

County:

Date of Review:



**EXTENSION PROGRAM
AND
COMPLIANCE REVIEW**

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COUNTY EXTENSION PROGRAM AND COMPLIANCE REVIEW

CONTENTS

	Page
< Procedure.....	1
< Benefits of Extension Program and Compliance Review	2
< Definitions.....	3
< Quiz On Terminology-“Terms and Terminology..”	5
< County Extension Staff Interview Guide	
< Section 1: Physical Compliance	6
< Section 2: County Office Operations	8
< Section 3: Program Development.....	12
< Appendix.....	16
< Items County Faculty Need to Have Available for Review	
< Extension Program and Compliance Review Agenda (Sample)	

PROCEDURE

DEAs will conference and develop plans for the following:

- Set dates for County Extension Program and Compliance Review
- Send letter to County faculty or CED (when appropriate), announcing date, time, and support materials/documentation needed at the time of the review conference.
- Begin review with meeting of total county Extension staff, support staff, and District Extension Ad
 1. Conduct orientation:
 - * Introduction/Purpose
 - * Benefits of compliance review and program review
 - * Emphasize that this is a "Program Review" and that as a part of the program review you will be looking at compliance with civil rights and affirmative action guidelines.
 2. Administer questions on "Terms and Terminology" for staff to answer in writing; review answers.
 3. Orientation Points to Emphasize:
 - * Relate Smith-Lever Act of 1914 to Civil Rights Compliance.
 - * This is an "in-house" review.
 - * Opportunity to help staff is greater if there is an open and honest discussion with agents & staff
 - * Program review is a "fact finding" day followed by exit conference to review strengths and weaknesses of operations and program development.
 - * A written report will be provided by DEA to county staff, within six weeks of date of review.Required elements for the written findings and recommendations report include:
 - (1)the date of DEAs written report of findings and recommendations;
 - (2)the date compliance review was conducted at the county;
 - (3)the following language: "The 'And Justice for All' poster was displayed in the office or in a notebook containing all employment posters;"
 - (4)the following language: "Official documents related to civil rights and affirmative action are on file, or can be referenced by staff on electronic files contained on an office computer or on the AgriLife Extension employee website;" and,
 - (5)the due date for the county response outlining what corrections were made, with the due date being set on or before 6 months from the date of compliance review.
 - * Audits/reviews should be positive but may involve some negative findings.
 - * County faculty and DEAs are expected to follow up on recommendations and submit report to DEA/Associate Director County Programs within six months of date of compliance review.
 4. Faculty members briefly describe the previous year's programs, highlighting successes, and impacts of programs.
 5. Excuse Support Staff Members
 6. Interview total faculty (excluding secretaries), using interview questions provided in the document.
 7. Interview each faculty member using appropriate instrument segments on "Program Development."
 8. Examine documentation and records on file (as indicated in instrument).

Within six weeks of date of review

District Extension Administrator will provide a written report of findings to the: county faculty and Associate Director for County Operations.

Within six months of date of review:

County faculty will submit a written response to DEA that include all actions taken to address reported findings. DEA submits copy to Associate Director for Operations.

BENEFITS OF EXTENSION PROGRAM AND COMPLIANCE REVIEW

1. Provides additional means of program evaluation to determine whether needs of clientele, including minorities, are being met.
2. Provides for more readily available information on service to minority groups to respond to special and regular reports and requests.
3. Encourages staff to develop new programs, methods and techniques to reach under served audiences.
4. Meets the laws, regulations and policies requiring reviews.
5. Avoids problems of investigation and/or complaints associated with legal noncompliance, if alleged by outside groups/individuals.
6. Brings staff to a better understanding of the need for documentation and records.
7. Provides a basis for improving personnel and program management methods; provides benchmark data on which to measure progress.
8. Increases staff awareness of managerial responsibilities in areas of employee supervision, training and career development.
9. Documents information for Director and state supervisory and administrative staff; reduces possibility of misinformation and or lack of communication.
10. Enables county staff to be more knowledgeable of laws, rules and regulations and facilitates their "indoctrination" of planning groups, organizations, lay leaders, governing bodies, legislators and others involved in cooperative working relationships.
11. Uncovers areas in which Texas A&M AgriLife Extension Service rules and procedures on civil rights and equal employment opportunity matters need to be reemphasized, strengthened, incorporated into written policies and procedures, and/or disseminated to staff and other appropriate persons.
12. Facilitates preparation of county and State annual program plans in terms of staff-time statistical data, as well as narratives called for to fulfill specific civil rights and EEO requirements.

