County: _____   Date of Review: _____

TEXAS A&M AGRILIFE EXTENSION

EXTENSION PROGRAM
AND
COMPLIANCE REVIEW

Revised: September, 2019

COUNTY EXTENSION PROGRAM AND COMPLIANCE REVIEW

CONTENTS

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 <u>total</u> faculty (excluding secretaries), using interview questions provided in the document.
    7. Interview <u>each</u> faculty member using appropriate instrument segments on "Program Development."
    8. Examine documentation and records on file (as indicated in instrument).

<u>Within six weeks of date of review</u>

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

<u>Within six months of date of review</u>:
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 <u>not</u> 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:
         _____
         _____
         _____

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