principal Operators in State							
Percentage of Dollars Awarded							

FY 2011 Cost-Share Dollars Awarded for All Programs in **MASSACHUSETTS** (PROTRACTS)

	Male	Female	American Indian	Asian American	African American	Hispanic	White
Number of Contracts							
Funds Awarded							
Percentage of Principal Operators in State							
Percentage of Dollars Awarded							

FY 2011 All Programs Applications Approval Rates **(**PROTRACTS)

	Male	Female	American Indian	Asian American	African American	Hispanic	White
Number of Application s							
Number Approved							
Percentage Approved							

FY 2012 Cost-Share Dollars Awarded for EQIP in **MASSACHUSETTS** (PROTRACTS)

	Male	Female	American Indian	Asian American	African American	Hispanic	White
Number of Contracts							
Funds Awarded							
Percentage of Principal Operators in State							
Percentage of Dollars Awarded							

FY 2012 Cost-Share Dollars Awarded for All Programs in **MASSACHUSETTS** (PROTRACTS)

	Male	Female	American Indian	Asian American	African American	Hispanic	White
Number of Contracts							
Funds Awarded							
Percentage of Principal Operators in State							
Percentage of Dollars Awarded							

FY 2012 All Programs Applications Approval Rates (PROTRACTS)

	Male	Female	American Indian	Asian American	African American	Hispanic	White
Number of Applicants							
Number Approved							
Percentage Approved							

FY 2013 Cost-Share Dollars Awarded for EQIP in **MASSACHUSETTS** (PROTRACTS)

	Male	Female	American Indian	Asian American	African American	Hispanic	White
Number of Contracts							
Funds Awarded							
Percentage of Principal Operators in State							
Percentage of Dollars Awarded							

FY 2013 Cost-Share Dollars Awarded for All Programs in **MASSACHUSETTS** (PROTRACTS)

	Male	Female	American Indian	Asian American	African American	Hispanic	White
Number of Contracts							
Funds Awarded							
Percentage of Principal Operators in State							
Percentage of Dollars Awarded							

FY 2013 All Programs Applications Approval Rates **(**PROTRACTS)

	Male	Female	American Indian	Asian American	African American	Hispanic	White
Number of Application s							
Number Approved							
Percentage Approved							

II. Race and Gender Composition of State Technical Committee

Total	White Male	White Female	Black Male	Black Female	Hispanic Male	Hispanic Female	Asian Male	Asian Female	Am. Indian Male	Am. Indian Female	Persons with Disabilities

Race and Gender Composition of SWCD Boards

Total	White Male	White Female	Black Male	Black Female	Hispanic Male	Hispanic Female	Asian Male	Asian Female	Am. Indian Male	Am. Indian Female	Persons with Disabilities

III. Have you utilized any of the following programs during the past three years?

Program	Number of Hires	Number converted to Perm	Number of Male	Number of Female	
Career Experience					
Career Interns					
HACU					
Presidential Mgmt Intern					
Scholarship for Service					
Student Temporary Employment					
Summer Intern					
Student Volunteer					
USDA 1890 Scholars Program					
Workforce Recruitment program for College Students with Disabilities					
Other persons with Disabilities					

IV. What is the diversity of the Student hires?

Male	Female	Black Male	Black Female	AI Male	AI Female	AAPI Male	AAPI Female	Hispanic Male	Hispanic Female	White Male	White Female

V. What is the Diversity of the Student hire Conversions?

Male	Female	Black Male	Black Female	AI Male	AI Female	AAPI Male	AAPI Female	Hispanic Male	Hispanic Female	White Male	White Female

VI. List the colleges, universities, or institutions the State recruited from within the past three years.

2011	2012	2013

VII. Promotions

Competitive Promotion Profile for FY 2011, 2012, and 2013													
	Total		White		Black		Hispanic		Asian American/ Pacific Islander		American Indian/ Alaska Native		Persons with Disabilities
	All	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	All
2011													
2012													
2013													

VIII. Reprimands

Total Profile for FY 2011, 2012 and 2013												
	Total		White		Black		Hispanic		Asian American/ Pacific Islanders		Am Indian/ Alaska Native	
	All	Fem	Male	Fem	Male	Fem	Male	Fem	Male	Fem	Male	Fem
2011												
2012												
2013												

IX. Suspensions

Total Profile for FY 2011, 2012 and 2013												
	Total		White		Black		Hispanic		Asian American/ Pacific Islanders		Am Indian/ Alaska Native	
	All	Fem	Male	Fem	Male	Fem	Male	Fem	Male	Fem	Male	Fem
2011												
2012												
2013												

X. Removal

Total Profile for FY 2011, 2012 and 2013												
	Total		White		Black		Hispanic		Asian American/ Pacific Islanders		Am Indian/ Alaska Native	
	All	Fem	Male	Fem	Male	Fem	Male	Fem	Male	Fem	Male	Fem
2011												
2012												
2013												

XI. Awards

Quality Step Increase (QSI) Awards Profile for FY 2011, 2012 and 2013											
YEAR		**White**		**Black**		**Hispanic**		**Asian American/ Pacific Islander**		**American Indian/ Alaska Native**	
	Total	**Male**	**Female**	**Male**	**Female**	**Male**	**Female**	**Male**	**Female**	**Male**	**Female**
2011											
2012											
2013											

