Civil Rights Tool Instructions
and List of Documentation

**Instructions:**

Please complete Table A: Civil Rights Policies and Procedures and the Civil Rights Tool Self-Assessment by Date (*three weeks prior to the site review*) and return to First/last name of consultant (*public health systems innovations and partnerships consultant*), who is assigned to your Triennial Review. Example policies and procedures and other important documents are provided in Table B: Resources.

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| Table A: Civil Rights Policies and Procedures |
| LPHA policy, procedure, **other documentation** | Policy name or number | Last updated | Approved by (*name/title*) |
| Policy: Nondiscrimination | Policy no. | Date | Name/title |
|  Harassment | Policy no. | Date | Name/title |
|  Reasonable modification | Policy no. | Date | Name/title |
| Procedure: Documenting and resolving reportsof discrimination, harassment and requests for reasonable modification | Policy no. | Date | Name/title |
| Policy: Updating nondiscrimination policiesand procedures | Policy no. | Date | Name/title |
| Copies of reports of discrimination and harassment for past three years | Policy no. | Date | Name/title |
| Procedure to cooperate with Oregon Health Authority’s (OHA) investigative process andto act promptly on discrimination complaints | Policy no. | Date | Name/title |
| [Policy and procedure for providing meaningful communication with persons with LimitedEnglish Proficiency](http://www.hhs.gov/ocr/civilrights/clearance/exampleofapolicyandprocedureforlep.html) (LEP) | Policy no. | Date | Name/title |
| Policy and procedure for providing auxiliary aidsfor persons with disabilities | Policy no. | Date | Name/title |
| Nondiscrimination personnel policies that protect against discrimination in employment, upgrading, demotion, transfer, recruitment or recruitment advertising; layoff or termination; performance evaluations, rates of pay or other forms of compensation, benefits; grievance procedures; and selection for training, including apprenticeship | Policy no. | Date | Name/title |
| Section 504 grievance procedure that incorporates due process standards | Policy no. | Date | Name/title |
| Policy: LPHA’s subcontractors have policies, procedures or other documents necessary to demonstrate compliance with all requirements in this table.  |  |  |  |

Note: If an LPHA contracts with another entity to provide a substantial amount of public health services or activities then the LPHA is required to have a **policy or procedure to ensure the LPHA’s subcontractors** **have the policies, procedures or other documents necessary to demonstrate compliance with the Civil Rights** requirements in this tool, as required by the Public Health Financial Assistance Agreement. A policy or procedure is not required to monitor subcontractors whose services are primarily administrative or do not have a direct impact on consumers of public health services or activities.

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| Table B: Resources |
| Oregon Administrative Rule - Individual Rights: [OAR943-005-0060(1)(a)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html) |
| Oregon Administrative Rule - Individual Rights - Definitions: [OAR943-005-0005](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html) |
| Applicable state and federal anti-discrimination laws: [OAR 943-005-0010](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)  |
| [Oregon Revised Statutes Chapter 659A](http://www.oregonlaws.org/ors/chapter/659A) |
| Fillable [OHA Report of Discrimination for the public](https://www.oregon.gov/oha/oei/Pages/civil-rights.aspx) |
| [Timelines: 180 days with USDOJ and OCR and one year with BOLI](http://www.oregon.gov/oha/oei/Pages/civil-rights.aspx) |
| [OHA Nondiscrimination Policy](http://www.oregon.gov/oha/oei/Programs%20and%20Initiatives/Final%20OHA%20Nondiscriminaiton%20Poster.pdf) |
| [Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons at 67 Fed. Reg. 41455](http://www.gpo.gov/fdsys/granule/FR-2002-06-18/02-15207) |
| [Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency"](http://www.justice.gov/crt/about/cor/13166.php) |
| [CMS Center for Drug and Health Plan Choice New Marketing Material Language Lookup Functionality in HPMS (09.28.09)](http://www.cms.gov/Medicare/Prescription-Drug-Coverage/PrescriptionDrugCovContra/Downloads/MemoTranslatedMaterials_092809.pdf) |
