Montana Board of Crime Control (MBCC)

Federal Civil Rights Compliance (OCR) Monitoring Form

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| --- | --- |
| **Grantee Name/Program:**  | Click or tap here to enter text. |
| **Subgrant Award Number:** | Click or tap here to enter text. |
| **Official Budget Representative:**(If unavailable, please notify Program Manager)  | Click or tap here to enter text. |
|  |
| **Date of Site Visit/Desk Review:**  | Click or tap here to enter text. |
| **MBCC Staff Involved:**  | Click or tap here to enter text. |
|  |
| **Current Program Grants:**  | Click or tap here to enter text. |
| **The following will be reviewed:**  | Click or tap here to enter text. |
| **Policies and Procedures:**  | Click or tap here to enter text. |
| **General Ledger:**  | Click or tap here to enter text. |
| **Accounting Procedures:**  | Click or tap here to enter text. |

The U.S. Department of Justice, through the Office of Justice Programs (OJP) Office for Civil Rights (OCR), instructs that this checklist be completed during any site visit performed by the Montana Board of Crime Control (MBCC). Some of the questions are very detailed and can only be answered by a person with specific knowledge of the subject. ***We recommend that the form be completed by someone who has the knowledge to completely answer the questions. The answers should provide as much detail as possible.***

Montana Board of Crime Control must ensure its subrecipients are fully compliant. We ask that this form be completed in its entirety and ready for our review at the time of the on-site visit. If you have questions about completing the form, contact your program manager who will provide technical assistance.

We thank you for your cooperation during our review process.

**THIS PAGE IS FOR INFORMATIONAL PURPOSES IN REFERENCE TO QUESTIONS 1 THROUGH 4**

Equal Employment Opportunity Plan

An Equal Employment Opportunity Plan (EEOP) is a comprehensive document that analyzes a recipient’s relevant labor market data, as well as the recipient’s employment practices, to identify possible barriers to the participation of women and minorities in all levels of a recipient’s workforce. Its purpose is to ensure the opportunity for full and equal participation of men and women in the workplace, regardless of race, color, or national origin.

Federal regulations regarding the EEOP requirements fall into 2 categories. *You will only be eligible within one category*: A or B.

**All subrecipients are required to return the EEOP Certification Form that is provided upon completion of the on-line EEOP tool (**[**https://ojp.gov/about/ocr/eeop.htm**](https://ojp.gov/about/ocr/eeop.htm))**. Certification will be returned with the required signed grant award documents.**

1. Complete Exemption from EEOP.

No EEOP is required. Any one of the following must apply:

* Recipient has less than 50 employees
* Recipient is a non-profit organization
* Recipient is a medical institution
* Recipient is an Indian tribe
* Recipient is an educational institution
* Recipient is receiving an award of less than $25,000
1. EEOP is required of subrecipient and must be submitted to OCR.

The following must apply:

* Recipient has 50 or more employees and has received a single award or subaward of $25,000 or more from MBCC or another agency.

DEFINITIONS

**28 C.F.R. Part 42 Subpart G** can be found [here](https://www.ecfr.gov/cgi-bin/text-idx?SID=27748340209bdaeff83293e09e506a83&mc=true&node=sp28.1.42.g&rgn=div6).

**Americans with Disabilities Act of 1990** – Prohibits discrimination on the basis of disability and applies to public and private entities, whether or not they receive federal funding.

**Disabled person** – Any person who has a physical or mental impairment which substantially limits one or more major life activities, or has a record of such impairment, or is regarded as having such impairment.

**Limited English Proficient** – A person who has a first language other than English and a limited ability to read, write, speak, or understand English.

**Section 504 of the Rehabilitation Act of 1973** – Prohibits discrimination on the basis of disability in recipients of federal funding.

**Notification** – Can be accomplished through posters or brochures publicly visible in the agency’s office or verbally providing information about your agency’s non-discrimination policies in providing services and employment.

On-Site Monitoring Checklist

1. If the subrecipient is required to prepare an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R. pt. 42, subpt. E, does the subrecipient have an EEOP on file for review? (If a subrecipient is unsure as to whether they are required to prepare an EEOP, they can find out at <https://ojp.gov/about/ocr/eeop.htm>, where they can also prepare and file their EEOP electronically.

[ ]  **Yes** [ ]  **No**

If yes, on what date did the subrecipient complete the EEOP?

Click or tap here to enter text.

1. If the subrecipient is required to submit an EEOP Utilization Report to the Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) in accordance with C.F.R. pt. 42, subpt. E, has the subrecipient done so?

[ ]  **Yes** [ ]  **No**

If **yes**, on what date did the subrecipient submit the EEOP Utilization Report?

Click or tap here to enter text.

1. Has the subrecipient submitted a Certification Form to the OCR certifying compliance with the EEOP requirements?

[ ]  **Yes** [ ]  **No**

If yes, on what date did the subrecipient submit the Certification Form?

Click or tap here to enter text.

1. How does the subrecipient notify program participants and beneficiaries that it does not discriminate on the basis of race, color, national origin, religion, sex, gender identity, sexual orientation, disability, and age in the delivery of services (e.g. posters, inclusion in brochures or other program materials, etc.) if the subrecipient receives funding from the Office on Violence Against Women (OVW) or under the Violence Against Women Act (VAWA) of 1994?

**Comments:**

Click or tap here to enter text.

1. How does the subrecipient notify employees that it does not discriminate on the basis of race, color, national origin, religion, sex, gender identity, sexual orientation, and disability in employment practice (e.g. posters, dissemination of relevant orders or policies, inclusion in recruitment materials, etc.) if the subrecipient receives funding from the Office on Violence Against Women (OVW) or under the Violence Against Women Act (VAWA) of 1994?

**Comments:**

Click or tap here to enter text.

1. 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 State Administering Agency (Montana Board of Crime Control) or the OCR?

[ ]  **Yes** [ ]  **No**

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

Click or tap here to enter text.

1. If the subrecipient has 50 or more employees and receives DOJ funding of $25,000 or more, has the subrecipient taken the following actions:
	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, found at 28 C.F.R. Part 42, Subpart G, which prohibit discrimination on the basis of a disability in employment practices and the delivery of services?

[ ]  **Yes** [ ]  **No**

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

[ ]  **Yes** [ ]  **No**

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

[ ]  **Yes** [ ]  **No**

**Comments:**

Click or tap here to enter text.

1. If the subrecipient operates an education program or activity, has the subrecipient taken the following actions:
	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, found at 28 C.F.R. Part 54, which prohibit discrimination on the basis of sex?

[ ]  **Yes** [ ]  **No**

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

[ ]  **Yes** [ ]  **No**

* 1. 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**

**Comments:**

Click or tap here to enter text.

1. 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, religion, national origin, or sex?

[ ]  **Yes** [ ]  **No**

**Comments:**

Click or tap here to enter text.

1. What steps has the subrecipient taken to provide meaningful access to its programs and activities to persons who have limited English proficiency (LEP)?

Provide comments, including an indication of whether the subrecipient has developed a written policy on providing language access services to LEP persons:

**Comments:**

Click or tap here to enter text.

1. Does the subrecipient conduct any training for its employees on the requirements under federal civil rights laws?

[ ]  **Yes** [ ]  **No**

**Comments:**

Click or tap here to enter text.

1. Does the subrecipient provide federally 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**

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:**

Click or tap here to enter text.

1. 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.

Click or tap here to enter text.

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.

Click or tap here to enter text.