



November 22, 2019

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 and provisions.

- Section 601 of Title VI of the Civil Rights Acts of 1964
- Section 504 of the Rehabilitation Act of 1973
- Section 901 of Title IX of the Education Amendments of 1972
- Section 303 of the Age Discrimination Act of 1975
- Section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968
- Section 1407(e) of the Victims of Crime Act of 1984
- Section 40002(b)(13) of the Violence Against Women Act of 1994

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 if the grantee receives money under the Violence Against Women Act, sexual orientation and gender identity.

The following grant programs are affected by this policy:

- Edward Byrne Memorial Justice Assistance Grant (JAG) Program
- Community Oriented Policing Services (COPS)
- Paul Coverdell Forensic Science Improvement Grants Program
- DNA Capacity Enhancement and Backlog Reduction (CEBR) Program
- National Criminal History Improvement Program (NCHIP)
- NICS Act Record Improvement Program (NARIP)
- National Sexual Assault Kit Initiative (SAKI)
- 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.
- c.** 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, sexual orientation, gender identity, religion, or disabilities.

a. Procedures

1. Subrecipients are identified and notified
2. The DPS Grants Office schedules a review with the subrecipient, which will either be an on-site or desk review.
3. A federal civil rights compliance 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.
4. After the on-site review is completed, a Letter of Findings is provided to the authorized official.
5. 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 OCR's online training presentation is posted on the DPS website and notification is provided to its subrecipients of the Civil Rights requirements each grant cycle.

Resources

The Alaska Department of Public Safety 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 and links to the federal Office of Civil Rights website and online training. Website link: <https://dps.alaska.gov/AdminServices/Home>