| [US Department of Health and Human Services (HHS) Office of Minority Health (OMH) National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care: A Blueprint for Advancing and Sustaining CLAS Policy and Practice (*April 2013*)](http://www.integration.samhsa.gov/EnhancedCLASStandardsBlueprint.pdf) |
| [HHS OMH The National CLAS Standards (*April 2013*)](http://www.hdassoc.org/wp-content/uploads/2013/03/CLAS_handout-pdf_april-24.pdf) |
| [Oregon Health Care Interpreter Program Requirements](http://www.oregon.gov/oha/oei/Documents/2015-3-6_SIMPLIFIED%20HCI%20Requirements.pdf); [Alternate Formats and Language Across Services Policy Implementation Elements](http://www.oregon.gov/oha/healthplan/ContractorWorkgroupsMeetingMaterials/OHA%20Alternate%20Formats%20and%20LAS%20Policy%20Elements.pdf); [Oregon Department of Justice June 9, 2015 Memo: Limited English Proficiency Translation and Interpretation Requirements](http://www.oregon.gov/oha/oei/Documents/Limited%20English%20Proficiency%20Requirements%20Memo.pdf) |
| [Preferred Language Cards](https://www.oregon.gov/oha/oei/pages/hci-resources.aspx) |
| [I Speak Cards](http://www.lep.gov/ISpeakCards2004.pdf) |
| [Example of a policy and procedure for providing auxiliary aids for persons with disabilities](http://www.hhs.gov/ocr/civilrights/clearance/exauxaids.html) |
| "EEO is the Law" poster available at: [www1.eeoc.gov/employers/poster.cfm](http://www1.eeoc.gov/employers/poster.cfm) |
| [Program Requirements for Title X Funded Family Planning Projects (*Version 1.0, April 2014*)](http://www.hhs.gov/opa/pdfs/ogc-cleared-final-april.pdf) |
| [Food & Nutrition Service (FNS) instructions 113-1 (11/8/05)](http://www.fns.usda.gov/sites/default/files/113-1.pdf) |
| [2010 ADA Standards for Accessible Design](http://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm); [1991 ADA Standards for Accessible Design](http://www.ada.gov/1991ADAstandards_index.htm); [Guidance on the 2010 Standards](http://www.ada.gov/regs2010/2010ADAStandards/Guidance2010ADAstandards.htm) |
| [Accessibility Checklist for Medical Clinics and Facilities in Oregon (*October 2013*)](http://nwadacenter.org/sites/adanw/files/files/OregonClinics%20Checklist_Sept2013_02.pdf)  |
| [Accessible Health Care](https://adata.org/factsheet/accessible-health-care); [Accessible Medical Examination Tables and Chairs](https://adata.org/factsheet/accessible-medical-examination-tables-and-chairs); [Accessible MedicalDiagnostic Equipment](https://adata.org/factsheet/accessible-medical-diagnostic-equipment) |
| [ADA National Network](http://www.adata.org/); [Oregon State Independent Living Council (SILC) Accommodating Guestswith Disabilities](http://www.oregon.gov/dhs/seniors-disabilities/SILC/Pages/index.aspx) |
| Table B: Resources (*continued*) |
| [Respectful Interactions: Disability Language and Etiquette](http://nwadacenter.org/sites/adanw/files/files/DisabilityLanguageEtiquette_2-12-2014_PDF.pdf): Online course by Northwest ADA Center available at no cost to local health departments and other Oregon staff working for a title II entity (*state and small government*). To register, go to: [www.regonline.com/1599385](https://www.regonline.com/1599385). On the pull-down list, “please select registration type” select “Oregon Public Health” and this will allow registrants to access training at no cost. |
| [Example of a Section 504 grievance procedure that incorporates due process standards](http://www.hhs.gov/ocr/civilrights/clearance/exampleofasection504grievanceprocedure.html) |

Civil Rights Tool – Self-Assessment

|  |  |
| --- | --- |
| Name/title of person completing this self-assessment: Click here to enter text. | Date of self-assessment (mm/dd/yyyy): Click here to enter text. |
| Address: Click here to enter text. | Reviewer: Click here to enter text. |
| Phone number: Click here to enter text. | Participants: Click here to enter text. |
| Email: Click here to enter text. |  |
| Note: Grayed-out boxes starting with “**QA:**” indicate a Quality Assurance (QA) question. |

| Criteria for compliance | **Compliant** | Comments, documentation, explanation, timeline |
| --- | --- | --- |
|  | **Y** | **N** |  |
| I. Compliance with nondiscrimination laws |
| 1. Local Public Health Department (LPHD) complies with all state and federal laws protecting from unlawful discrimination on the basis of race, color, national origin, religion, disability, age, sex (*includes pregnancy-related conditions and sexual harassment*), marital or familial status, sexual orientation or other class protected by law.