All Cash Awards (including Spot Awards) Profile for FY 2011, 2012, and 2013												
			White		Black		Hispanic		Asian American/ Pacific Islander		Am Indian/ Alaska Native	
	Type	**Total**	**Male**	**Fem**	**Male**	**Fem**	**Male**	**Fem**	**Male**	**Fem**	**Male**	**Fem**
2011	$0-$500											
Percentage	$0-$500											
2011	$501-$1000											
1	$501-$1000											
2011	>$1001											
Percentage	>$1001											
2012	$0-$500											
Percentage	$0-$500											
2012	$501-$1000											
Percentage	$501-$1000											
2012	>$1001											
Percentage	>$1001											
2013	$0-$500											
0	$0-$500											
2013	$501-$1000											
Percentage	$501-$1000											
2013	>$1001											
Percentage	>$1001											

Time Off Awards (TOA) Profile for FY 2011, 2012 and 2013

			White		Black		Hispanic		Asian American/ Pacific Islander		American Indian/ Alaska Native	
	Type	**Total**	**Male**	**Female**	**Male**	**Female**	**Male**	**Female**	**Male**	**Female**	**Male**	**Female**
2011	Number											
2011	Total Hours											
2011	% Awarded											
2012	Number											
2012	Total Hours											
2012	% Awarded											
2013	Number											
2013	Total Hours											
2013	% Awarded											

Attachment (Sample Initial Contact Letter – Requirements)

Civil Rights Compliance Review Requirements

TITLE VI - PROGRAM DELIVERY - CIVIL RIGHTS MANAGEMENT

1. CIVIL RIGHTS RESPONSIBILITIES AND RECORDS

Requirements: 7 CFR Part 15, Nondiscrimination in Federally Assisted Programs; and NRCS GM 120 Part 408, Correspondence and File Management, require agencies to develop plans, procedures, and directives necessary to manage their Civil Rights programs. NRCS offices are required to manage their Civil Rights activities through Handbooks, Reports, Notices and Correspondence.

2. PROGRAM DELIVERY TRAINING

Requirements: DR 4330-3, Nondiscrimination in Programs and Activities; and NRCS GM 230 Part 405, Civil Rights in Program Delivery, provide instructions on the responsibilities for providing training on Civil Rights laws and Regulations to all staff members.

3. PUBLIC NOTIFICATION

Requirements: 7 CFR 15.5d, Nondiscrimination in Programs or Activities Conducted by the Department of Agriculture; DR 4300-3, Equal Opportunity Public Policy; DR4330-005 Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA and NRCS GM 230 Part 405, Civil Rights Compliance in Program Delivery, require NRCS offices to establish programs to ensure that all persons know about the availability and use of NRCS program services and are encouraged to participate.

4. PROGRAM OUTREACH

Requirements: 7 CFR 15.5a, Nondiscrimination in Federally Assisted Programs; DR 4360-001, Communicating with Underserved Communities; DR 4360-002, Coordination of Request for USDA Support for Outreach Activities; DR4370-002 Providing a Receipt for Service or Denial of Service by the Farm Service Agency, the Natural Resources Conservation Service, the Rural Business Service, the Rural Housing Service, and the Rural Utilities Service; DR1071-001 Memorandum of Understanding on Environmental Justice and EO 12898; EO 13175 Consultation and Coordination with Indian Tribal Governments; DR1350-001 Tribal Consultation; DR1350-002 Tribal Consultation, Coordination, and Collaboration; DR1390-001 Implementation of EO 12320; DR4360-001 Communicating With Under-served Communities; DR4360-002 Coordination of Requests for USDA Support for Outreach Related Activities; and NRCS GM 230 Part 406,

National Outreach Policy require the establishment of outreach programs at the local level to ensure that all persons know about the availability of NRCS program services effectively and are encouraged to participate. EO 13166 requires federal agencies to provide Limited English Proficiency (LEP) persons with meaningful opportunity to participate in programs and activities conducted by USDA.

5. PROGRAM COMPLAINTS OF DISCRIMINATION

Requirements: 28 CFR 42.408, Complaint Procedures; 7 CFR 15.6, Complaints; NRCS GM 230 Part 405, Civil Rights Compliance in Program Delivery, and the *"And Justice for All"* poster provide instructions for customers filing complaints of discrimination in program and/or service delivery. These regulations should be on file and the poster displayed in a prominent location.

6. EVALUATION OF PROGRAM DELIVERY

Requirements: 28 CFR Part 42.406, Data and Information Collection, requires federal agencies to collect data from applicants of recipients of federal assistance to enforce Title VI; EO 12250, Leadership and Coordination of Nondiscrimination Laws; 28 CFR Part 42.408, Complaint Procedures; 7 CFR Part 15.5, Nondiscrimination in Federally Assisted Programs; DR 4330-2, Activities Receiving USDA Financial Assistance; DR4370-001 Collection of race, ethnicity, and gender data for civil rights compliance and other purposes in regard to participation in the programs administered by the Farm Service Agency, the Natural Resources Conservation Service, the Risk Management Agency, the Rural Business Service, the Rural Housing Service, and the Rural Utilities Service and NRCS GM 230 Part 405, Civil Rights in Program Delivery, require: the monitoring and evaluation of programs in order to ensure that they are administered in a nondiscriminatory manner and the collection and evaluation of race, sex, national origin, and disability (RSNOD) participation and eligibility data for programs. Data is necessary to determine both quantitatively and qualitatively how effectively agency programs are reaching all potential beneficiaries. EO 13166 requires federal agencies to provide Limited English Proficiency (LEP) persons with meaningful opportunity to participate in programs and activities conducted by USDA.

7. PARTNERSHIP RESPONSIBILITY

Requirements: 7 CFR Part 15.5, Compliance; DR 4330-2, Activities Receiving USDA Financial Assistance; and NRCS GM 230 Part 405, Civil Rights in Program Delivery, set forth the recipients responsibilities in program delivery, i.e. increase the diversity of representation on partnership boards and councils, adhere to Agency rules and regulations with respect to Equal Opportunity, develop plans, procedures, and directives necessary to manage Civil Rights programs, ensure all offices are accessible to persons with disabilities, and establish, maintain, and carry out an effective equal opportunity employment program.

