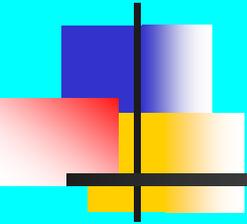
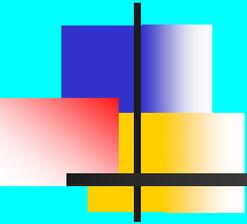


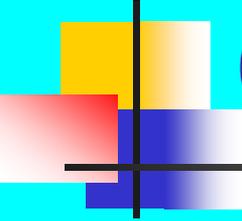
Conservation Partners & Civil Rights



Effective DC Training

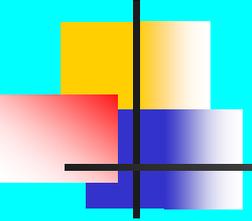
Civil Rights Responsibilities for Recipients of Federally Assisted Programs





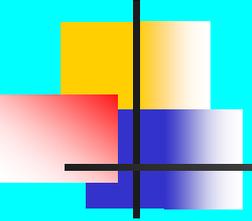
Overview

- Civil Rights Laws and Regulations
- Difference between federally assisted and federally conducted programs.
- Civil Rights responsibilities of recipients of federal financial assistance.



Title VI of the Civil Rights Act of 1964

The Act prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

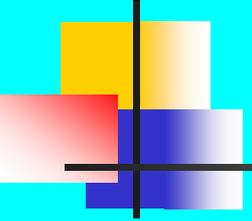


Title IX Education Amendments of 1972

- No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

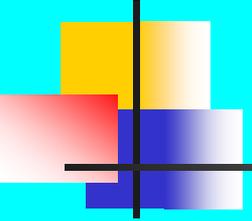
The Rehabilitation Act 1973 (Section 504)

- No otherwise qualified individual with a disability in the United States, as defined in section 7(20), shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency



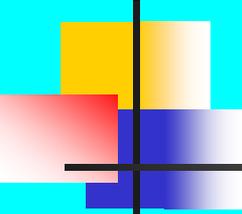
The Rehabilitation Act 1973 (Section 508)

- The act requires access to electronic and information technology for persons with disabilities.



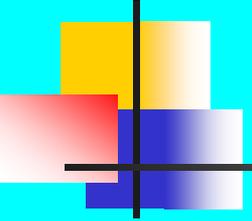
Age Discrimination Act of 1975

- Pursuant to regulations..., no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.



Civil Rights Authorities

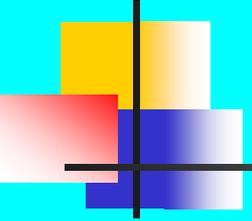
7 CFR 15.5 Compliance, (a) Cooperation and Assistance. Each Agency shall to the fullest extent practicable seek the cooperation of recipients in obtaining compliance with the regulations and this part and shall provide assistance and guidance to the recipients to help them comply voluntarily with the regulations



Civil Rights Authorities *(Continued)*

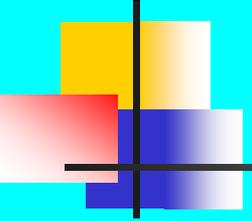
7 CFR 15.4 (c) Assurance Statement. Each recipient is required to sign an assurance statement stating that they will not discriminate against any beneficiary on the basis of race, color, national origin, sex, age, religion or disability.

[This is our MOU and Cooperative Working Agreement with Districts.]



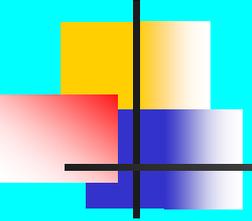
What is a Recipient?

- **Districts and RC&D Councils are “recipients” of Federal Financial Assistance**
- A “recipient” is a public or private entity through which Federal financial assistance is extended directly or through another recipient for any program or activity (TSP Contractor, Construction Contractor, SWCD, RC&D, University).



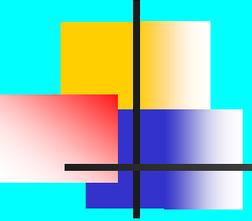
What is a Beneficiary?

