

## **LCLE Personnel Policy #35**

**Subject:** Civil Rights – Methods of Administration

**Effective Date:** 03/25/2013

**Revised Date:**

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### **Authorization:**

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## **I. POLICY**

The purpose of this policy is to outline the requirements, philosophy, and approach the Louisiana Commission on Law Enforcement and Administration of Criminal Justice (LCLE), as the State Administering Agency, follows to ensure compliance of grant-funded programs for funds received from the United States Department of Justice, Office of Justice Programs. The LCLE has established and implemented written procedures to ensure subgrantees' compliance with the prohibition against discrimination based on race, color, national origin, disability, religion, and sex in the delivery of services and employment practices, and prohibit recipients from using federal financial assistance to engage in inherently religious activities.

## **II. PURPOSE**

All State Administering Agencies (SAAs) have a responsibility to monitor their Subgrantees to ensure that the Subgrantees are complying with the civil rights laws applicable to recipients of federal financial assistance. The Louisiana Commission on Law Enforcement and the Administration of Criminal Justice (LCLE) follows these Methods of Administration to ensure compliance in regard to Subgrantees of federal funding through the Office of Justice Programs and the Office on Violence Against Women.

## **III. PROCEDURES**

The Federal Program Manager ensures LCLE meets the four elements of administration outlined by the Department of Justice, Office of Civil Rights as follows:

### **A. Policy for Addressing Discrimination Complaints**

1. Procedures for complaints regarding subgrantees from subgrantees' employees, applicants, clients, customers, and program participants are outlined in LCLE Personnel Policy #11, Complaint Procedures for Complaints Against LCLE Subgrantees.
2. Complaints from LCLE employees alleging discrimination by the LCLE will be addressed pursuant to the procedures in the following LCLE Policies:
  - American Disabilities Act
  - Equal Employment Opportunity
  - Respectful Workplace and Harassment

- Grievance Policy

## **B. Notifying Subgrantees of Civil Rights Requirements**

Subgrantees of LCLE are notified of civil rights requirements through the LCLE Grants Manual and the Certified Assurances within award documents. Subgrantees are required to certify compliance with guidelines and provide a description of relevant civil rights procedures by completing a “Certification of Civil Rights.

## **C. Monitoring for Compliance with Civil Rights Requirements**

LCLE follows the monitoring procedures detailed in the LCLE’s Grant Monitoring Procedures. Monitoring of civil rights compliance is conducted as a part of routine monitoring activities and is included in desk review and onsite review checklists which incorporate questions from the Federal Civil Rights Compliance Checklist developed by the Office for Civil Rights. The monitoring form is a two-part form—(1) Part 1 covers the actual on-site visit or desk audit; (2) Part 2 is forwarded to the subgrantee prior to the on-site visit or desk audit to complete prior to the actual monitoring. The Federal Civil Rights Compliance Checklist will be incorporated into Part 2 of this form. This will allow the evaluator to review the subgrantee’s responses and follow-up during the visit or desk audit.

## **D. Training Subgrantees on Civil Rights Requirements**

LCLE’s website, [www.lcle.la.gov](http://www.lcle.la.gov), will provide the Office for Civil Rights’ personnel contact and online training <http://www.ojp.usdoj.gov/about/ocr/assistance.htm>. All subgrantees are required to review training materials and certify completion as a condition of award. The Certification to Civil Rights Training will be available at LCLE’s website. Subgrantees will be required to mail the Certification to Civil Rights Training upon completion within thirty (30) days from the award acceptance date. LCLE staff may provide technical assistance to subgrantees upon request. Subgrantees may also submit TA request for specific training which will be forwarded to the Office for Civil Rights.

### References:

- Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d(c))
- The Victims of Crime Act of 1984 (42 U.S.C. § 10604(e))
- The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b))
- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)
- The Rehabilitation Act of 1973 (29 U.S.C. § 794)
- The Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131 – 12134)
- Title IX The Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685 – 1686)
- The Age Discrimination Act of 1975 (42 U.S.C. §§ 6101 – 6107)
- 28 C.F.R. Part 35 (DOJ Regulations – Nondiscrimination on the Basis of Disability in State and Local Government Services)

28 C.F.R. Part 42 (DOJ Regulations – Nondiscrimination; Equal Employment Opportunity; and Procedures)  
Ex. Order 13279 (Equal protection of laws for faith-based and community organizations)  
28 C.F.R. Part 38 (DOJ Regulations – Equal Treatment of Faith-Based Organizations)

Related Policies:

LCLE Policy # Complaint Procedures for Complaints Against LCLE Subgrantees  
LCLE Policy #21 American Disabilities Act  
LCLE Policy #29 Grievance Policy  
LCLE Policy #36 Equal Employment Opportunity  
LCLE Policy #37 Respectful Workplace and Harassment

Related Forms:

Subgrantee Award Form

Related Documents:

Site Visit Checklist  
Grant Application Assurances