8. ACCESS TO ALL NRCS FACILITIES BY PERSONS WITH DISABILITIES

Requirements: The Architectural Barriers Act of 1968 (P.L. 90-480) requires that all buildings and facilities be accessible to people with disabilities if, since 1968, they were designed, built, or altered with certain Federal funds, or if they are leased for occupancy by Federal agencies. The Uniform Federal Accessibility Standards (UFAS) provide the guidelines for architectural compliance with the Act. If a lease is renewed after May 2008, buildings must comply with The Architectural Barriers Act Accessibility Standards (ABAAS).

Section 504 and 508 of the Rehabilitation Act of 1973, as amended; 7 CFR Part 15e, Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the USDA; and NRCS GM-230 Part 405, Civil Rights in Program Delivery, require that all offices and electronic communications are accessible to persons with disabilities.

TITLE VII – EEO PROGRAM - EEO MANAGEMENT

1. WORKFORCE ANALYSIS

Requirements: EO 11478, Equal Employment Opportunity in the Federal Government; and 29 CFR 1614, Federal Sector Equal Employment Opportunity, require that the head of each agency exercise personal leadership by establishing, maintaining, and carrying out plans, procedures, and directives necessary to manage an effective EEO program that promotes equality in employment, development, advancement, and treatment of employees. NRCS offices are required to manage their EEO activities through handbooks, directives, reports, notices, and correspondence.

2. PROMOTIONS

Requirements: 29 CFR Part 1614.101(b)(4), General Policy, requires the head of each agency to exercise personal leadership in establishing, maintaining, and carrying out a continuing Affirmative Employment Program. This program is designed to promote equal opportunity in every aspect of agency personnel policy and practice in the employment, development, advancement, and treatment of employees.

3. RECRUITMENT

Requirements: 29 CFR 1614.102(a)(4), Agency Program; DR4720-001 USDA Onboarding Requirements; and NRCS GM 230 Part 401.5, Equal Employment Opportunity, require agencies to communicate their EEO policies, program, and employment needs to all sources of job candidates without regard to age, color, disability, national origin, race, religion, sex, political beliefs, sexual orientation, and/or marital and familial status. EOs: 11246, 13163, and 13171 require agencies to solicit assistance in the recruitment of minorities, women, and persons with disabilities.

4. EMPLOYEE AWARENESS AND EEO TRAINING

Requirements: DR 4120-001, DR4070-735-001 Employee Responsibilities and Conduct; DR4710-001 Alternative Dispute ResolutionAnnual Civil Rights Training, and 29 CFR 1614.102, Agency Program, holds Agencies responsible for communicating Equal Employment Opportunity policies, programs, and employment needs to all employees via the following notices:

- Secretary of Agriculture's Civil Rights Policy Statement;
- NRCS Civil Rights Policy Statement;
- NRCS Anti-Harassment Policy Statement,
- "And Justice For All" poster;
- USDA Prevention of Sexual Harassment poster;
- NRCS EEO Counseling and Mediation poster.

5. DISCIPLIANRY ACTIONS

Requirements: 29 CFR Part 1614.101, General Policy, requires federal agencies to provide equal opportunity in employment for all persons, to prohibit discrimination in employment because race, color, religion, sex, national origin, age, or handicap.

6. AWARDS AND RECOGNITION

Requirements: 29 CFR 1614.102(a) (5)(10)(13), Agency Program, and DR4040-451-1 USDA Employee Awards and Recognition Program; DR4040-451-04 Referral Bonus Awards requires agencies to:

- Review, evaluate, and control managerial and supervisory performance in such a manner to ensure a continuing affirmative application and vigorous enforcement of the policy of equal opportunity,
- Provide recognition to employees, supervisors, managers, and units demonstrating superior accomplishment in EEO, and
- Inform its employees, recognized employee organizations of the Affirmative EEO policy and program, and enlist their cooperation.

7. CIVIL RIGHTS ADVISORY COMMITTEE/SPECIAL EMPHASIS PROGRAMS

Requirements: NRCS GM 230 Parts: 403, Special Emphasis Programs, and 404, Civil Rights Advisory Committee, require the establishment of Special Emphasis Program Managers and Civil Rights Advisory Committees to assist and enhance opportunities for designated groups that may be under represented in employment, recruitment, and/or personal advancement and development.

8. EMPLOYMENT COMPLAINTS OF DISCRIMINATION

Requirements:29 CFR 1614.102(b)(7), Agency Program, requires federal agencies to publicize and communicate to all employees and post at all times the names, business telephone numbers and business addresses of the EEO Counselors, a notice of the time limits and necessity of contacting an EEO Counselor.

Attachment (Employee Questionnaire)

1. Civil Rights Policy and Oversight - All responses are CONFIDENTIAL

This questionnaire will take 12 to 18 minutes to complete.

1. Select the extent of your agreement/disagreement with the statement: "Management officials demonstrate OVERALL support for the Civil Rights Program."