DEFINITIONS

a. *Title VI of the Civil Rights Act of 1964.*

Specifies that no person in the U.S. shall, on the grounds of race, color, religion, sex, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

b. *Title VII of the Civil Rights Act of 1964.*

States that the policy of the U.S. Government is to provide equal opportunity in employment for all persons; to prohibit discrimination in employment because of race, color, religion, sex, or national origin; and to promote equal opportunity through affirmative action in each Federal department and agency. Equal opportunity must be an integral part of personnel policy and practice including employment selection, training, advancement and treatment. This title also provides the basis for prohibiting sexual harassment at employment-related locations and functions.

c. *"All reasonable efforts."*

A set of procedures required to be used and their documentation kept to demonstrate that federally funded programs or activities have been made available to the maximum possible potential audience of a given locale or area. The minimum reasonable effort required by County Extension staff members includes all items listed as follows:

1. Use of all available mass media, including radio, newspaper and television, to inform potential recipients of the program and of opportunity to participate.
2. Personal letters, e-mails, and circulars addressed to defined potential recipients inviting them to participate, including dates and places of meetings or other planned activities.
3. Personal visits by the County Extension staff member(s) to a representative number of defined potential recipients in the geographically defined area to encourage participation.

d. *"Adequate public notification."*

Public notification plans are a part of the delivery mode in the affirmative action goals related to the Civil Rights Act of 1964. Public notification plans ask each agency or organization to use the most diversified possible communications to attract persons of all races, colors, religions, genders, and national origins to participate in programs or activities funded wholly or in part by Federal resources. Examples would include posters, flyers, minority organization bulletin board notices, utility bill inserts, or other public mailings. Using nondiscriminatory statements, photos, and graphics to convey the message of equal opportunity in informational material released to the public. Using sex-neutral language---elimination of sex discrimination, sex bias, and sex-stereotype language from materials used in educational programs.

e. *Title IX of the Education Amendments of 1972.*

The specific purposes of Title IX are to prohibit discrimination against individuals in federally-funded programs or activities, and in every aspect of employment because of their gender. Title IX provisions include prohibitions against male/female job-related stereotyping, sexual harassment, unequal opportunities for training, advancement and other benefits of employment.

f. *Americans with Disabilities Act of 1990.*

Title I states that no entity shall discriminate against a qualified individual with a disability because of the individual's disability in regard to job application procedures, hiring, advancement, discharge, compensation, training and other terms, conditions and privileges of employment.

Title II of the Act states that no qualified individual with a disability shall, by reason of such disability, be

excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any such entity.

A "qualified individual with a disability" is any individual with a disability who, with or without reasonable modifications to rules, policies or practices; the removal of architectural, communication or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for employment, receipt of services or participation in programs or activities provided by a public entity.

g. Affirmative Action.

Affirmative action is those positive and deliberate actions taken to involve all audiences in educational programs and the targeting of minority audiences following the guidelines of the Civil Rights Act of 1964. The spirit of affirmative action is to be proactive; to include in planning of all educational programs the steps necessary to make those programs available and accessible by all potential audiences.

Racial/Ethnic Categories

- *Black, not of Hispanic origin* - a person having origins in any of the black racial groups of Africa.
- *White, not of Hispanic origin* - a person having origins in any of the original people of Europe, North Africa or the Middle East.
- *Hispanic* - a person of Mexican, Puerto Rican, Cuban, Central American, South American or other Spanish culture or origin, regardless of race.
- *Asian or Pacific Islander* - a person having origins in any of the original peoples of the Far East: Southeast Asia, the Indian subcontinent, Pacific Islands (China, Japan, Korea, Philippine Islands, Samoa).
- *American Indian or Alaskan Native* - a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

Additional sub-categories based on national origin or primary language spoken may be used where appropriate, on either a national or a regional basis.

Racial-ethnic designations do not denote scientific definitions of anthropological origins. A program participant may be included in the group to which he/she appears to belong, identifies with, or is regarded in the community as belonging to. No person should be counted in more than one racial-ethnic category.