 |[ ] [ ]  Click here to enter text. |
| [OAR 943-005-0060(1)(a)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); Title VI and VII of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Title II and Title III of the Americans with Disabilities Act (ADA) of 1990, as amended; the Equal Employment Opportunity,Executive Order 11246, as amended by Executive Order 11375 and as supplemented by 41 CFR Part 60; [Section 1557 of the Patient Protection and Affordable Care Act](http://www.hhs.gov/civil-rights/for-individuals/section-1557/index.html); [ORS Chapter 659A](http://www.oregonlaws.org/ors/chapter/659A); all other applicable state and federal anti-discrimination laws. |
| II. Designated civil rights contact person |
| 1. There is a designated employee to serve as the Oregon Health Authority (OHA) contact for tracking and compliance with applicable federal and state nondiscrimination requirements. [OAR 943-005-0060(1)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| Contact name: Click here to enter text. | Title: Click here to enter text. |
| Address: Click here to enter text. |
| Phone: Click here to enter text. | Email: Click here to enter text. |
| III. Nondiscrimination and reasonable modifications policies and processes; record retention |
| 1. Are there written policies for nondiscrimination on the basis of: 1) race, 2) color, 3) national origin, 4) religion, 5) disability, 6) age, 7) sex (*includes pregnancy-related conditions and sexual harassment*), 8) marital or familial status, 9) sexual orientationor other class protected by law? [OAR 943-005-0060(1)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html);[Example of nondiscrimination policy](http://www.hhs.gov/sites/default/files/ocr/civilrights/clearance/example_np_policy2.pdf)
 |[ ] [ ]  Click here to enter text. |
| [ ]  Policies are listed in Table A (*page 1*). |  |  |  |
| 1. Does the nondiscrimination policy pertain to all individuals of a protected class, including employees, volunteers, trainees, clients, individuals applying for services and other members of the public?[OAR 943-005-0010(1)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Are there written processes for documenting and resolving reports of discrimination, harassment and requests for reasonable modification? [OAR 943-005-0060(1)(d)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| [ ]  Procedures are listed in Table A (*page 1*). |  |  |  |
| 1. Are records of alleged discrimination and harassment maintained and retained for at least three years? [OAR 943-005-0060(1)(f)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Are policies reviewed to ensure all employees are giving nondiscriminatory treatment to members of the public and employees? [OAR 943-005-0060(7)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| [ ]  Policies are listed in Table A (*page 1*). |  |  |  |
| IV. Timely and meaningful notice; complaint process; posting |
| 1. Nondiscrimination policies and procedures are communicated to all individuals, including employees, volunteers, trainees,clients and other members of the public in a timely and meaningful manner? [OAR 943-005-0060(5)(a)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Describe how frontline staff are advised to respond if Limited English Proficiency (LEP) individuals inquire about filing a civil rights complaint: Click here to enter text.
 |
| 1. Describe how clients are made aware of the program complaint process (*e.g., name and number of person to take complaints*):Click here to enter text.
 |
| 1. Does the notification include an identification of the person designated to coordinate grievance procedures? [45 CFR 84.8(a)](https://www.gpo.gov/fdsys/pkg/CFR-2010-title45-vol1/pdf/CFR-2010-title45-vol1-sec84-8.pdf)
 |[ ] [ ]  Click here to enter text. |
| 1. Notification methods include (*check all that apply*):
 |
| 1. Is the nondiscrimination policy posted in the facility?
 |[ ] [ ]  Click here to enter text. |
| 1. Is the nondiscrimination policy on the county website?
 |[ ] [ ]  Click here to enter text. |
| 1. Is the nondiscrimination policy on printed materials that publicize the program(s)?
 |[ ] [ ]  Click here to enter text. |
| 1. Is the nondiscrimination policy in the employee handbook or on the employee bulletin board?
 |[ ] [ ]  Click here to enter text. |
| If none of the above are checked yes, then describe how you are communicating the non-discrimination policy in a timely andmeaningful manner: Click here to enter text. |
| 1. Do WIC employees receive civil rights training that includes:a) information about where to find civil rights rules and associated policies; and b) an opportunity to ask questions and have their questions answered? (*WIC employees must receive civil rights training annually.*) See [FNS instructions 113-1](http://www.fns.usda.gov/sites/default/files/113-1.pdf) and see [WIC Tool (OHA 9804G)](https://public.health.oregon.gov/ProviderPartnerResources/LocalHealthDepartmentResources/Pages/lhd-trt.aspx#tools).
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** Do all other employees receive civil rights training that includes: a) information about where to find civil rights rules and associated policies; and b) an opportunity to ask questions and have their questions answered?
 |[ ] [ ]  Click here to enter text. |
| 1. Is a timely and meaningful notice given to individuals about the individual’s right to file a complaint with OHA, U.S. Department of Justice (USDOJ), U.S. Department of Health and Human Services Office of Civil Rights (OCR), and the Oregon Bureau of Labor and Industries (BOLI)? [OAR 943-005-0060(5)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); (*fillable* [*OHA Report of Discrimination for the Public*](http://www.oregon.gov/oha/oei/Documents/OHA2997-Discrimination%20Report-v10.pdf))
 |[ ] [ ]  Click here to enter text. |
| 1. Is notice given to individuals about the WIC complaint process?

*Persons seeking to file WIC related discrimination complaints should write to USDA, Director Office of Adjudication and Compliance, 1400 Independence Ave. SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY);*[*7 CFR 246.8(b)*](https://www.gpo.gov/fdsys/pkg/CFR-2012-title7-vol4/pdf/CFR-2012-title7-vol4-sec246-8.pdf)*. See* [*WIC Tool (OHA 9804G)*](https://public.health.oregon.gov/ProviderPartnerResources/LocalHealthDepartmentResources/Pages/lhd-trt.aspx#tools). |[ ] [ ]  Click here to enter text. |
| 1. Is a timely and meaningful notice given to individuals about applicable timelines for reporting complaints of discrimination or harassment involving the conduct of LHD, its contractors and subcontractors? [OAR 943-005-0060(5)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); ([*Timelines: 180 days with USDOJ and OCR and one year with BOLI*](http://www.oregon.gov/oha/oei/Pages/civil-rights.aspx))
 |[ ] [ ]  Click here to enter text. |
| 1. Are equal employment opportunity (EEO) notices posted in an accessible format to the public? [41 CFR 60-1.42](http://www.ecfr.gov/cgi-bin/text-idx?SID=5f79da7952c4df751c45158a100caac9&node=se41.1.60_61_142&rgn=div8); [41 CFR 60-1.4(a)(1)](http://www.ecfr.gov/cgi-bin/text-idx?SID=5f79da7952c4df751c45158a100caac9&node=se41.1.60_61_14&rgn=div8) (*EEO is the Law" poster available at* [*www1.eeoc.gov/employers/poster.cfm*](http://www1.eeoc.gov/employers/poster.cfm))
 |[ ] [ ]  Click here to enter text. |
| 1. Does the EEO notice inform people of the protections provided by the Americans with Disabilities Act (ADA)? [28 CFR 35.106](http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=28:1.0.1.1.36#se28.1.35_1106)(*“*[*EEO is the Law*](http://www1.eeoc.gov/employers/poster.cfm)*”*)
 |[ ] [ ]  Click here to enter text. |
| 1. Does the EEO notice get conveyed to persons with sensory impairment or limited English proficiency (LEP)?[OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OHA nondiscrimination policy](http://www.oregon.gov/oha/oei/Programs%20and%20Initiatives/Final%20OHA%20Nondiscriminaiton%20Poster.pdf)
 |[ ] [ ]  Click here to enter text. |
| Additional resources for section IV: [OAR 943-005-0060(6)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [45 CFR 84.8](https://www.gpo.gov/fdsys/granule/CFR-2010-title45-vol1/CFR-2010-title45-vol1-sec84-8); [OAR 943-005-0070(5)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html) requires OHA to provide contractors and subcontractors with training materials. |
| V. Communication with persons with Limited English Proficiency (LEP) |
| 1. What languages other than English are spoken most frequently in your service area? Click here to enter text.
 |
| 1. How does your staff identify the language spoken by clients? Click here to enter text.
 |
| 1. Do procedures exist for effectively communicating with persons with Limited English Proficiency (LEP)?[OAR 943-005-0010 (12)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| [ ]  Procedures are listed in Table A (*page 1*). |  |  |  |
| 1. Do procedures exist to ensure that persons with LEP are awarethat they have the right to free interpretation services?[OAR 943-005-0010 (12)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Do procedures include how to identify individuals with LEP or who are in need of language assistance?[OAR 943-005-0010 (12)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Do procedures include instruction on how to acquire neededoral and written communication services if requested?[OAR 943-005-0010 (12)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Do staff know how to provide needed language services? (*If a staff person was asked to provide a language services, would they know how to access services?*) [OAR 943-005-0010 (12)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Are there various forms of communication to inform the public that language services are available and at no cost? [OAR 943-005-0010 (12)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Notification methods include (*check all that apply*):
 |
| 1. Brochures
 |[ ] [ ]  Click here to enter text. |
| 1. Website
 |[ ] [ ]  Click here to enter text. |
| 1. Signage in facility
 |[ ] [ ]  Click here to enter text. |
| 1. Other: Click here to enter text.
 |[ ] [ ]  Click here to enter text. |
| 1. Do you provide translated materials for your clients?[OAR 943-005-0010 (12)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Describe how you determine which materials will be translated ([OAR 943-005-0010 (12)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)): Click here to enter text.
 |
| 1. **QA:** What policies and procedures do you have to ensure that your translated materials are accurate and complete? Click here to enter text.
 |
| 1. **QA:** How do you ensure telephone voice mail systems provide LEP persons with options to hear vital information in Spanish and otherthreshold languages? Click here to enter text.
 |
| 1. **QA:** Do your LEP policies and procedures indicate that you cannot require family members (*especially children*) be used for translation or interpretation services?
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** What is the process for staff to follow when you get an unqualified interpreter? Click here to enter text.
 |
| 1. **QA:** Do your LEP policies and procedures encourage gender matching between the interpreter and the client?
 |[ ] [ ]  Click here to enter text. |
| 1. Do you use the following four-factor analysis that the federal Department of Health and Human Services (DHHS) adopted to determine if specific documents should be translated into the language of the various frequently encountered LEP groups eligible to be served, and/or likely to be affected by the program? [Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.](http://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/guidance-federal-financial-assistance-recipients-title-VI/) Fed Register,Vol. 65, No. 159, 50123, 50124 (*August 16, 2000*).
 |[ ] [ ]  Click here to enter text. |
| 1. Factor one: The number or proportion of LEP persons served orencountered in eligible service population.
 |[ ] [ ]  Click here to enter text. |
| 1. Factor two: The frequency with which LEP individuals come incontact with the program.
 |[ ] [ ]  Click here to enter text. |
| 1. Factor three: The nature and importance of the program, activity or service provided.
 |[ ] [ ]  Click here to enter text. |
| 1. Factor four: The resources available to the LPHD and the costs of interpretation/translation services.
 |[ ] [ ]  Click here to enter text. |
| 1. Are you meeting the safe harbor federal requirements of 5% or 1,000, whichever is less, for written translation obligations?(*If there are fewer than 50 persons in the language group, then translation of vital records is not required. Instead, written notice of the right to receive free oral translation of the written materials must be given in the LEP language group.*) See [Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons](http://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/guidance-federal-financial-assistance-recipients-title-VI/). Fed Register, Vol. 65, No. 159, 50123, 50124 (*August 16, 2000*).
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** Do you use qualified or certified health care interpreters under[ORS 413.556](http://www.oregonlaws.org/ors/413.556) and [OAR 333-002-0000](http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_333/333_tofc.html)?
 |[ ] [ ]  Click here to enter text. |
| Additional resources for section V: [Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited Proficient Persons at 67 Fed. Reg. 41455](http://www.gpo.gov/fdsys/granule/FR-2002-06-18/02-15207); [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0010(12)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency"](http://www.justice.gov/crt/about/cor/13166.php); [CMS Center for Drug and Health Plan Choice New Marketing Material Language Lookup Functionality in HPMS (*09.28.09*)](http://www.cms.gov/Medicare/Prescription-Drug-Coverage/PrescriptionDrugCovContra/Downloads/MemoTranslatedMaterials_092809.pdf); [US Department of Health and Human Services (HHS) Office of Minority Health (OMH) National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care: A Blueprint for Advancing and Sustaining CLAS Policy and Practice (*April 2013*)](http://www.integration.samhsa.gov/EnhancedCLASStandardsBlueprint.pdf); [HHS OMH The National CLAS Standards (*April 2013*)](http://www.hdassoc.org/wp-content/uploads/2013/03/CLAS_handout-pdf_april-24.pdf); [Example of a policy and procedure for providing meaningful communication with persons with limited English proficiency](http://www.hhs.gov/ocr/civilrights/clearance/exampleofapolicyandprocedureforlep.html); [ORS 413.556](http://www.oregonlaws.org/ors/413.556); [OAR 333-002-0000](http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_333/333_tofc.html); [Oregon.gov/oha/oei/pages/hci-certification.aspx](http://www.oregon.gov/oha/oei/Newsletter/October%201%2C%202014%20Newsletter.pdf); [Oregon Department of Justice June 9, 2015 Memo: Limited English Proficiency Translation and Interpretation Requirements](http://www.oregon.gov/oha/oei/Documents/Limited%20English%20Proficiency%20Requirements%20Memo.pdf) |