◯ Strongly Agree ◯ Agree ◯ Neither Agreee nor Disagree ◯ Disagree ◯ Strongly Disagree

2. Select the extent of your agreement/disagreement with management's support for Civil Rights in the following areas:

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Training	◯	◯	◯	◯	◯
Program Development	◯	◯	◯	◯	◯
Outreach Activities	◯	◯	◯	◯	◯

3. Select the extent of your agreement/disagreement with the following statement. My immediate supervisor treats subordinate employees:

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Fairly	◯	◯	◯	◯	◯
Equally	◯	◯	◯	◯	◯
With dignity and respect	◯	◯	◯	◯	◯

4. Select the extent of your agreement/disagreement with the following statement. Management's decisions on the following are based on merit:

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Assignments	◯	◯	◯	◯	◯
Projects	◯	◯	◯	◯	◯
Details	◯	◯	◯	◯	◯
Promotions	◯	◯	◯	◯	◯

Page 1

2. Observations About Civil Rights Programs - All responses are CONFIDENTIAL

5. How often are the following topics discussed at staff meetings:

	Always	Frequently	Regularly	Occasionally	Never
Civil Rights	◯	◯	◯	◯	◯
Equal Employment Opportunity	◯	◯	◯	◯	◯

6. Have you seen the following posters, notices, or statements at your worksite?

	Yes	No	Don't Know
Secretary of Agriculture Civil Rights Policy Statement	◯	◯	◯
NRCS Civil Rights Policy Statement	◯	◯	◯
"And Justice For All" Poster	◯	◯	◯
USDA "Prevention of Sexual Harassment" Poster	◯	◯	◯
NRCS Anti-Harassment Policy Statement	◯	◯	◯
NRCS EEO Counseling and Mediation Poster	◯	◯	◯

7. How familiar are you with the following:

	Totally Familiar	Familiar	Neither familiar nor unfamiliar	Unfamiliar	Totally Unfamiliar
Management Directive - 715 (formerly Affirmative Employment Plan)	◯	◯	◯	◯	◯
Special Emphasis Programs	◯	◯	◯	◯	◯
NRCS Reasonable Accommodation Policy and Procedures	◯	◯	◯	◯	◯

8. How often does Management promote or encourage the following:

	Always	Frequently	Regulary	Occasionally	Never
Special Emphasis Program Observances	◯	◯	◯	◯	◯
Special Emphasis Program Participation	◯	◯	◯	◯	◯

Page 2

3. EEO Counseling, Mediation, and Complaints - All responses are CONFIDENTIAL

9. Please select your response to the following statements:

	Yes	No	Don't Know
I have open communication with my supervisor	◯	◯	◯
If my supervisor was not treating me in a fair manner, I would discuss the issue(s) with him/her	◯	◯	◯
I have experienced discrimination in the workplace in the last three years	◯	◯	◯
I have experienced harassment in the workplace in the last three years	◯	◯	◯
If I was discriminated against, I would file an EEO complaint	◯	◯	◯
Fear of "reprisal" would be a factor in my decision	◯	◯	◯
I would consider using Alternative Dispute Resolution to address a workplace discrimination allegation	◯	◯	◯

10. Please select your response to the following statements:

	Yes	No
I know the difference between a Program Delivery complaint (Title VI) and an Equal Employment Opportunity complaint (Title VII)	◯	◯
I know how to file an EEO complaint	◯	◯
I know how to contact an EEO Counselor	◯	◯
I am aware of the Alternative Dispute Resolution process	◯	◯

Page 3

4. Background Information - All responses are CONFIDENTIAL

The information in this section is OPTIONAL and CANNOT be used to identify you. The information will be used for statistical analysis only. Again, all your responses are CONFIDENTIAL.

11. I am:

- ◯ Female
- ◯ Male

12. I am:

- ◯ American Indian/Alaska Native
- ◯ Asian
- ◯ Black
- ◯ Hispanic
- ◯ Native Hawaiian or other Pacific Islander
- ◯ White
- ◯ Two or more

13. My age is:

[ ]

14. My pay schedule is:

- ◯ GS
- ◯ GM
- ◯ WG/WL/WS/WB
- ◯ SES

15. My pay grade is:

[ ]

16. I am a:

- ◯ Manager/Supervisor
- ◯ Non-Supervisor

17. I declare a disability:

- ◯ No
- ◯ Yes

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Attachment (Interview Questionnaire)

CIVIL RIGHTS ADVISORY COMMITTEE CHAIR

Note: Provide a copy of Position Description, Performance Work Plan, IDP, and MOU

1. What is your official working title?

   How long have you been a CRAC member; and how long is your term as Chairperson?

2. Collateral duty CRAC responsibilities:

   a. Do you have a stand-alone Civil Rights performance element?

   b. Who conducts the performance appraisal for your collateral duty element?

   c. Who do you report to when it comes to your collateral duty?

   d. What percent of your time is allotted to CRAC activities?

3. What are your responsibilities as CRAC Chairperson?

4. Do you have a budget for meetings and training?

   What kind of support do you get from the STC?

5. Does the CRAC have a current:

   1) MOU? 2) Business Plan? 3) By-Laws?

6. What is the composition of the CRAC?

FEMALES_____ MALES_____ MINORITIES_____ GRADE LEVELS_____

7. Please explain how the CRAC members are selected?

8. How often and where does the CRAC meet?

9. Are the CRAC meetings open to all employees?

   How employees are informed of the CRAC meetings?

10. Are the CRAC meeting minutes shared with State employees? How?

11. Is the CRAC provided a copy of the State's Recruitment Plan?

12. Does the CRAC assist in the development of the State's Recruitment Plan? If yes, please explain assistance.

13. Is the CRAC involved in selection panels for vacancies?

14. Describe your knowledge of the MD-715 (formerly AEP)?

15. Has the CRAC identified any areas of underrepresentation in your workforce? Please describe application of findings.

16. Has the CRAC identified program and employment barriers to under-representation? If so, please list some of those barriers.

17. How does the CRAC convey Civil Rights program and employment concerns to leadership (managers and supervisors)?

18. Has the CRAC provided Civil Rights assistance in the following:

    a. Policy Formation? If so, how and when?

    b. Program Direction? If so, how and when?

    c. Administration? If so, how and when?

19. Please give examples of the CRAC's: 1) program outreach; and 2) employment diversity activities and accomplishments within the last two years.