- Person or group entitled to receive or enjoy benefits, services, resources, and information or participate in USDA activities and programs (landowners, producers, community, tribal land)



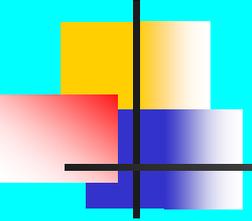
Federally Assisted Programs

- Federally assisted programs and activities are those that involve Federal financial assistance to a recipient, who in turn provides the benefit or service to the beneficiary.
 - Recipients include: SWCDs, RC&Ds, TSPs, Grantees,...
- NRCS provides assistance (office space, etc) to SWCDs to provide technical assistance to producers or landowners (beneficiaries)



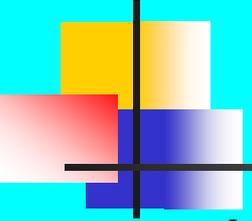
Federal Financial Assistance

- Includes:
 - Grants and loans of Federal funds
 - The sale and lease of real or personal property or **any interest in or use of such property**, including transfers or leases of such property and proceeds from subsequent transfers or lease of such property; or



Federal Financial Assistance *(Continued)*

- Direct assistance from NRCS employees. Although conservation districts work with NRCS in delivering programs and services, it must also be recognized that in these cooperative program relationships NRCS provides a benefit and is construed as providing Federal assistance under Title VI of the Civil Rights Act of 1964.
- Below market rentals (SWCD use of office space).
- Use of Federal personnel (RC&D Coordinator/Secretary)

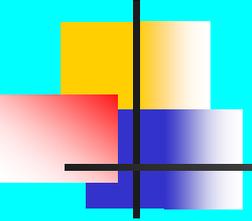


Federally Conducted Programs

- No agency, officer, or employee of the United States Department of Agriculture shall, on the ground of race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, or disability, or because all or part of an individual's income is derived from any public assistance program, exclude from participation in, deny the benefits of, or subject to discrimination any person in the United States under any program or activity conducted by the United States Department of Agriculture.
- Program administered directly by Federal Government (NRCS) Employees

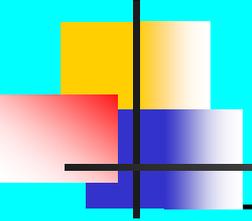
Examples of Conducted Programs

- **Soil Survey**
- **Natural Resources Inventory**
- **Conservation Technical Assistance Program**
- **EQIP, WHIP, AMA, WRP,...**



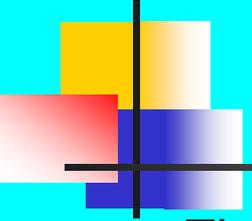
Prohibited Discriminatory Actions

- Denial of services, financial aid, benefits, rights, or privileges as part of any USDA Program or Activity
- Providing service or benefit in a manner different from those provided to others



Prohibited Discriminatory Actions *(Continued)*

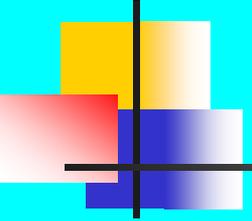
- Treating individuals differently from others in determining eligibility, membership or other requirements to receive services, financial aid, or other benefit provided by a USDA Program
- Denying a person the opportunity to participate as a member of a planning or advisory body that is an integral part of an USDA program



Partnership Responsibility

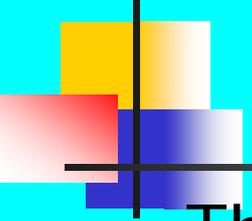
The USDA regulations in 7 CFR, Part 15.5, DR 4330-2, and the NRCS GM 230, Part 405 set forth recipient's responsibilities in program delivery.

- **Increasing the diversity of representation** on partnership boards and councils is important in eliminating under representation with respect to program participation.
- It is also imperative that recipients make their partners aware of their responsibilities toward employees, and that the recipients and partners adhere to Agency rules and regulations with respect to Equal Opportunity.



