



United States  
Department of  
Agriculture

National Institute  
of Food  
and Agriculture

www.nifa.usda.gov  
@USDA\_NIFA

# Civil Rights Compliance Review Process

## Equal Opportunity Staff, August 25, 2020



# USDA NIFA

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE



United States  
Department of  
Agriculture

National Institute  
of Food  
and Agriculture

[www.nifa.usda.gov](http://www.nifa.usda.gov)  
@USDA\_NIFA

The logo for the National Institute of Food and Agriculture (NIFA), featuring the letters "NIFA" in a white, bold, sans-serif font. The logo is set against a background of a stylized landscape with rolling hills in shades of orange and yellow, and a dark silhouette of a tree on the right side.

NIFA

# Objective

To provide land grant universities with a general overview of NIFA's streamlined civil rights compliance review process, including:

- Authority, Purpose and Process; and
- Review Areas and Subcomponents

.

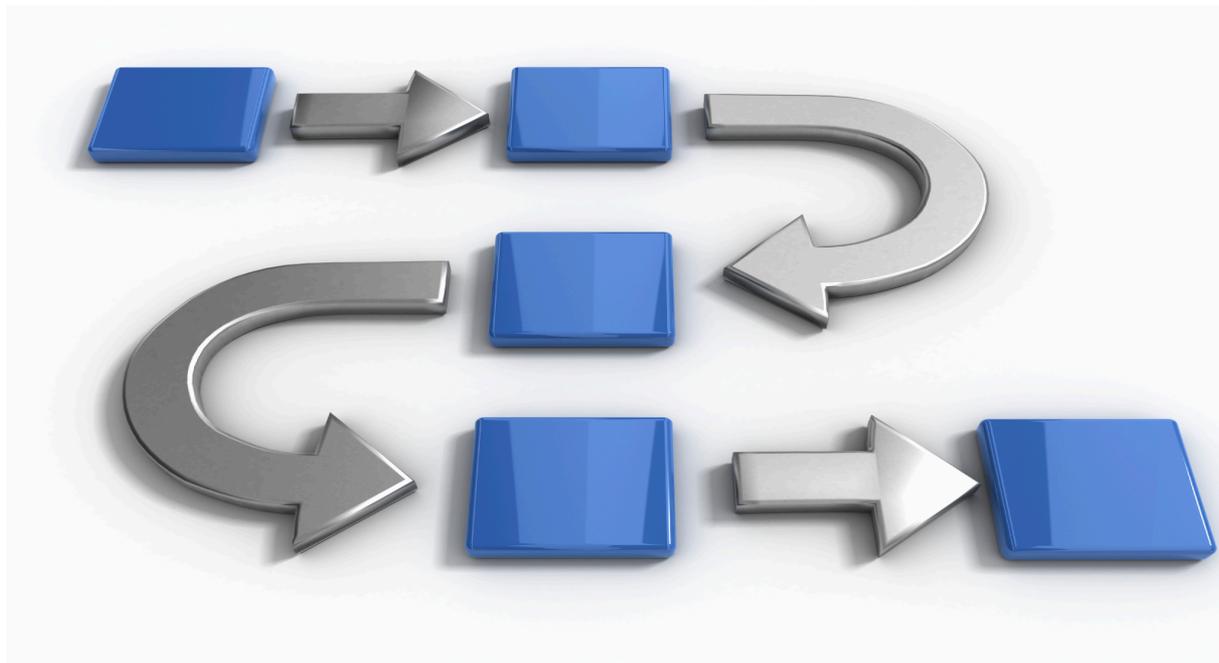


United States  
Department of  
Agriculture

National Institute  
of Food  
and Agriculture

[www.nifa.usda.gov](http://www.nifa.usda.gov)  
@USDA\_NIFA

NIFA



# Part I: Authority, Purpose and Process





# Statutory Authority

**Title VI of the Civil Rights Act of 1964**, as amended, 42 USC 2000d, and USDA's implementing regulations for that title at 7 CFR part 15.

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

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

**The Age Discrimination Act of 1975**, 42 USC 601 et. Seq., and its implementing regulations at 45 CFR part 90

**The Americans with Disabilities Act of 1990**, 42 USC 12101 et. Seq, and its implementing regulations at 28 CFR part 35

# Purpose and Goals



Check-up / Check-in



Technical Assistance



Voluntary Compliance



United States  
Department of  
Agriculture

National Institute  
of Food  
and Agriculture

[www.nifa.usda.gov](http://www.nifa.usda.gov)  
[@USDA\\_NIFA](https://twitter.com/USDA_NIFA)

The logo for the National Institute of Food and Agriculture (NIFA), featuring the letters "NIFA" in a white serif font against a background of orange and yellow abstract shapes.

# When and How Reviews Happen

- Each recipient reviewed separately.
- Each program reviewed separately (alternating between research/extension).
- Usually based on date of last review conducted.
- 7-year review cycle.