20. Do you think the Civil Rights program and CRAC is effective in your State? Please explain.

Attachment (Interview Questionnaire)

CIVIL RIGHTS ADVISORY COMMITTEE MEMBER

Note: Provide a copy of Position Description, Performance Work Plan, IDP, and MOU.

1. How long have you been a member of the CRAC; and how long is your term?

2. What is your official working title?

3. Collateral duty CRAC responsibilities:

   a. Do you have a stand-alone Civil Rights performance element?

   b. Who conducts the performance appraisal for your collateral duty element?

   c. Who do you report to when it comes to your collateral duty?

   d. What percent of your time is allotted to CRAC activities?

4. Does the CRAC have a current: 1) MOU? 2) Business Plan? 3) By-Laws?

5. What does the CRAC plan to accomplish this year? (Give examples)

6. Describe the feedback from employees in regards to the CRAC's efforts and initiatives.

7. Describe your knowledge of the MD-715 (formerly AEP)?

8. Has the CRAC identified any areas of underrepresentation in your workforce? Please describe application of findings.

9. Has the CRAC identified program and employment barriers to under-representation? If so, please list some of those barriers.

10. How does the CRAC convey Civil Rights program and employment concerns to leadership (managers and supervisors)?

11. As a CRAC member, do you participate in the development of the State's Recruitment Plan?

12. Does the CRAC participate in recruitment activities? If yes, how?

13. Do you participate in the State's Civil Rights Compliance Reviews? If so, how?

14. Do you feel that the SEPMs and CRAC are effective in the State? Please explain.

15. Do you think sufficient resources are allocated to Civil Rights and EEO?

Attachment (Interview Questionnaire)

CIVIL RIGHTS ADVISORY COMMITTEE ADVISOR

1. How long have you been an advisor to the CRAC? What is your official working title?

2. In your role as advisor, to whom do you report?

3. Do you attend all CRAC meetings?

   What are your Civil Rights: 1) program delivery; and 2) employment responsibilities as the CRAC advisor?

4. How effective is the program for: 1) Civil Rights (program delivery); and 2) EEO in your state?

5. Are work plans prepared detailing activities to promote Civil Rights and EEO in the state?

   What is your role in developing the work plans for the CRAC?

6. Describe your knowledge of the MD-715 (formerly AEP)?

7. Has the CRAC identified any areas of underrepresentation in your workforce? Please describe application of findings.

8. Has the CRAC identified program and employment barriers to under-representation?

   If so, please list some of those barriers.

9. How does the CRAC convey program and employment concerns to leadership (managers and supervisors)?

10. How would you encourage employees to join the CRAC when there is a vacancy?

Attachment (Interview Questionnaire)

SPECIAL EMPHASIS PROGRAM MANAGERS

Note: Provide a copy of Position Description, Performance Work Plan, IDP and MOU

1. What Special Emphasis Program do you manage? How long have you been a SEPM? (If more than 3 years, please explain.)

2. What is your official working title?

3. Collateral duty SEPM responsibilities:

   a. Do you have a stand-alone Civil Rights performance element?

   b. Who conducts the performance appraisal for your collateral duty element?

   c. Who do you report to when it comes to your collateral duty?

   d. What percent of your time is allotted to SEP activities?

4. What kind of support do you get from your STC? Does he/she support your program financially?

5. Have you received training pertaining to your collateral duty assignment as SEPM? Please describe.

6. Describe your knowledge of the: General Manual Title 230?; and MD-715?

7. Does your SEP have a current: 1) MOU? 2) By-Laws? Have you prepared a business plan or work plan activities to promote the program you are responsible for?

8. What are the objectives of the State's SEP that you manage?

9. How do you send out information to employees regarding your program?

10. Do you assist in the development of the State's Recruitment Plan? If yes, to what extent?

11. Are you involved with employment outreach and recruitment in your State? To what extent?

12. Are you aware of the special employment needs and concerns of the group you serve in the State? Please provide examples.

13. Do you collect employment data? If yes, how do you apply your analysis/findings?

14. If you were a SEPM last year, did you compare last year's data to current year's data?

15. Are you a voting member of the CRAC? Do you feel that the SEPMs and CRAC are effective in the State? Please explain.

16. Do you think sufficient resources are allocated to Civil Rights and EEO?

17. Do you assist in the State's Civil Rights Compliance Reviews? If so, how?

Attachment (Interview Questionnaire)

STATE ADMINISTRATIVE OFFICER

1. What is the State's process to ensure that employees are aware of their CR/EEO duties and responsibilities? How is this information distributed to employees?

2. Explain the procedures for employees to file an EEO discrimination complaint.

3. What mechanisms do you use to increase the number of women, minorities, and persons with disabilities in the applicant pool?

4. Are you aware of any trend regarding the top issues and bases of the State's discrimination complaints? If so, please describe what actions the State has performed in addressing the findings.

5. Does the State utilize EEO observers for pre-employment interviews? If so, explain the EEO observer selection criterions.

6. Describe how the State's pre-employment interview panels are determined.

7. Are hiring officials required to maintain interview information and documentation on file for 3 years?; Describe the procedures for handling the pre-employment interview panel's scoring information and documentation.

8. Is there a current State Recruitment Plan? Describe your involvement in developing/reviewing/monitoring/applying the plan's actions/deliverables.

9. How does the State develop upward mobility opportunities?

10. Describe your knowledge of the MD-715 (formerly AEP)?

11. List any barriers, and plans to eliminate them in order to correct underrepresentation in the State's workforce?

12. Explain the joint/cooperative effort between HR and SEPMs to obtain optimum effectiveness in the State's recruitment effort?