| VI. Auxiliary aids and services for persons with disabilities |
| 1. Do procedures exist for effective communication with individuals who are deaf, hearing impaired, blind, visually impaired or who have impaired sensory, manual or speaking skills? [28 CFR 35.160](http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=28:1.0.1.1.36#sp28.1.35.b); [28 CFR 36.303](http://www.ada.gov/reg3a.html#Anchor-97857); [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0020](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| [ ]  Policies and procedures are listed in Table A (*page 1*). |  |  |  |
| 1. Do procedures indicate how individuals with sensory impairment will be identified? [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0020](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Do procedures indicate how to determine whether interpretersor other assistive services are needed? For example, do you ask clients when they call for an appointment, “Do you use a TTY phone or do you need access to the State Relay System?”[28 CFR 35.160](http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=28:1.0.1.1.36#sp28.1.35.b); [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0020(1)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0025](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| List procedures: Click here to enter text. |
| 1. Do procedures detail how to meet requests for sign language,oral or cued speech interpreters? [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html);[OAR 943-005-0020(1)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0025](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Is there a list of available auxiliary aids and services? [28 CFR 36.303](http://www.ada.gov/reg3a.html#Anchor-97857); [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Are staff trained on how to arrange for communicationin alternative formats? [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html);[OAR 943-005-0020(1)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. How do you communicate to the public that they may request a reasonable modification? [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0025](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)

List methods: Click here to enter text. |
| 1. Is there a process in place for reviewing requests for modifications? If so, what is that process? [OAR 943-005-0025](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)

List process: Click here to enter text. |
| 1. Does the agency make various alternative formats available if requested? [OAR 943-005-0020(1)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| Check the alternate formats offered: |
| 1. Braille
 |[ ] [ ]  Click here to enter text. |
| 1. Large print
 |[ ] [ ]  Click here to enter text. |
| 1. Oral, verbal presentation
 |[ ] [ ]  Click here to enter text. |
| 1. Sign language interpreter
 |[ ] [ ]  Click here to enter text. |
| 1. Does your agency use various formats to inform the communitythat interpreters or other assistive aids are available at no cost?[OAR 943-005-0020(2)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| Check all that apply: |
| 1. Brochures
 |[ ] [ ]  Click here to enter text. |
| 1. Website
 |[ ] [ ]  Click here to enter text. |
| 1. Signage in facility
 |[ ] [ ]  Click here to enter text. |
| 1. Other: Click here to enter text.
 |[ ] [ ]  Click here to enter text. |
| 1. Do procedures exist to communicate with deaf or hearing impaired persons over the telephone, including TTY/TDD or access to the State Relay System? [OAR 943-005-0020](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html) Include the telephone number: Click here to enter text.
 |[ ] [ ]  Click here to enter text. |
| 1. Is this telephone number placed on all brochures, business cards, letterheads and other materials? [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Does your agency communicate to clients and potential clients about the existence and location of services and facilities that are accessible to persons with disabilities? (*Community outreach*.)[OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Do you use various methods to communicate to the community about services and accessibility to persons with disabilities? [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| Check all that apply: |
| 1. Brochures
 |[ ] [ ]  Click here to enter text. |
| 1. Website
 |[ ] [ ]  Click here to enter text. |
| 1. Signage in facility
 |[ ] [ ]  Click here to enter text. |
| 1. Other: Click here to enter text.