United States  
Department of  
Agriculture

National Institute  
of Food  
and Agriculture

[www.nifa.usda.gov](http://www.nifa.usda.gov)  
@USDA\_NIFA

NIFA

# Review Cycle Process

Scheduling  
& Document  
Review  
(90/45 Days)

On-site

Findings

Monitoring  
(60 days)

Compliance

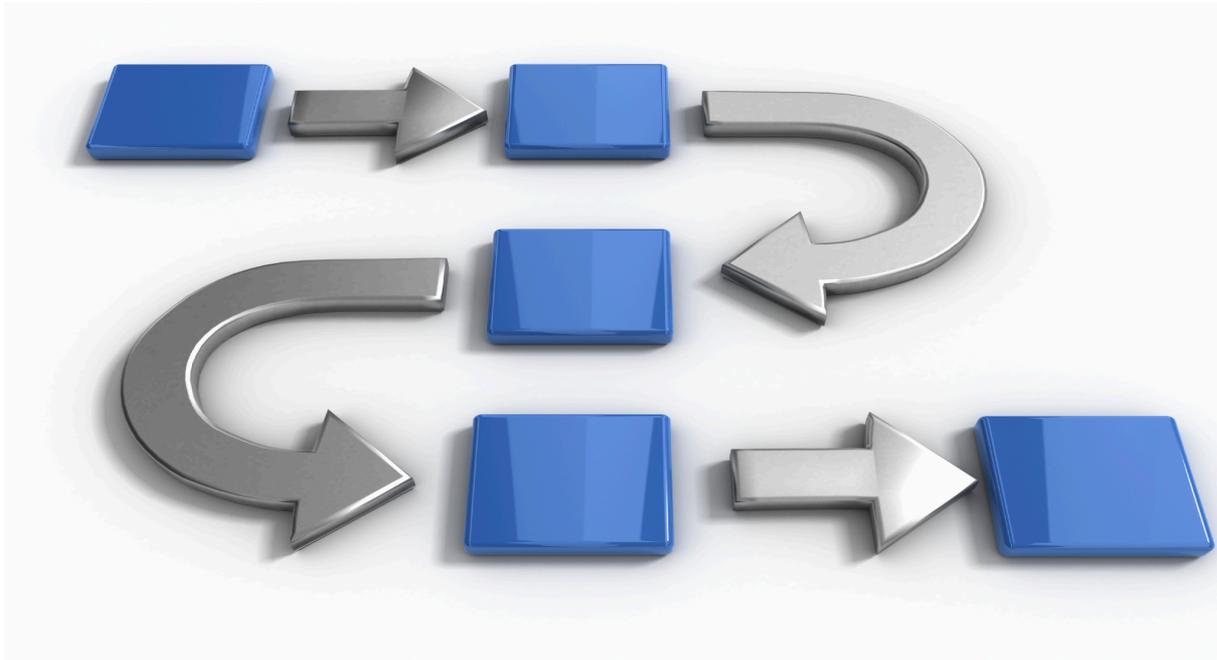


United States  
Department of  
Agriculture

National Institute  
of Food  
and Agriculture

[www.nifa.usda.gov](http://www.nifa.usda.gov)  
[@USDA\\_NIFA](https://twitter.com/USDA_NIFA)

The logo for the National Institute of Food and Agriculture (NIFA), featuring the letters "NIFA" in a white, bold, sans-serif font. The background is a stylized orange and yellow landscape with a dark silhouette of a tree on the right side.



## Part II: Review Areas and Subcomponents



## Extension

1. Organizational Capacity
2. Civil Rights Knowledge and Procedures
3. Advisory Boards and Committees
4. **Program Delivery**
5. **Data Collection and Integrity**
6. Non-Discrimination Based on Sex
7. Public Notification
8. Accessibility for Individuals with Disabilities
9. Language Access

## Research

1. Organizational Capacity
2. Civil Rights Knowledge and Procedures
3. Advisory Boards and Committees
4. **Allocation of Resources**
5. **Graduate Student Enrollment**
6. Non-Discrimination Based on Sex
7. Public Notification
8. Accessibility for Individuals with Disabilities
9. Language Access



# 1. Organizational Capacity

- Clear organizational chart
- Designated staff member for civil rights/diversity issues
- Communication between designated staff member and both directors and front-line staff
- Written assurances of nondiscrimination with subrecipients or partners
- No discriminatory employment practices

## 2. Civil Rights Knowledge and Procedures



- Sufficient training for staff on civil rights requirements
- Staff have access to needed civil rights documents and information
- Procedures in place for filing employment and program discrimination complaints
- Sufficient internal compliance reviews are conducted

## 3. Advisory Boards and Committees

- Internal and External advisory boards and committees are reflective of the local/service population in terms of race, ethnicity, gender
- Selection process encourages diversity and/or adequate representation of the service population
- Efforts have been made to obtain diversity on boards/committees and/or address barriers to adequate representation



## 4. Resource Allocation (Research)



- Process by which research projects are funded is in writing and easily available to potential recipients
- No unexplained disparities in distribution of funding based on race, ethnicity or gender
- No unexplained disparities in distribution of support staff, laboratory space, startup funds, or other resources
- Review/selection committees are diverse

# 5. Graduate Students (Research)

- Enrollment is at parity with state REG data
- Procedures for assigning graduate students to assistantships or to research projects are clear and easily available to potential recipients
- No disparity in allocation of awards, assignment to research projects or assistantships, etc.
- Recruitment process for graduate students is clear, nondiscriminatory; includes outreach to under-represented groups



## 4. Program Delivery (Extension)

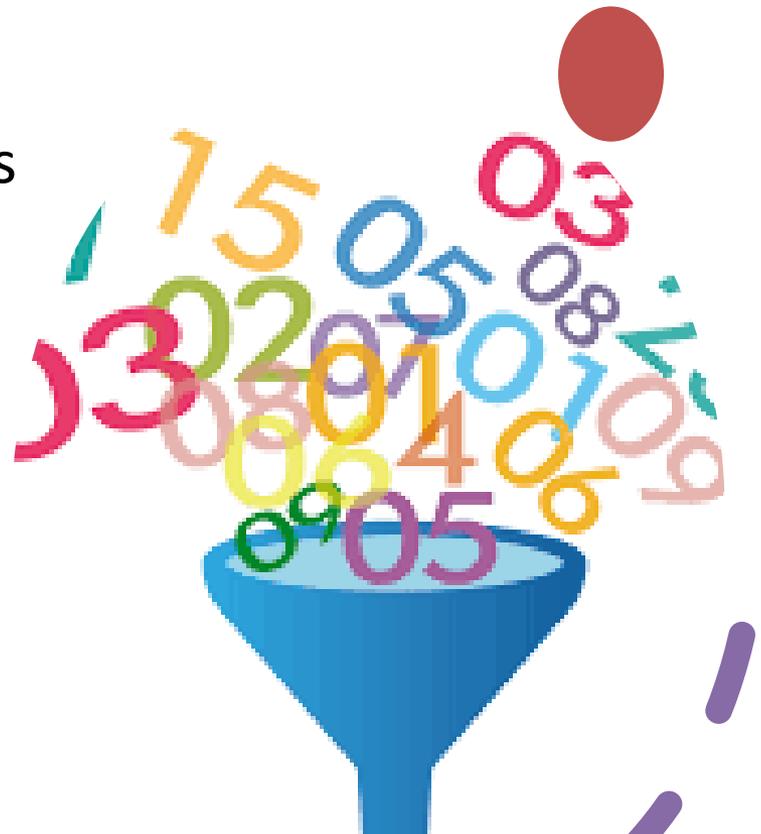
- Participants in clubs, activities and programs are reflective of the demographics of the potential service population (parity)
- Recruiting efforts are successful in increasing and/or maintaining parity in program participation by underrepresented groups



- Clubs are integrated (reasonable efforts)
- All clubs, activities, and programs are open to all individuals, regardless of their race, ethnicity, gender and/or disability

## 5. Data Collection and Integrity (Extension)

- There is an adequate system for collecting and maintaining REG data for all programs and activities
- REG data is analyzed against Census data
- Participants are requested to self-identify data (Form AD-2106)
- Ethnicity and race are captured as distinct categories
- There are no apparent issues with data integrity



## 6. Non-Discrimination Based on Sex

- No program, activity, club, or group names contain sex-stereotyped names or illustrations.
- All programs and activities are implemented in a manner that ensures nondiscrimination on the basis of sex.
- There are no sex-separate programs, activities, contests, or awards.
- Recipient has adequate sexual harassment policy
- Sexual harassment complaints are handled appropriately.
- Staff have had adequate Title IX training.



# 7. Public Notification & Outreach



- Nondiscrimination statement is utilized on Web sites and/or publications.
- USDA “... And Justice for All” poster is utilized to notify public of their rights and complaint procedures.
- Participants in virtual environments properly notified
- Outreach is conducted to traditionally under-served communities; collaboration with community groups.
- Mailing/contact lists are representative of the demographics of the service population (REG data is captured)



## 8. Accessibility for Individuals with Disabilities

- Sufficient reasonable accommodations policies and procedures are in place
- Reasonable accommodation statement is used on documents and/or Web sites announcing activities or events
- Staff have had training on reasonable accommodations
- RA requests are handled appropriately
- Barriers for individuals with disabilities considered



## 9. Language Access

- Potential service population and language needs have been assessed
- LEP plan has been developed
- Staff has been trained on language access obligations and prohibited practices
- Competent interpretation and translation services are consistently provided free of charge
- Notification of services is provided, and outreach to LEP individuals takes place



United States  
Department of  
Agriculture

National Institute  
of Food  
and Agriculture

[www.nifa.usda.gov](http://www.nifa.usda.gov)  
[@USDA\\_NIFA](https://twitter.com/USDA_NIFA)

The NIFA logo consists of the letters "NIFA" in a large, white, sans-serif font, set against a background of a stylized landscape with rolling hills in shades of orange and yellow.

NIFA

# Contact

Jessica Creighton

Senior Equal Opportunity Specialist

National Institute of Food and Agriculture

U.S. Department of Agriculture

816.926.3062 / 816.266.6947

[Jessica.Creighton@usda.gov](mailto:Jessica.Creighton@usda.gov)