13. Is there a formal Mentor Program? If so, please provide.

14. How does the State ensure that all applicable employees have and complete current IDPs?

15. Is Civil Rights/EEO training included in the State-wide training plan? Please describe the most recent training (including refresher training) provided to State employees on how to file and process CR and EEO complaints (Title VI and Title VII)?

16. Are all Civil Rights/EEO mandatory trainings completed? How is this information tracked?

17. How does the State ensure that all employees' performance appraisals contain the mandatory critical Civil Rights performance element (managers/supervisors) or standard (non-supervisory employees)?

18. Are you an advisor to the CRAC? How often do you attend CRAC meetings?

19. Who maintains the 230 files? What is the state's status regarding electronic 230 files?

Attachment (Interview Questionnaire)

PUBLIC AFFAIRS SPECIALIST

1. How does the State's partnership with grassroots organizations assist NRCS in reaching non-traditional and underserved customers?

2. What groups have the State identified as the non-traditional and underserved potentially eligible program participants?

3. How does the State inform potential and non-traditional program beneficiaries (particularly minorities, females, and persons with disabilities) about NRCS programs and activities?

4. Does your staff work with communities through grassroots organizations? If so, please provide a list of those organizations.

5. Does the State prepare news articles?

Over the past 12 months, how many NRCS Civil Rights success stories have been published in the local news outlets? Please provide samples of your most recent articles.

6. How does the State ensure that the Soil and Water Conservation Districts published newsletters contain the "non-discrimination disclaimer?"

7. Does the State include the non-discrimination statement on employment and program information that is disseminated to the public (Provide examples of the State's newsletters, fact sheets, publications, etc.)?

8. How do you ensure that NRCS' employee and public meeting announcements or notices include availability of accommodation(s)? Provide examples.

9. What materials have been developed for meeting the needs of employees and producers with disabilities or who are Limited English Proficient?

10. Describe guidance provided to field office staff on how/where to display the CR/EEO required posters and policy statements?

11. Does recruitment literature have pictures of women, minorities, and persons with disabilities and indications of the desire for a diversified workforce? Please provide samples.

12. Do you attend CRAC meetings?

Explain your working relationship with the State's CRAC, SEPMs, and Tribal Liaisons (if applicable).

Attachment (Interview Questionnaire)

ASSISTANT STATE CONSERVATIONIST FOR PROGRAMS

1) Describe actions taken to ensure program delivery guidance in your state.

2) Explain or describe your role in the development and implementation of the State's Program Outreach Plan, and how Civil Rights Program outreach progress is tracked and/or monitored.

3) What type of guidance is given to field office staff regarding ways to measure the number of potential eligible program beneficiaries?

4) What action does the State take to identify and service non-traditional and historically under-served customers?

5) Does State Leadership review program participation data collected by field offices to ensure that Civil Rights goals and objectives are being adhered to? If so, what specific actions have been taken to alleviate barriers to Civil Rights goals and objectives?

6) Describe the mechanisms used to determine the materials developed by the State to assist producers with Limited English Proficiency (LEP).

7) Explain how the State conducts its pre and post award evaluations for contracts.

8) What guidance does the State disseminate to field offices relative to their advisory role to partners concerning their Civil Rights responsibilities and expectations?

9) How does the State capture the RSNOD data for the State Technical Committee (STC), and Soil Water Conservation (SWCD) Boards?

10) Are Civil Rights discussions held with your staff? If so, how often, and what type of discussions.

Attachment (Interview Questionnaire)

ASSISTANT STATE CONSERVATIONIST FOR OPERATIONS

1. What is the State's process to ensure that employees are aware of their CR/EEO duties and responsibilities? How is this information distributed to employees?

2. What is the State's process to ensure that customers are aware of their CR duties and responsibilities? How is this information distributed to customers?

3. Explain the procedures for customers to file a Civil Rights program discrimination complaint.

4. Are you aware of any trend regarding the top issues and bases of the State's discrimination complaints? If so, please describe what actions the State has performed in addressing the findings.

5. Is there a current State Recruitment Plan? Describe your involvement in developing/reviewing/monitoring/applying the plan's actions/deliverables.

6. What mechanisms do you use to increase the number of women, minorities, and persons with disabilities in the applicant pool?

7. How does the State develop upward mobility opportunities?

8. Describe your knowledge of the MD-715 (formerly AEP)?

9. List any barriers, and plans to eliminate them in order to correct underrepresentation in the State's workforce?

10. Are you an advisor to the CRAC? How often do you attend CRAC meetings?

11. How does the State ensure that newly assigned employees responsible for administering NRCS programs complete the mandatory "Civil Rights Compliance in Program Delivery" NEDC training course within the prescribed 60 day onboarding timeframe?

12. Explain or describe your role in the development and implementation of the State's Program Outreach Plan, and how Civil Rights Program outreach progress is tracked and/or monitored.

13. Are Civil Rights discussions held with your staff? If so, how often, and what type of discussions.

Attachment (Interview Questionnaire)

DISTRICT CONSERVATIONIST (FIELD OFFICE: _____)

1) What are the demographics of the area for which you provide NRCS services?

2) Where did you obtain the demographic statistics/data? (AG Census or U.S. Census Bureau every 10 years).

3) Describe how you apply the information obtained from the different census data reports (e.g. actions taken to correct disparities, identification of the underserved to determine outreach efforts, etc.)?

4) Identify and explain the barriers that interfere with achieving a higher level of program outreach efforts.

5) What actions do you take in supporting the State Program Outreach Plan?

6) List the Community Based Organizations (CBOs-churches, minority groups, schools, etc.) you have partnered with to conduct outreach to socially underserved/disadvantaged groups?

7) Describe the type of Program outreach activities you have taken part in where NRCS programs and services were discussed (field days, town hall meetings, media outlets, etc.).

