

**OCJS MONITORING QUESTIONS
CIVIL RIGHTS & EEOP
PART 2**

SECTION 1: BACKGROUND

1. How many full-time and part time employees are employed by the agency? _____
2. If the agency uses volunteers, approximately how many does the agency have per year? (please count any volunteers separately from paid employees) _____

SECTION 2: EEOP QUESTIONS

1. If the subrecipient is required to prepare an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R. §§ 42.301-.308, does the subrecipient have an EEOP on file for review?

 Yes No
 - a. If yes, was the fiscal monitor able to view a copy of the EEOP on file?

 Yes No

SECTION 3: CIVIL RIGHTS COMPLAINTS, LAWSUITS¹, OR FINDINGS

***ANY COMPLAINTS, LAWSUITS, OR FINDINGS THAT HAVE OCCURRED AGAINST THE GRANTEE SINCE COMPLETING PART I OF THE OCJS CIVIL RIGHTS & EEOP QUESTIONNAIRE**

If more than one complaint or lawsuit has been filed or more than one finding has been issued, the information requested in questions 1. through 1.d below must be provided for EACH complaint, lawsuit, or finding. Several forms may be needed depending on the volume of complaints.

1. Has the agency had any civil rights complaints or civil rights *lawsuits or findings from any state or federal court OR investigative or administrative agency such as the Ohio Civil Rights Commission, Equal Employment Opportunity Commission, or any other administrative agency? (If the answer is yes, please proceed to a – d below. If the answer is no, skip to “Posting Notification” and the questions that follow it.)

 Yes No

If yes, circle whichever applicable: **complaint** **lawsuit** **finding**

¹ *Please note: Any lawsuit brought against a police department that alleges violations of civil rights under color of state law (often referred to as § 1983 Actions) MUST be reported in addition to any other complaints, lawsuits or findings. Subrecipient must include the party names, case number, and a short synopsis of the facts and the alleged civil rights violations. **If this information is not readily available during the onsite monitoring, the subrecipient may consult with their law director or city or county attorney and provide the materials within 14 days after the monitoring visit.**

- a. Was the complaint/lawsuit/finding filed or brought by employee(s) of the agency or beneficiaries of services you provide?

Employees _____ **Beneficiaries** _____

- b. Does the complaint/violation/lawsuit involve discrimination based on *{indicate all that apply}*:

- race _____
- color _____
- national origin _____
- religion _____
- disability _____
- age _____
- gender _____
- sexual orientation _____
- gender identity (or expression) _____
- limited English proficiency (LEP) _____
- other (please explain) _____

- c. What is the current status of the complaint/lawsuit/*finding?

{summarize in the space below}

***If there is a finding by an administrative or investigative agency, what were the recommendations of the agency overseeing the investigation and have those recommendations been met? If not yet met, what is the timeline for meeting those recommendations?**

- d. Has the subrecipient complied with the requirement to submit to the OCR any findings of discrimination against the subrecipient issued by a federal or state court or federal or state administrative agency on the grounds of race, color, national origin, religion, gender, disability, or age?

Yes No

If no, notify the grantee that they are required to notify OCR and that they must do so immediately as OCJS is required to report the subrecipient.

POSTING NOTIFICATION:

2. Does the subrecipient have written policies or procedures in place for notifying program beneficiaries how to file complaints alleging discrimination by the subrecipient with the Ohio Civil Rights Commission or the federal Office of Justice Programs– Office of Civil Rights?

Yes No

a. If yes, was the fiscal monitor able to view a copy of the policies and procedures?

Yes No

SECTION 4: REQUIREMENTS RELATED TO PERSONS WITH HANDICAP²

**THE REQUIREMENTS IN SECTION 4 ONLY APPLY TO GRANTEEES THAT HAVE
50(+) EMPLOYEES & AWARD AMOUNT OF \$25,000(+)
IF THIS DOES NOT APPLY SKIP TO SECTION 5**

If the subrecipient has 50 or more employees and receives DOJ funding of \$25,000 or more, has the subrecipient taken the following actions:

GRIEVANCE PROCEDURES:

1. Adopted grievance procedures that incorporate due process standards and provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Section 504 of the Rehabilitation Act of 1973? [This Act can be found at 28 C.F.R. Part 42, Subpart G; it prohibits discrimination on the basis of a disability³ in employment practices and the delivery of services.]

Yes No

a. If yes, was monitor able to view a copy of the grievance procedure?

Yes No

If the fiscal monitor could not view the grievance procedure during onsite visit, it must be provided within 14 days of the visit.

POSTING NOTIFICATION:

2. Notified participants, beneficiaries, employees, applicants, and others that the subrecipient does not discriminate on the basis of disability?

Yes No

a. If yes, was the fiscal monitor able to view an example(s) of notification (e.g. posters, inclusion in brochures or other program materials, etc.)?

Yes No

² Note: "handicap" is the term used in the legal definition in the Federal Code, which is why this terms is being used rather than "disabled."

³ Disability or handicap under Section 504 of the Rehabilitation Act of 1973 means any person who: (1) has a physical or mental impairment which substantially limits one or more major life activities, or (2) has a record of such an impairment, or (3) is regarded as having such an impairment – the perception of a disability.

SECTION 5: REQUIREMENTS FOR GRANTEES THAT OPERATE AN EDUCATION PROGRAM OR ACTIVITY

If the subrecipient operates an education program or activity, has the subrecipient taken the following actions:

GRIEVANCE PROCEDURES:

1. Adopted grievance procedures that provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Title IX of the Education Amendments of 1972? [This Act can be found at 28 C.F.R. Part 54; it prohibits discrimination on the basis of sex.]

Yes No

- a. If yes, was the fiscal monitor able to view a copy of the grievance procedure?

Yes No

If the fiscal monitor could not view the grievance procedure during onsite visit, it must be provided within 14 days of the visit.

POSTING NOTIFICATION:

2. Notified applicants for admission and employment, employees, students, parents, and others that the subrecipient does not discriminate on the basis of sex in its educational programs or activities.

Yes No

- a. If yes, was the fiscal monitor able to view an example(s) of notification (e.g. posters, inclusion in brochures or other program materials, etc.):

Yes No

SECTION 6: LIMITED ENGLISH PROFICIENCY (LEP) REQUIREMENTS

1. Does the agency have an Limited English Proficiency (LEP) policy or a procedure for language assistance services?

Yes No

a. If yes, was fiscal monitor able to view a copy of it?

Yes No

b. Confirm the policy contains the following five elements:

(1) A process for identifying LEP persons who need language assistance?

Yes No

(2) Information about the available language assistance measures?

Yes No

(3) Annual training for staff?

Yes No

(4) Notice to LEP persons (posting notices in places of public interest)?

Yes No

(5) Plan for monitoring and updating the LEP policy?

Yes No

If the policy is missing any of the above five elements, indicate the grantee must revise the policy and submit it to the fiscal monitor for review within 14 days of the visit.

SECTION 7: FAITH BASED ORGANIZATIONS

1. Does the agency engage in inherently religious activities?

Yes No

2. If the subrecipient conducts religious activities as part of its programs or services, does the subrecipient do the following:

a. Provide services to everyone regardless of religion or religious belief?

Yes No

b. Ensure that it does not use federal funds to conduct inherently religious activities, such as prayer, religious instruction, or proselytization, and that such activities are kept separate in time or place from federally-funded activities?

Yes No

c. Ensure that participation in religious activities is voluntary for beneficiaries of federally-funded programs?

Yes No

3. Does the agency deny service to anyone on the basis of religion?

Yes No

Comments: