

M. Non-Discrimination in Programs and Activities

Section I. Purpose

Garland County does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, or genetic information in any program or activity that receives federal funds or other federal financial assistance. The purpose of this policy is to establish written procedures for Garland County employees to follow when they receive a complaint alleging discrimination from clients, customers, program participants, or consumers of Garland County or a Garland County subrecipient funding from the U.S Department of Justice (DOJ).

Section II. Policy

All individuals have the right to participate in programs or activities operated or administered by Garland County regardless of race, color, religion, sex, national origin, age, disability, or genetic information. Garland County shall not discriminate against any person on any such status and shall maintain and ensure compliance with:

- The Violence Against Women Act of 1994, as amended.
- Title VI of the Civil Rights Act of 1964, as amended.
- Applicable program statutes, including the Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- The Department of Justice (DOJ) implementing regulations at 28 C.F.R. pt. 42, subpt. D;
- The Juvenile Justice and Delinquency Prevention Act of 1974, as amended.
- Section 504 of the Rehabilitation Act of 1973, and the DOJ implementing regulations at 28 C.F.R. pt. 42, Subpt. G;
- Title II of the Americans with Disabilities Act of 1990, and the DOJ implementing regulations at 28 C.F.R. pt. 35;
- Title IX of the Education Amendments of 1972, and the DOH implementing regulations at 28 C.F.R. pt. 54;
- The Age Discrimination Act of 1975, and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. I; and
- The DOJ regulations on the Equal Treatment of Faith-Based Organizations at 28 C.F.R. pt. 38.

Garland County shall not retaliate against any individual for acting or participating in action to secure rights protected by these laws.

Section III. Complaint Procedures

Garland County shall accept, investigate and respond to complaints from clients, customers, program participants and consumers of Garland County and Garland County subrecipients as set forth herein.

- i. The Garland County Judge or his designee shall coordinate the actions and responses described in these procedures.
- ii. A client, customer, program participant, or consumer may file a complaint of discrimination by letter, email, in person or over the phone by contact the County Judge's Office.
- iii. Any employee receiving a complaint under this policy shall immediately forward the complaint to the County Judge's Office. Upon receipt of a complaint, the County Judge's Office shall provide the complainant with a written acknowledgment of receipt of the complaint; a written explanation of how Garland County will respond with the complainant during the investigation; and a written explanation of how Garland County will investigate and resolve the complaint, or whether it will refer the complaint to an appropriate external agency for investigation, such as a local or state human rights commission, or the Office of Civil Rights (OCR), Office of Justice Programs, DOJ.
- iv. In the event that Garland County refers the complaint to another agency or agencies for investigation and resolution, Garland County shall make the referral within 15 days of the date of receipt of the complaint and provide acknowledgment of such action to the complainant. The complainant may also file a complaint directly with the OCR.
- v. In the event that Garland County investigates the complaint internally, the County Judge's Office, or his designee, shall have the responsibility for investigating the complaint, using appropriate due diligence, including interviewing witnesses, gathering and reviewing evidence and performing any other actions necessary to conduct an appropriate investigation.
- vi. Garland County shall post this policy on the internet to notify clients, customers, program participants, consumers and the general public of prohibited discrimination, along with the procedures for filing a discrimination complaint with Garland County and the OCR. Additionally, Garland County shall place posters in its facilities, including reference in program materials, and providing clients, customers, program participants, consumers and the general public with a copy of these complaint procedures.
- vii. Garland County shall also provide a copy of this policy to any subrecipients to outline the procedures for responding to discrimination complaints. In the event that any subrecipient shall receive a complaint, the subrecipient shall immediately forward the complaint to the County Judge's Office for appropriate action pursuant to the procedures set forth herein. The subrecipient shall also notify the complainant that a complaint may be filed directly with Garland County or with the OCR. Any employee receiving a complaint under this policy shall immediately forward the complaint to the County Judge's Office. Upon receipt of a complaint, the County Judge's Office

shall provide the complainant with a written acknowledgment of receipt of the complaint; a written explanation of how Garland County will correspond with the complainant during the investigation; and a written explanation of how Garland County will investigate and resolve the complaint; including whether Garland County will conduct an internal investigation of the complaint, or whether it will refer the complaint to an appropriate external agency for investigation, such as a local or state human rights commission, or the Office of Civil Rights (OCR), Office of Justice Programs, DOJ.

Section IV. Training

Garland County shall periodically provide appropriate training for agency employees on these complaint procedures, including an employee's responsibility to refer discrimination complaints from clients, customers, program participants, or consumers to the employee responsible for coordinating the series of actions described in these procedures. Garland County shall also disseminate these procedures to agency employees by posting the procedures on the agency's internet website, providing a copy of the procedures to employees during the training sessions, distributing the procedures to all new employees during orientation, and posting a copy of this policy in County facilities.