8) What actions have you taken to ensure service support to individuals with Limited English Proficiency (LEP)?

9) How is the RSNOD data captured for the Soil Water Conservation District (SWCD) Board?

10) What mechanism do you utilize to highlight Civil Rights responsibilities and expectations with our partners?

Attachment (Interview Questionnaire)

LANDOWNER

NAME: _____

FIELD OFFICE: _____

OPTIONAL: Gender: Male _____ Female _____ Race/National Origin _____

1) How long have you been a Landowner?

2) Identify the type of farming operation (s):

3) Are you currently participating or have participated in USDA programs? If so, please list programs:

4) Have you ever been denied participation in any USDA programs due to discrimination?

5) What method of notification (i.e. newsletters, brochures, e-mail, etc.) have you received from NRCS regarding USDA Programs?

6) Would you file a program compliant if you believe that you were discriminated by NRCS staff?

7) Do you know how and where to file program discrimination compliant?

8) Are you familiar with the "And Justice For All" poster; and its significance?

9) Do you feel that you have been treated in a fair and equitable manner when doing business with the NRCS staff with regard to the staffs' work ethics, performance, and customer service? **Yes** or **No**

Attachment (Interview Questionnaire)

SOIL AND WATER CONSERVATION DISTRICT BOARD MEMBER

NAME: _____

CONSERVATION DISTRICT (COUNTY): _____

FIELD OFFICE: _____

OPTIONAL Gender: Male ☐ Female ☐ Race/National Origin: _____

1) How long have you been a Board member; were you elected or appointed; and how did you become aware of the Board?

2) What is the demographic composition of the Board in regards to race, sex, disabilities, occupations, landowner, etc.; and does the Board's demographic profile reflect the County's makeup?

3) What are the Board's membership qualification requirements?

4) What outreach activities, if any, does the Board use to encourage women, minorities, and persons with disabilities to serve as Board members?

5) Describe the Board's participation in locally-led conservation initiatives (meeting where NRCS programs are discussed, field days, etc.).

6) Describe the Board's partnership and working relationship with NRCS.

7) Does the District have a Memorandum of Understanding (MOU)/Cooperative Working Agreement (CWA) with NRCS? How often is it reviewed?

8) Has your District Conservationist reviewed with you an NRCS Check List that highlights the Board's Civil Rights responsibilities and expectations?

9) Does the conservation District publish a newsletter? If so, does it contain the non-discrimination statement?

10) Are you familiar with the "And Justice For All" poster; and its significance?

Attachment (Sample Itinerary)

Team Member(s): Wytonya and Kimberly

Team 1 (Wytonya)
Verona Service Center – Verona, VA
Fredericksburg Service Center – Fredericksburg, WI
Smithfield Area Office – Smithfield, VA
Courtland Service Center – Courtland, VA

Team 2 (Kimberly)
Christiansburg Area Office – Christiansburg, VA
Bonsack Service Center, Roanoke, VA
Louisa Service Center – Louisa, VA
Amelia Service Center – Amelia, VA

Monday, March 3, 2014
– Team will arrive at the Richmond Virginia State Office
10:00 AM - Team arrives at State Office
10:30 AM - Team meets with State Conservationist
11:00-12:00 AM - In-Brief **(**Team meets with Leadership Staff)
Introductions; Purpose; and Scope

Wytonya	**Kimberly**
12:00 Conduct 504 Accessibility Review; Public Notification/required Posters; Conduct 230 File Inspection	**12:00** Conduct 504 Accessibility Review; Public Notification/required Posters; Conduct 230 File Inspection
*** Approx. Travel time 2 hrs. to Hotel** Residence Inn – Harrisonburg, VA	*** Approx. Travel time 3 hrs. to Hotel** Fairfield Inn and Suites – Christiansburg, VA

Team 1: Wytonya

TUESDAY, March 4, 2014

Morning	**Afternoon**
Verona Service Center ***Approx. Travel time 30 min. from Hotel to office**	Fredericksburg Service Center
8:00 Entrance	**1:00** Entrance
8:30 Interview DC	**1:30** Interview DC
9:00 Interview Landowner	**2:00** Interview Landowner
9:30 Interview Board member	**2:30** Interview Board member
10:00 Conduct 504 Accessibility Review; Public Notification/required Posters; Conduct 230 File Inspection	**3:00** Conduct 504 Accessibility Review; Public Notification/required Posters; Conduct 230 File Inspection
(Lunch) *** Approx. Travel time 2 hrs. to Fredericksburg Service Center**	*** Approx. Travel time 1 hrs. to Hotel** Lodging Residence Inn, Henrico, VA

WEDNESDAY, March 5, 2014

Morning	**Afternoon**
Smithfield Service Center ***Approx. Travel time 2 hrs. from Hotel to office**	Courtland Service Center
9:00 Entrance	**1:00** Entrance
9:30 Interview DC	**1:30** Interview DC
10:00 Interview Landowner	**2:00** Interview Landowner
10:30 Interview Board member	**2:30** Interview Board member
11:00 Conduct 504 Accessibility Review Public Notification/required Posters Conduct 230 File Inspection	**3:00** Conduct 504 Accessibility Review; Public Notification/required Posters; Conduct 230 File Inspection
(Lunch) ***Approx. Travel time 1 hr. to Courtland Service Center**	***Approx. Travel time 1hr. 30 min to Hotel** Lodging Residence Inn – Henrico, VA

THURSDAY, March 6, 2014

Morning	**Afternoon**
8:00 At Hotel – Work on report findings.	**1:00** Exit Conference with STC
11:30 Transmit preliminary findings for review/approval to Branch Chief.	**1:30** Exit Conference with State leadership Staff
12:00 Lunch	**2:30** Depart to Maryland

