



**ALASKA DEPARTMENT OF PUBLIC SAFETY
METHODS OF ADMINISTRATION
CIVIL RIGHTS COMPLIANCE**

The Alaska Department of Public Safety is responsible to ensure its subrecipients of federal funds comply with the following federal nondiscrimination statutes:

- The Omnibus Crime Control and Safe Streets Act of 1968 as amended, which prohibits discrimination on the basis of race, color, national original, religion, or sex, in OJP and COPS funded programs or activities.
- Title VI of the Civil Rights Acts of 1964, which prohibits discrimination on the basis of race, color or national origin in OJP and COPS funded programs or activities.
- Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in OJP and COPS funded programs and activities.
- Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in OJP and COPS funded program activities.
- Title IX of the Education Amendments of 1972 as it relates to discrimination on the basis of sex in OJP and COPS funded training or educational programs.
- The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in OJP or COPS funded programs or activities.
- Nondiscrimination regulations at Title 28 of the Code of Federal Regulations.

Purpose

It is the policy of the Alaska Department of Public Safety (DPS) that each program or activity which receives federal funding that it directly operates, or that contractors, vendors, or grantees operate will not exclude, deny benefits to, or otherwise discriminate against any person in the admission to, participation in or receipt of services or benefits or in employment practices on the basis of race, color, national origin, age, religion, disability, sex and the relevant categories set forth in federal law regarding the specific program area.

The following grants are affected by this policy:

- Byrne Justice Assistance Grant
- COPS Grants
- Coverdell Forensic Science Grant
- DNA Backlog Reduction
- National Criminal History Improvement Program
- Residential Substance Abuse Treatment
- Other federal grant programs

Procedures for Ensuring Subrecipients' Compliance with Civil Rights Obligations

1. Subrecipients must have procedures in place for responding to discrimination complaints from clients, program participants, and employees. These procedures should include:
 - a. Investigating the complaint internally, or forwarding the complaint to the Alaska Department of Public Safety (DPS), the Office for Civil Rights (OCR), or another appropriate external agency such as the Alaska Human Rights Commission;
 - b. Notifying the DPS Grants Office of any complaint that is not referred to the DPS; and
 - c. Notifying the complainant that he/she may file a complaint directly with the DPS Grants Office or the OCR.
2. Subrecipients must provide public notice of these complaint procedures, such as by posting signage in public places of public contact and referencing the procedures in program materials.
 - a. Subrecipients must train their staff on civil rights policies to ensure that civil rights protections are in effect for their clients and employees.
3. DPS Policy for Addressing Discrimination Complaints

Any individual may file a complaint of discrimination generally within 180 days of the date of the incident. Any DPS employee receiving such a complaint shall request that the individual complete a written complaint and submit it to the DPS Grants Office. The DPS Grants Office is the authorized individual for processing, investigating and forwarding complaints to OCR. The DPS Grants Office will conduct an internal investigation, forward the complaint to another appropriate agency within the state or forward it to OCR for investigation. In addition, OCR will be notified of complaints regardless of which agency

conducts the investigation. The DPS Grants Office will follow up with the original complainant regarding the outcome of the complaint.

- a. The DPS policy designates the Grants Office as the individual responsible for the coordination of civil rights activities, to include complaints.
- b. The Alaska Department of Public Safety has a written policy that addresses subrecipient civil rights responsibilities. These requirements apply to all subrecipients and their sub-contractors, who receive federal funds for programs/services/activities under contract/grant or other agreement through the Alaska Department of Public Safety. The Civil Rights Compliance policy is:

Policy 2011-01: Procedures for Responding to Discrimination Complaints against Subrecipients

This policy is available on the DPS website and distributed to DPS employees and subrecipients.

4. Notifying Subrecipients of Civil Rights Requirements

The DPS notifies subrecipients of applicable civil rights requirements by listing the laws that the OCR enforces in its standard Grant Agreement that all subrecipients are required to abide by. The notification also informs subrecipients that they must have procedures in place for responding to discrimination complaints.

5. Monitoring for Compliance with Civil Rights Requirements

This responsibility is accomplished by conducting annual reviews of subrecipients. The purpose of the review is to ensure subrecipients provide equal access and do not discriminate on the basis of race, color, national origin, sex (gender), religion, or disabilities.

a. Procedures

- i. Subrecipients are identified and notified.
- ii. The DPS Grants Office schedules a review with the subrecipient, which will either be an on-site or desk review.
- iii. A review checklist is provided to the subrecipient prior to the review. Copies of the on-site checklist are available by contacting the DPS Grants Office or on the DPS website. The DPS Grants Office reviews the checklist with the subrecipient during the on-site or desk review.
- iv. After the on-site review is completed, a Letter of Findings is provided to the authorized official.

- v. The Letter of Findings includes the completed on-site checklist with results of each review standard. If violations of the standards exist, corrective action is required and a corrective action plan will be developed by the subrecipient and approved by the DPS Grants Office. This process culminates when the required corrective actions are completed and validated.

6. Training Subrecipients on Civil Rights Requirements

The DPS mails the OCR's brochure *Civil Rights Laws Prohibit Discrimination by Agencies that Receive Federal Financial Assistance* to subrecipients each grant cycle. The OCR's PowerPoint presentation will be posted on the DPS website and subrecipients will be required to review it.

Resources

The DPS website is available as a training and technical assistance resource that includes detailed information on civil rights requirements and on the procedures for employees and client/customers to follow if they wish to file a discrimination complaint against DPS subrecipients, and includes policies, a training power point and links to the federal OCR website.

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