TERMS AND TERMINOLOGY:

1. What are "All Reasonable Efforts?"
2. When is "All Reasonable Effort" required?
3. Who is responsible for conducting "All Reasonable Effort?"
4. How does Title IX of the Civil Rights Act differ from Title VI of the Act?
5. Where would you publicize educational programs and activities to be sure that all audiences are aware of the program or activities?
6. What are some of the considerations involved in making your programs accessible to disabled persons?
7. What are the guidelines for participation of minorities on planning groups?
8. How would you define Affirmative Action?

Section 1: Physical Compliance

A. Office Location & Public Access

- a. Where is office located? (describe) _____

- b. Is office well-marked, visible, and accessible? (agency signage, courthouse directory, parking, related factors). Yes ___ No ___

- c. Is office sign current? Yes ___ No ___

- d. Is office ADA accessible? Yes ___ No ___
 - i. Entrance ___ Bathrooms ___ Conference Room- _____ Offices
- e. Can public reasonably find the office using available search tools?
 - i. Internet: _____
 - ii. Google Maps _____
 - iii. Courthouse Directory _____
 - iv. Other: _____
- f. Is USDA "And Justice For All" Poster posted prominently at entrance or lobby where the public can see and read it? Yes ___ No ___

Are other state and federal compliance notices posted or located where public can access those notices easily? Yes ___ No ___

Recommendations:

B. Employee Access

a. Is office space allocated without regard to race or gender and in compliance with Title VII guidelines? Yes ___ No ___

b. Are meeting rooms, kitchen facilities, bathrooms, and other common spaces accessible & available to all in compliance with Title VII guidelines? Yes ___ No ___

c. Are equipment & supplies allocated or made available equitably and/or in accordance to budgetary guidelines & policy? Yes ___ No ___

d. Are support staff assigned or accessible to all Extension faculty in a manner that is equitable? Yes ___ No ___

Recommendations:

Section 2: County Office Operations

A. Human Resources

a. Hiring Practices:

i. Who was most recent person hired? _____

Were EEO guidelines followed? Yes ___ No ___

ii. Does the county have an HR handbook? Yes ___ No ___

Is it on file? Yes ___ No ___

Was it followed? Yes ___ No ___

iii. Is there any evidence of any activities or actions taken related to employees that promote segregation, disparate treatment, or other forms of exclusion related to any protected classes? Yes ___ No ___

iv. Recommendations:

b. Training & Development of Staff

i. List & describe all training and development provided for support staff in the last 12 months? _____

Provide dates & type of training/development: _____

ii. List & describe all training and development provided for faculty members in the last 12 months? _____

Provide dates & type of training/development. Include all training related to civil rights and

compliance-related training. _____

iii. Recommendations:

c. Performance Evaluations

i. Has a performance evaluation been completed for all staff in the county? Yes___ No___

ii. Where are they kept? _____

iii. Do those evaluations provide opportunities for dialogue, written goals, written development plans, and necessary resources? Yes___ No___

iv. Do staff members have job descriptions on file? Yes___ No___

Are they reviewed annually? Yes___ No___

Are they updated as needed to reflect changes in duties? Yes___ No___

v. Recommendations: _____

d. Assignment of Human Resources

i. Are support staff reasonably and equitably assigned to all agents regardless of title, gender, age, and related factors? Yes___ No___

ii. Who supervises support staff? (list or provide org chart)

iii. Recommendations:

e. Office Conferences

i. How often are office conferences held? _____

Are minutes taken? _____

When & How are they distributed to all agents and staff? _____

ii. Do all agents regularly attend office conferences? Yes___ No___

iii. How are civil rights and compliance issues addressed during office conference?

iv. What items are discussed during office conferences? _____

v. Recommendations:

B. Fiscal Resources

a. County Budget

i. How are all staff involved in the development of the county budget? _____

ii. How are programs supported? _____

Is distribution appropriate? Yes___ No___

Equitable? Yes___ No___

iii. What are county policies related to budgeted items and are they being followed?

iv. How is funding used to support professional development for all faculty & staff?

v. Are any programs NOT supported? Yes___ No___

Which ones? _____

Why? _____

b. Best Management Practices

i. Review summary of Support Groups: _____

ii. Review annual reviews & findings (1 per account): _____

iii. List all training provided for volunteer groups (list date & title): _____

iv. Recommendations:

c. Compliance Issues for other Funding Sources

i. Are all grants in good standing? Yes___ No___

ii. Are all faculty complying with state accounting procedures? Yes___ No___

d. Records & Reports (to be made available for review)

i. HR files:

ii. Fiscal/Budget/Inventory: _____

iii. Other: _____

Section 3: Program Development (complete one per agent)

