

DEPARTMENTAL REGULATION		NUMBER: 4300-5
SUBJECT: Agency Civil Rights Programs	DATE: January 14, 1998	
	OPI: Office of Civil Rights	

1 **PURPOSE**

This regulation announces policy for the organization and assignment of responsibility to the United States Department of Agriculture (USDA) Agency Civil Rights Programs. It also directs each agency head to ensure civil rights programs include program planning, evaluation and compliance, and complaints management. This regulation implements recommendations 86 and 87 of the Civil Rights Action Team Report.

2 **POLICY**

- a A full-time civil rights director will be established within each agency. All civil rights directors must report directly to the agency head or staff office director. Staff offices, unless exempted by the Director of Civil Rights, must also establish effective civil rights programs with sufficient staff support.

- b Each agency will have a single civil rights office located in Washington, D.C., (with additional field offices where necessary) with sufficient operating funds and responsibility for both Equal Employment Opportunity (EEO) and, where applicable, civil rights program delivery activities.

- c Agency heads will allocate sufficient resources and assign trained qualified staff in sufficient numbers to support the agency's obligation for developing and implementing a comprehensive civil rights program. Such staffs will include EEO counselors in full-time positions as well as dedicated staff in program planning, and evaluation and compliance.

- d Agencies must have documented, measurable goals and timetables to address civil rights in program delivery, employment, procurement, and complaints management.
- e Each agency with significant program delivery activity must demonstrate that its services are available in a nondiscriminatory manner by:
 - (1) Installing a system for statistical evaluation and reporting to measure program participation and to determine the extent to which racial/ethnic minorities and non-minorities, and persons with disabilities participate in, benefit from, or receive the services or programs and activities of the agency.
 - (2) Establishing information/public notification and outreach procedures - in conjunction with the Office of Outreach - to ensure that all eligible customers are informed of agency program benefits and encouraged to participate.
 - (3) Establishing goals, including baselines and targets, to increase the participation of under-represented groups in agency programs; and ensuring that programs are responsive to the needs and interests of diverse audiences at all socioeconomic levels.

3 ACTIONS

Agency heads should immediately implement the policy outlined in this regulation. This includes, but is not limited to, establishing an appropriate organizational structure to meet the requirements of this policy.

Within 45 days of the date of this regulation, each agency head will submit to the Director, Office of Civil Rights (CR), the necessary documentation, including functional statements and organizational charts, to substantiate compliance with this regulation.

Any exception to the policy must be approved by the Secretary. Exceptions should be submitted by the agency head and contain a clear rationale regarding why the requirement is not achievable. Requests for exceptions must be received by the Secretary within 30 days of the date of this regulation.

4 RESPONSIBILITY

The Director, CR, will monitor the administration of this regulation and take necessary steps to assure the full, orderly, and rapid implementation of its requirements.

The Assistant Secretary for Administration will hold agency heads accountable for implementation of the policy in this regulation in their civil rights performance appraisal.

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