Team 2: Kimberly

TUESDAY, March 4, 2014

Morning	**Afternoon**
Christiansburg Service Center ***Approx. Travel time 5 min from hotel to office**	Bonsack Service Center
8:00 Entrance	**1:00** Entrance
8:30 Interview DC	**1:30** Interview DC
9:00 Interview Landowner	**2:00** Interview Board member
9:30 Interview Board member	**2:30** Interview Landowner
10:00 Conduct 504 Accessibility Review ; Public Notification/required Posters; Conduct 230 File Inspection	**3:00** Conduct 504 Accessibility Review; Public Notification/required Posters; Conduct 230 File Inspection
(Lunch) ***Approx. Travel time 1 hr. to Bonsack Service Center**	***Approx. Travel time 2 hrs. 30mins. to Hotel** Lodging Residence Inn – Henrico, VA

WEDNESDAY, March 5, 2014

Morning	**Afternoon**
Louisa Service Center ***Approx. Travel time 1hr from hotel to office**	Amelia Service Center
8:00 Entrance	**1:00** Entrance
8:30 Interview DC	**1:30** Interview DC
9:00 Interview Landowner	**2:00** Landowner
9:30 Interview Board member	**2:30** Board member
10:00 Conduct 504 Accessibility Review; Public Notification/required Posters; Conduct 230 File Inspection	**3:00** Conduct 504 Accessibility Review; Public Notification/required Posters; Conduct 230 File Inspection
(Lunch) ***Approx. Travel time 1 hr. to Amelia Service Center**	***Approx. Travel time 1 hr. to Hotel** Lodging Residence Inn – Henrico, VA

THURSDAY, March 6, 2014

Morning	**Afternoon**
8:00 At Hotel – Work on report findings.	**1:00** Exit Conference with STC
11:30 Transmit preliminary findings for review/approval to Branch Chief.	**1:30** Exit Conference with State leadership Staff
12:00 Lunch	**2:30** Depart to Maryland

Lodging for Team members

Residence Inn – Wytonya and Kimberly
3940 Westerre Parkway
Henrico, Virginia 23233
1-804-762-9852

Residence Inn – Wytonya
1945 Deyerle Avenue
Harrisonburg, Virginia 22801

Fairfield Inn and Suites - Kimberly
2659 Roanoke Street
Christiansburg, Virginia 24073

Attachment (Evaluation Form)

United States Department of Agriculture
Natural Resources Conservation Service

Civil Rights Compliance Review Evaluation Form

STC: _____ Date: _____

Please use the following criteria to answer the questions below:

4-Excellent 3-Good 2-Fair 1-Poor

1. Did the Team fulfill the objectives of the Civil Rights Compliance Review? 4 3 2 1
2. How would you rate the quality of customer service provided by the Team? 4 3 2 1
3. Was the Team courteous to employees and customers during the compliance review? 4 3 2 1
4. How would you rate the effectiveness of the Team to provide and assist the staff in explaining the findings of non-compliance in their office? 4 3 2 1
5. Did the Team Leader thoroughly cover and explain all of the commendables, recommendations and required actions found during the review? 4 3 2 1
6. What was the most effective part of the Compliance Review for you? Why?

_____

_____

7. What was the least effective part of the Compliance Review for you? Why?

_____

_____

8. Additional Comments

_____

_____

Fax to: Branch Chief, Program Compliance Branch at (301) 504-2336 or scan and email to (Name of Supervisor)@wdc.usda.gov

Attachment (Corrective Action Plan)

CIVIL RIGHTS COMPLIANCE REVIEW CORRECTIVE ACTION PLAN TEMPLATE (next page)

CIVIL RIGHTS COMPLIANCE REVIEW CORRECTIVE ACTION PLAN TEMPLATE

REPORT SECTION	RECOMMENDATIONS OR NON-COMPLIANCE ACTION ITEM	PROPOSED CORRECTIVE ACTIONS	RESPONSIBLE OFFICIAL	TARGETED COMPLETION DATE	STATUS AND COMMENTS

*Print this page in Landscape format for full view

Acronyms

Agency Position Statement	APS
Assistant Secretary for Civil Rights	ASCR
Civil Rights	CR
Civil Rights Division	CRD
Civil Rights Advisory Committee	CRAC
Civil Rights Impact Analysis	CRIA
Close of Business	COB
Code of Federal Regulations	CFR
Department of Justice	DOJ
Departmental Manual	DM
Departmental Regulation	DR
Equal Employment Opportunity	EEO
Employment Compliance Team	ECT
Employment Opportunity	EO
Executive Order	E.O.
Final Agency Decision	FAD
Fiscal Year	FY
Freedom of Information Act	FOIA
Human Resources	HR
Individual Development Plan	IDP
Limited English Proficiency	LEP
Management Directive-715	MD-715
Memorandum of Understanding	MOU
Natural Resources Conservation Service	NRCS
No Later Than	NLT
Office of Adjudication and Compliance	OAC
Performance Results System	PRS
Point of Contact	POC
Program Complaint Management System	PCMS
Program Compliance Branch	PCB
Regional Conservationist	RC
Race, Sex, National Origin, and Disability	RSNOD
Special Emphasis Program Manager	SEPM
Standard Operating Procedures	SOP
State Conservationist	STC
United States Department of Agriculture	USDA
United Postal Service	UPS

This guide will be updated to conform to new legislation, and regulatory and procedural updates. Please send comments and/or suggested revisions to: USDA, NRCS, Civil Rights Division, Attn: Program Compliance Branch, 5601 Sunnyside Avenue, Room 1-2188, Mailstop 5472, Beltsville, MD 20705.