

United States Department of Agriculture  
 Forest Service  
 Grants and Agreements

## **Complying with Civil Rights Requirements Your Responsibilities as a Partner With the USDA Forest Service**

*“Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination.” - President John F. Kennedy, in his 1963 message calling for the enactment of Title VI of the Civil Rights Act*

### **Who is required to comply with Federal Civil Rights laws?**

If you receive Federal funds or assistance from the Forest Service such as a grant or agreement, by law you must provide equal opportunity for all people to participate in the programs and activities you offer. For example, you should not deny or exclude anyone from programs, services, aids or benefits. Also, you must not retaliate in a manner against a person who files a complaint or opposes any unlawful or discriminatory practice (see Table 1 below).

This guide provides a basic overview of your responsibilities for ensuring nondiscrimination in the delivery of your programs and activities to the public on bases covered by federal law. These bases include race, color, national origin, sex (in educational programs or activities), age, and disability.

### **What are some types of Federal funding and assistance?**

- Federal monies given by grants, sub-grants, cooperative agreements, challenge cost-share agreements, cost-reimbursable agreements, or loans.
- Training presented by a Federal agency.
- Loan/temporary assignment of Federal personnel (e.g., a Forest Service employee instructing a course at a local university).
- Loan or use of Federal property at below market value.

### **Are you a recipient of Federal funding and assistance?**

You are a “recipient” if, through a partnership with the Forest Service, you receive Federal funding or assistance (either directly or through another recipient) to conduct a program you offer to the public. Recipients include:

- Any individual receiving Federal funding or assistance.
- A State or local government.
- American Indian or Alaska Native individual, Tribe, corporation, or organization.
- Any public or private agency, institution, or organization (e.g., university, college, or non-profit).

## **What are your responsibilities for complying with Federal Civil Rights laws?**

As a partner with the Forest Service, your responsibilities for complying with Federal Civil Rights laws include, but are not limited to:

- Signing an assurance certifying that you will comply with Civil Rights laws. If you have sub-recipients, obtain a signed assurance from them. An example of a sub-recipient is a local community organization receiving a subgrant from a state forestry agency.
- Displaying the “And Justice for All” U.S. Department of Agriculture poster (AD-475C) in your public reception areas or other areas visible to the public. Contact your Forest Service office to obtain copies.
- Include the following statement about nondiscrimination and how to file a complaint in your publications and outreach materials:

***“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. (Not all prohibited bases apply to all programs.)***

***To file a complaint of discrimination: write USDA, Office of Civil Rights, Room 326-A, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202)720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.”***

If the publications or materials are too small to permit the use of the full statement, at a minimum include the following statement, in print size no smaller than the text:

***“This institution is an equal opportunity provider.”***

- Including in any of your publications and outreach materials related to a grant of agreement project, a statement of affiliation with the Forest Service, e.g., ***“This publication made possible through a grant from the USDA Forest Service.”*** OR ***“This research was conducted in cooperation with the USDA Forest Service.”*** OR ***“This research was funded with a grant from the USDA Forest Service.”***
- **Providing program information in alternative formats for people with disabilities and in alternative languages for people with limited English proficiency, as appropriate to your customer base.**
- **Identifying a person to be responsible for ensuring your program is in compliance with Civil Rights requirements.**
- **Reviewing all your policies, procedures, and practices to ensure that they do not limit participation on the basis of race, color, national origin, age, disability, or sex (in educational programs and activities).**

- **Evaluating the accessibility of your programs and facilities. If they are not now accessible, develop a transition plan for making them accessible and then carry out the plan as appropriate.**
- **Ensuring that your staff understands their Civil Rights responsibilities including their role in the USDA complaint process.**
- **Providing outreach to a wide variety of communities to ensure diversity if you advertise or market your program.**
- **Providing information to the Forest Service on your outreach to participants in your programs and activities.**

**What does the Forest Service do to ensure compliance with nondiscrimination responsibilities?**

The Forest Service will conduct reviews of your programs and activities on a periodic basis to ensure they comply with Civil Rights laws. The Forest Service is your partner in providing equal opportunity to the public. For more information, please contact your local Forest Service office.

**What Federal Civil Rights laws must you follow to ensure compliance?**

<b>U.S. Code</b>	<b>Statute</b>	<b>Prohibits Discrimination on the Basis of:</b>
(42 USC 2000d-2000c)	Title VI of the Civil Rights Act of 1964	Race, Color, or National Origin
(20 USC 1681-1686)	Title IX of the Education Amendments of 1972	Sex (in educational programs and activities)
(42 USC 6101 et seq)	Age Discrimination Act of 1975, as amended	Age
(29 USC 794)	Section 504 of the Rehabilitation Act of 1973, as amended	Disability

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or for Forest Service issues please call, toll free, (966) 632-9992 (Voice). TDD users can contact USDA through local relay or the Federal Relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice users). USDA is an equal opportunity provider and employer.

## **Equal Opportunity Program Delivery Resources**

The list of resources is intended for holders for grants and cooperative agreements with the USDA Forest Service, to assist them in complying with Federal Civil Rights laws. This listing is not inclusive of all civil rights responsibilities.

### **Principal Laws and Policy**

- Title VI of the Civil Rights Act of 1964  
<http://www.justice.gov/crt/about/cor/coord/titlevi.php>
- Title IX of the Education Amendment of 1972  
<http://www.justice.gov/crt/about/cor/coord/titleix.php>
- Age Discrimination Act of 1975  
[http://www.dol.gov/oasam/regs/statutes/age\\_act.htm](http://www.dol.gov/oasam/regs/statutes/age_act.htm)
- Section 504 of the Rehabilitation Act of 1973, as amended  
<http://www.dol.gov/oasam/regs/statutes/sec504.htm>
- Americans with Disabilities Act  
<http://ada.gov/pubs/ada.htm>

### **Posters and Brochures**

- Brochure: *"Complying with Civil Rights Requirements – Your Responsibilities as a Partner with the USDA Forest"* (For recipients of grants and cooperative agreements).  
<http://www.fs.fed.us/cr/poster/grants-greenhigh.pdf>
- Brochure: *"And Justice for All"* (4+MB, English & Spanish, toll-free numbers, red or green).  
<http://www.fs.fed.us/cr/poster/justiceforall-redhigh.pdf>  
<http://www.fs.fed.us/cr/poster/justiceforall-greenhigh.pdf>

## **Accessibility**

- A Guide to the New ADA-ABA Accessibility Guidelines (7-23-04)  
<http://www.access-board.gov/ada-aba/summary.htm>
- A Guide to Disability Rights Laws  
<http://www.ada.gov/cguide.htm>  
<http://www.ada.gov/cguide.pdf>
- Service Animals ADA 2010 Revised Requirements  
[http://www.ada.gov/service animals 2010.pdf](http://www.ada.gov/service%20animals%202010.pdf)  
[http://www.ada.gov/service animals 2010.htm](http://www.ada.gov/service%20animals%202010.htm)
- Telecommunications Relay Services  
<http://www.fcc.gov/cgb/consumerfacts/trs.html>

## **Guidebooks and Templates**

- Accessible Meetings; Expanding Your Market; Accessible Information Exchange  
<http://www.ada.gov/business/accessiblemtg.htm>  
<http://www.ada.gov/business/accessiblemtg.pdf>
- What are Alternative Formats? How Do They Apply to Programs & Services? (Monograph by the National Center on Accessibility)  
<http://www.ncaonline.org/index.php?q=node/334>

## **Related Websites**

- US Access Board  
<http://www.access-board.gov/>
- US Dept. of Justice Civil Rights Division  
<http://www.ada.gov>
- Pacific ADA and IT Center  
<http://www.adapacific.org>
- Disability  
<http://www.disability.gov>

## **Public Notification and Outreach**

### **Guidebooks and Templates**

- Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance  
<http://www.lep.gov/selfassesstool.htm>  
<http://www.lep.gov/selfassesstool.pdf>
- Limited English Proficiency: What Federal Agencies and Federally Assisted Programs should know about Services to LEP Individuals  
[http://www.lep.gov/resources/lep\\_aug2005.pdf](http://www.lep.gov/resources/lep_aug2005.pdf)
- Reaching Out: A USDA Forest Service Toolkit for Equal Participation  
<http://www.fs.fed.us/spf/coop/library/Toolkit.pdf>

### **Related Websites**

- US Government Limited English Proficiency (LEP) website  
<http://www.lep.gov>
- Census Bureau – Population Statistics  
<http://www.census.gov/>

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The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.