

**OCJS**  
**CIVIL RIGHTS & EEOP QUESTIONS**  
**APPENDIX B - PART I PRE-AWARD CONDITION**

**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, on what date did the subrecipient prepare the EEOP? \_\_\_\_\_
2. Has the subrecipient submitted a Certification Form to the OCR certifying compliance with the EEOP requirements?  
 Yes       No  
  - a. If yes, on what date did the subrecipient submit the Certification Form?

**SECTION 3: CIVIL RIGHTS COMPLAINTS, LAWSUITS<sup>1</sup>, OR FINDINGS**

\*ANY COMPLAINTS, LAWSUITS, OR FINDINGS THAT HAVE OCCURRED AGAINST THE GRANTEE WITHIN THE  
**3 YEARS PRIOR TO THE AWARD DATE MUST BE REPORTED**

**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.**

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<sup>1</sup> \*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.

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**

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 \_\_\_\_\_
- gender \_\_\_\_\_
- disability \_\_\_\_\_
- age \_\_\_\_\_
- 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 agency notify beneficiaries and employees that the agency does not discriminate on the basis of race, color, national origin, religion, gender, disability, and age in the delivery of services (e.g. posters, inclusion in brochures or other program materials, etc.)?

Yes       No

If yes, briefly describe how this notification occurs:

3. Does the agency notify employees and beneficiaries through agency brochures, publications, posters, etc. that the agency does not discriminate on the basis of race, color, national origin, religion, gender, disability, and age in employment practices?

Yes       No

If yes, briefly describe how this notification occurs:

4. 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

If yes, provide an explanation of these policies and procedures:

5. Does the subrecipient conduct any training for its employees on the requirements of complying with federal civil rights laws?

Yes       No

**SECTION 4: REQUIREMENTS RELATED TO PERSONS WITH HANDICAP<sup>2</sup>**

**THE REQUIREMENTS IN SECTION 4 ONLY APPLY TO GRANTEES 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 disability<sup>3</sup> in employment practices and the delivery of services.]

Yes       No

**COMPLIANCE COORDINATOR:**

2. Designated a person to coordinate compliance with the prohibitions against disability discrimination contained in 28 C.F.R. Part 42, Subpart G?

Yes       No

- a. If yes, provide name of the designated person:

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**POSTING NOTIFICATION:**

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

Yes       No

- a. If yes, describe how (e.g. posters, inclusion in brochures or other program materials, etc.):

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<sup>2</sup> 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.”

<sup>3</sup> 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

**COMPLIANCE COORDINATOR:**

2. Designated a person to coordinate compliance with the prohibitions against sex discrimination contained in 28 C.F.R. Part 54?

Yes                       No

- a. If yes, provide name of the designated person:

\_\_\_\_\_

**POSTING NOTIFICATION:**

3. 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, describe how (e.g. posters, inclusion in brochures or other program materials, etc.):

**SECTION 6: LIMITED ENGLISH PROFICIENCY (LEP) REQUIREMENTS**

1. What reasonable steps<sup>4</sup> has the subrecipient taken to provide meaningful access to its programs and activities to persons who have limited English proficiency (LEP)?<sup>5</sup>  
*{summarize in the space below}*

2. Does the agency have an LEP policy or a procedure for language assistance services?  
 Yes       No

**SECTION 7: FAITH BASED ORGANIZATIONS**

1. Does the agency engage in explicitly religious activities?  
 Yes       No
  
2. Does the subrecipient provide federal funded services to eligible beneficiaries regardless of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in religious practice?  
 Yes       No
  
3. If the subrecipient engages in explicitly religious activities, does it do the following:
  - a. Separate the explicitly religious activities in either time or location from the federally funded activities?  
 Yes       No
  
  - b. Ensure that participation in the explicitly religious activities is voluntary for participants in the federal funded program?  
 Yes       No

Comments:

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<sup>4</sup> Reasonable steps in the context of LEP requires a four-factor analysis: (1) the number and proportion of LEP persons served/encountered in the eligible service population – what language groups and how frequently they are encountered in the service area (2) the frequency with which LEP individuals come in contact with the program (3) the nature and importance of the program services – i.e. is the LEP individual asking for directions or looking for program area information (for example domestic violence); and (4) the resources available to the recipient.

<sup>5</sup> Meaningful access in the context of LEP means effective and accurate communication between the grantee and the LEP individual.

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

Yes       No

Comments:

5. If the subrecipient is a religious institution or a faith-based organization, does the subrecipient do the following:

a. Provide appropriate notice to program beneficiaries or prospective beneficiaries that the subrecipient does not discriminate on the basis of religion in the delivery of services or benefits?

Yes       No

b. Provide appropriate notice to program beneficiaries or prospective beneficiaries that if they object to the “religious character” of the subrecipient, the subrecipient will Ensure that participation in the explicitly religious activities is voluntary for participants in the federal funded program?

Yes       No

c. Keep a record of the requests for an alternative provider from beneficiaries or prospective beneficiaries who object to the subrecipient’s “religious character,” noting the subrecipient’s efforts to find an appropriate alternative provider and to follow up with the beneficiary or the prospective beneficiary?

Yes       No

**SECTION 8: VAWA AND OVW FUNDED PROGRAMS**

1. If the subrecipient receives funding under VAWA or from OVW, does it serve male victims of domestic violence, dating violence, sexual assault, and stalking?

Yes       No

Comments:

2. If the subrecipient receives funding under VAWA or from OVW, does the subrecipient provide sex-segregated or sex-specific services?

Yes       No

If yes, describe how the services are sex-segregated or sex specific.

If yes, has the subrecipient determined that providing services that are sex-segregated or sex specific is necessary to the essential operation of the program?

Yes       No

If yes, describe how the subrecipient determined that providing sex-segregated or sex-specific services is necessary to the essential operation of the program.