A. Extension Planning Groups (committees, task forces, etc.) – Internal Groups Only

- a. Are members sufficient in number? Yes___ No___

- b. Do they adequately represent all areas of the county, ethnic groups, interest groups, gender?
Yes___ No___

- c. How are they recruited, trained, recognized? _____

- d. How are new members added & tenured members rotated off? _____

- e. Review meeting agendas, minutes, and activities: _____

- f. Review samples of All Reasonable Efforts
(personal contact, all available mass media, personal mailpieces)

- g. Recommendations:

B. Program and Services

- a. How were issues identified? _____

- Do programs support those issues? Yes___ No___

- Are they properly posted on Texas Data? Yes___ No___

- b. Who is your audience? _____

- Why & How was audience identified? _____

c. How do you market & advertise to ensure all eligible people are aware of the program?

d. Review of Program Plans on Texas Data for compliance with principles of program development:

e. Review of issues online for compliance with standards for issue identification: _____

f. Recommendations:

C. Compliance Issues

a. Review of documentation to support tasks reported on Texas Data: _____

b. Review of public program documents for presence of ADA & EEO statements: _____

c. Review of Mass Media used to satisfy standard for "all reasonable efforts": _____

d. Review of any special requests from any protected groups: _____

e. Recommendations:

Section 4: Actions & Documentation Required by Agents in Preparation for a Compliance Review

A. Physical Compliance

a. Access to all office facilities, offices, files as needed to verify compliance issues:

B. County Office Operations

a. HR Files

i. secure personnel files: _____

ii. HR policy handbook: _____

iii. performance evaluations: _____

iv. job descriptions: _____

v. job responsibilities: _____

b. Fiscal/Budget Files

i. Summary of support groups: _____

ii. Annual reviews (1 per group completed in last 12 months): _____

iii. 4-H club charter documents: _____

iv. Copy of all training for support groups: _____

c. Program Development

i. Planning Groups

1. Review of groups/members on EPG database: _____

2. Agenda, minutes, sign-in sheets for 12 months: _____

ii. Programs and Services

1. Copies of documents that support all reasonable efforts: _____

2. Samples of program agendas, flyers, newsletters, publications: _____

3. Memoranda or documents as needed/requested to verify compliance:

Appendix 1

Extension Program and Compliance Review Items Agents Need To Have Available for Review

Staff Involvement and Programs Management

1. Minutes of office conferences for last 12 months.
2. Documentation of planning for multi-agent events.
3. Agendas that reflect discussion and review of Civil Rights and affirmative action compliance.
4. Attendance sheets, monthly reports, contact data
5. County Equal Employment Opportunity Plan
6. File on last support person hired.
7. Support Staff Position Description
8. Copies of support staff performance appraisals.
9. Public notification documentation.
10. List of news outlets.
11. List “grass root” organizations.
12. Civil Rights success story.
13. List of Civil Rights trainings in which county faculty and/or support staff participated.
14. Current mailing lists and written procedure for maintaining lists.

Program and Organization Support:

1. Membership list for past two years of LAB, Committees, Task Forces, Youth Board and other Extension planning groups. Note membership tenure and rotation system.
2. Leadership Advisory Board/Program Area Committee and Youth Board minutes (last year).
3. Standing Rules for Leadership Advisory Board, Program Area Committees and Youth Board.
4. Leadership Advisory Board, Program Area Committee and Youth Board training materials/resource materials.

Program Development

1. Attendance list from four programs in each program area.
2. Annual 4-H Enrollment Reports
3. EFNEP Annual Unit Report
4. Census of Agriculture (most recent)
5. Background Data for Program Compliance Reviews
6. TExAS Summary printout of Educational Contacts for past two years.

Review Support Funds Financial Accounts:

1. Account Review of Support Funds Form
2. Documentation that support groups have been trained in “Best Practices.”

Appendix 2

Extension Program and Compliance Review

Agenda (Sample)

(DATE)

County _____

Meeting with Entire County Extension Faculty and Support Staff

Orientation

 Introductions and Purpose of Review

 Benefits of Extension Program and Compliance Review

Quiz on Terms and Terminology

Faculty Highlights of Success Stories

Joint Program Review

 Physical Compliance

 Office Operations

Individual Faculty Interviews

 Program Development

Exit Conference for Recommendations and Follow up Procedures

Questions/Answer

Adjourn