 |[ ] [ ]  Click here to enter text. |
| 1. Are staff trained in effective ways to communicate withsensory-impaired persons? [OAR 943-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| Additional resources for section VI: [Example of a policy and procedure for providing auxiliary aids for persons with disabilities](http://www.hhs.gov/civil-rights/for-providers/clearance-medicare-providers/auxiliary-aids-persons-disabilities/index.html) |
| VII. Requirements for employers with 15 or more staff (Based on countywide staff not just health department staff.) |
| 1. Is a responsible staff person designated to coordinate efforts to adopt grievance procedures for all civil rights grievances (*race, color, national origin, religion, disability, age, sex [includes pregnancy-related conditions and sexual harassment], marital or familial status, sexual orientation, or other class protected by law*)?(*This could be the same person or a separate person from that designated to coordinate the ADA grievance procedures in compliance with 45 CFR §84, better known as the 504 coordinator.*) [OAR 943-005-0060(2)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [45 CFR 84.7(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b972df2c5e49dcfb98a4de16ecf1dd46&node=se45.1.84_17&rgn=div8)
 |[ ] [ ]  Click here to enter text. |
| Name: Click here to enter text. |
| Title: Click here to enter text. |
| Phone number: Click here to enter text. |
| 1. Is the name and contact information of the grievance coordinator being communicated in handbooks and other general information materials, including but not limited to appropriate websites and publications given to individuals requesting information, or applying for or receiving the benefit of programs, services or activities? [OAR 943-005-0060(3)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Are there grievance procedures in place that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging discrimination or harassment based on protected class? [OAR 943-005-0060(4)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html);[45 CFR 84.7(b)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b972df2c5e49dcfb98a4de16ecf1dd46&node=se45.1.84_17&rgn=div8)
 |[ ] [ ]  Click here to enter text. |
| [ ]  Policies and procedures are listed in Table A (*page 1*). |  |  |  |
| 1. Are staff, including governing board members, familiar with their civil rights compliance responsibilities? [OAR 943-005-0060](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0070](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0030](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** Is training available?If so, how often? Click here to enter text.[OAR 943-005-0060](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0070](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Are there personnel policies to ensure that employees and applicants are treated without regard to their race, color, religion, sex, disability, age, sexual orientation, marital status, national origin or other class protected by law? These policies shall protect against discrimination in employment, upgrading, demotion, transfer, recruitment or recruitment advertising; layoff or termination; performance evaluations, rates of pay or other forms of compensation, benefits; grievance procedures; and selection for training, including apprenticeship.[41 CFR 60-1.4](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=5f79da7952c4df751c45158a100caac9&n=sp41.1.60_61.a&r=SUBPART&ty=HTML#se41.1.60_61_14) (EEO); [Program Requirements for Title X Funded Family Planning Projects (*Version 1.0 April 2014*)](http://www.hhs.gov/opa/pdfs/ogc-cleared-final-april.pdf)
 |[ ] [ ]  Click here to enter text. |
| [ ]  Policies are listed in Table A (*page 1*). |  |  |  |
| 1. Is there a written policy for handling discrimination grievances based on sexual orientation, race, color, national origin, religion, disability, age, sex and marital status filed by anyone (*client and staff*)? [OAR 943-005-0060](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| [ ]  Policies are listed in Table A (*page 1*). |  |  |  |
| 1. Describe how this grievance procedure policy is communicated to the public: Click here to enter text.
 |
| 1. **For employees or potential employees,** do grievance procedures contain the minimum “due process” standards?[OAR 943-005-0060(2)-(4)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Does the policy have an established process and time frame for filing a grievance? [OAR 943-005-0060(5)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Does the policy have an established hearing and appeal process? [OAR 943-005-0060(4)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0030](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Does the policy require maintaining adequate records and confidentiality? [OAR 943-005-0030(1)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Does the policy describe the options available for resolving disputes? [OAR 943-005-0060(4)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0030](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. **For clients or patients,** do grievance procedures contain the minimum “due process” standards? [OAR 943-005-0060(2)-(4)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Does the policy have an established process and time framefor filing a grievance? [OAR 943-005-0060(5)(c)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Does the policy have an established hearing and appeal process? [OAR 943-005-0060(4)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0030](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Does the policy require maintaining adequate records and confidentiality? [OAR 943-005-0030(1)(b)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| 1. Does the policy describe the options available for resolving disputes? [OAR 943-005-0060(4)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html); [OAR 943-005-0030](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)
 |[ ] [ ]  Click here to enter text. |
| VIII. ADA accessibility |
| 1. Is there an entrance with a route of travel that does notrequire stairs?
 |[ ] [ ]  Click here to enter text. |
| 1. Do all inaccessible entrances have signs indicating the locationof the nearest accessible entrance?
 |[ ] [ ]  Click here to enter text. |
| 1. Can accessible entrances be opened independently? Consider if you don’t have an electric door opener, is the door easy to open? (*Five pounds of pressure for inside doors, eight pounds of pressure for outside doors.*)
 |[ ] [ ]  Click here to enter text. |
| If you answered no to this question, describe how you ensure people have access to your services: Click here to enter text. |
| 1. Is the door handle no higher than 48 inches and operable witha closed fist?
 |[ ] [ ]  Click here to enter text. |
| 1. Do curbs on the route have curb cuts at drives, parkingand drop-off?
 |[ ] [ ]  Click here to enter text. |
| 1. Are accessible parking spaces those closest to theaccessible entrance?
 |[ ] [ ]  Click here to enter text. |
| 1. Is there signage for accessible parking?
 |[ ] [ ]  Click here to enter text. |
| 1. Are there procedures to ensure that areas in need of repairto maintain accessibility are given priority in the plansfor construction?
 |[ ] [ ]  Click here to enter text. |
| 1. Are paths of travel free of obstruction and wide enough fora wheelchair?