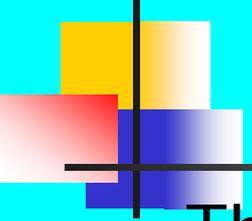
Partnership Responsibility *(Civil Rights Records)*

USDA Regulation in 7 CFR, Part 15 requires that recipients develop plans, procedures, and directives necessary to manage Civil Rights programs and also access to agency personnel. DR 4330-3 requires that program delivery and Equal Opportunity files be maintained.



Partnership Responsibility *(Public Notification)*

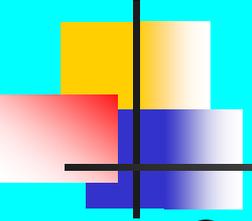
The Department of Justice's Regulation 28 CFR 42.405, the Department of Agriculture's Regulation 7 CFR 15.5, the USDA Departmental Regulation 4300-3, and the NRCS GM 230, Part 405 requires that **appropriate public notification** be provided through newsletters, publications, meetings, contacts, electronic media, news releases, correspondence, or community based organizations.



Partnership Responsibility

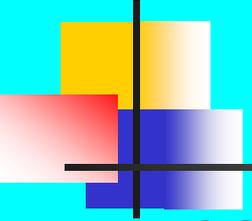
(Evaluation of Programs)

The Department of Justice's Regulation 28 CFR 42.408, the Department of Agriculture's Regulation 7 CFR 15.5, the USDA Departmental Regulation 4330-2, and the NRCS GM 230, Part 405 requires **monitoring and evaluation of programs in order to ensure that they are administered in a nondiscriminatory manner.**



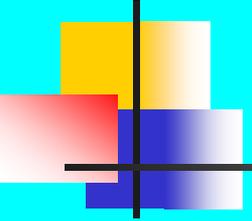
Partnership Responsibility *(Accessibility Requirements)*

Section 504 of the Rehabilitation Act of 1973, 7 CFR, Part 15(e), and NRCS GM 230, Parts 403(e) and 405, require that **all offices be accessible to persons with disabilities.**



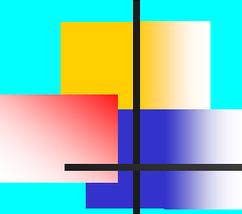
Partnership Responsibility *(Data Collection)*

28 CFR Part 42.406 authorizes agencies to collect information on race, sex, national origin and disability (RSNOD), as appropriate, to determine compliance in program delivery.



Employment Issues

A NRCS program recipient must **establish, maintain, and carry out an effective equal opportunity employment program.**



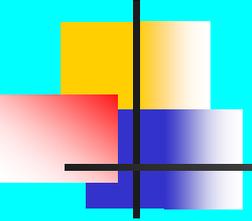
Requirements for Dissemination of Public Information

Recipients must comply with the following for U.S. activities:

- **Display Poster** (“And Justice for All”)
- Put the **nondiscrimination statement** in
 - (a) Printed material and advertisements
 - (b) Broadcasts
 - (c) Other visual and aural media

Current Nondiscrimination Poster





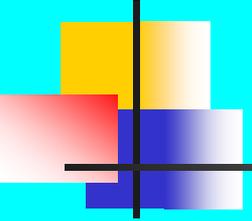
Nondiscriminatory Statements

- “This is an Equal Opportunity Program”
- “Equal Opportunity Program”
- For Printed Materials:
 - “This is an equal opportunity program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, D.C. 20250”