 |[ ] [ ]  Click here to enter text. |
| 1. Are there ramps, lifts or elevators to all public levels?
 |[ ] [ ]  Click here to enter text. |
| 1. Are there procedures to ensure multiple ways to notify clientsand employees about emergencies and evacuations?
 |[ ] [ ]  Click here to enter text. |
| 1. Do emergency systems have both flashing lights andaudible signals?
 |[ ] [ ]  Click here to enter text. |
| 1. Does the emergency plan include transportation resources and evacuation procedures that consider those with disabilities?
 |[ ] [ ]  Click here to enter text. |
| 1. Access to restrooms:
 |
| 1. Is there at least one fully accessible restroom (*either one for each sex or unisex*)?
 |[ ] [ ]  Click here to enter text. |
| 1. Are there signs at inaccessible restrooms that give directions to accessible ones?
 |[ ] [ ]  Click here to enter text. |
| 1. Is there tactile (*Braille*) signage identifying restrooms?
 |[ ] [ ]  Click here to enter text. |
| 1. Are soap dispensers and towels no more than 48" from floor?
 |[ ] [ ]  Click here to enter text. |
| 1. Are soap dispensers and towels usable with a closed fist?
 |[ ] [ ]  Click here to enter text. |
| Additional resources for section VIII: [OAR 407-005-0010(7)](http://arcweb.sos.state.or.us/pages/rules/oars_900/oar_943/943_005.html)**;** [28 CFR 35 Subpart D](http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=28:1.0.1.1.36#sp28.1.35.d); [Oregon State Independent Living Council (SILC) Accommodating Guests With Disabilities](https://www.oregon.gov/DHS/SENIORS-DISABILITIES/SILC/Pages/resources.aspx); [Example of a section 504 grievance procedure that incorporates due process standards](http://www.hhs.gov/ocr/civilrights/clearance/exampleofasection504grievanceprocedure.html); [Accessible Health Care](https://adata.org/factsheet/accessible-health-care); [Accessible Medical Examination Tables and Chairs](https://adata.org/factsheet/accessible-medical-examination-tables-and-chairs); [Accessible Medical Diagnostic Equipment](https://adata.org/factsheet/accessible-medical-diagnostic-equipment); [ADA National Network](http://www.adata.org/);[Oregon State Independent Living Council (SILC) Accommodating Guests with Disabilities](http://www.oregon.gov/dhs/seniors-disabilities/SILC/Pages/index.aspx); [Example of a Section 504 grievance procedure that incorporates due process standards](http://www.hhs.gov/ocr/civilrights/clearance/exampleofasection504grievanceprocedure.html); [Respectful Interactions: Disability Language and Etiquette](http://nwadacenter.org/sites/adanw/files/files/DisabilityLanguageEtiquette_2-12-2014_PDF.pdf): Online course by Northwest ADA Center available at no cost to local health departments and other Oregon staff working for a title II entity (*state and small government*). To register, go to: [www.regonline.com/1599385](https://www.regonline.com/1599385). On the pull-down list, “please select registration type” select “Oregon Public Health” and this will allow registrants to access training at no cost. |
| IX. Collection and reporting of racial and ethnic participation data |
| 1. For WIC clients: Do you collect and report racial and ethnic participation data for WIC clients? *\*This is a requirement forWIC on the basis of Title VI of the Civil Rights Act of 1964,which prohibits discrimination in federally assisted programson the basis of race, color or national origin.* See [7 CFR 246.8 Nondiscrimination](https://www.gpo.gov/fdsys/pkg/CFR-2012-title7-vol4/pdf/CFR-2012-title7-vol4-sec246-8.pdf) and [WIC Tool (OHA 9804G)](https://public.health.oregon.gov/ProviderPartnerResources/LocalHealthDepartmentResources/Pages/lhd-trt.aspx#tools). If so, where is the information stored?
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** For all other employees: Do you collect and report racial and ethnic participation data? If so, where is the information stored?
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** Does the LPHD have a system in place for tracking the type of language assistance services it provides to LEP individuals?
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** Have any assessments routinely been done to determine the number and type of LEP populations in your service area? If yes, describe the results of the most recent LEP assessment.
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** Does the LPHD have a language access plan in place?
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** Have you identified any substantive differences in enrollment rates with your programs when applicants or beneficiaries are LEP?
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** Have you identified any substantive differences in processing times of services when applicants or beneficiaries are LEP?
 |[ ] [ ]  Click here to enter text. |
| 1. **QA:** Describe your method of collection and reporting of data: Click here to enter text.
 |