Civil Rights Compliance Reviews

What We Look For-

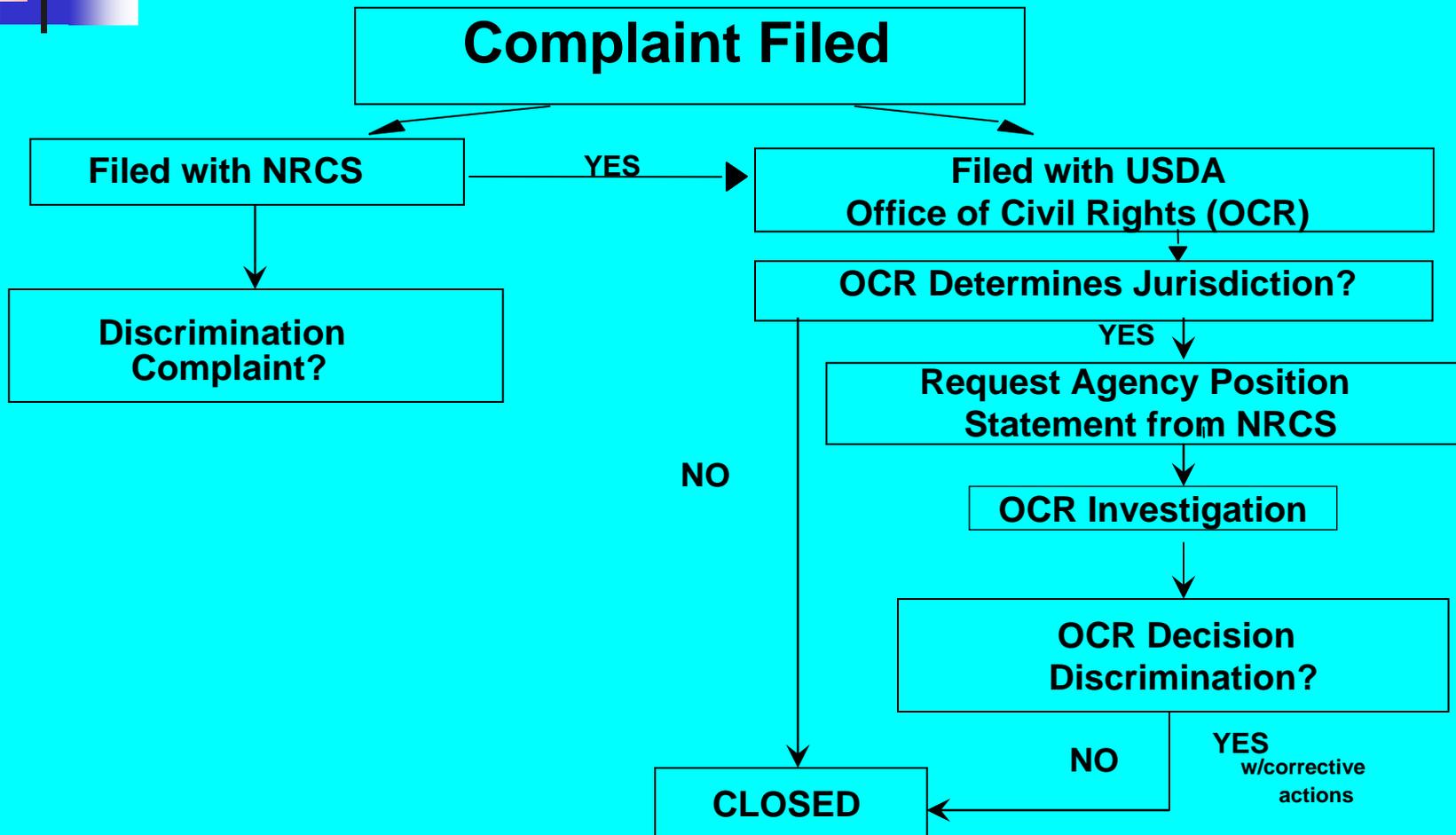
- Participation Data – who is requesting services, who is receiving services
- Public Notification and Outreach Plan
- Accessibility to Programs and Facilities
- Civil Rights Training
- Assurance of Nondiscrimination (Assisted only)
- Program Complaint Processing
- "And Justice for All" Poster and Communications

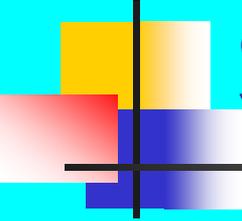


Equity In Program Delivery

- Equal access to participate in NRCS programs, services, information, and/or activities
- All program delivery services and activities are made available to all applicants and potential beneficiaries alike

Program Discrimination Complaint Process





Summary

- You should have an awareness of various civil rights laws and be able to explain and provide guidance to District partners to help them voluntarily comply with their civil rights responsibilities.

Questions and Answers

