

CENTER FOR WATERSHED PROTECTION, INC.

NONDISCRIMINATION POLICIES AND PROCEDURES

Nondiscrimination Statement and Policy

The Center for Watershed Protection, Inc. (CENTER) does not exclude, deny benefits to, or otherwise discriminate against any person on the grounds of race, color, national origin, sex, age, or disability, whether carried out by the CENTER directly, through a contractor, or any other entity with whom the CENTER arranges to carry out its programs and activities. The CENTER is committed to providing its programs and services without discrimination in accordance with:

- *Title VI of the Civil Rights Act of 1964*, which prohibits discrimination based on **race, color, or national origin** (including **language**).
- *Section 504 of the Rehabilitation Act of 1973*, which prohibits discrimination based on **disability**.
- *Title IX of the Education Amendments Act of 1972*, which prohibits discrimination based on **sex** in education programs or activities.
- *Age Discrimination Act of 1975*, which prohibits discrimination based on **age**.

Discrimination includes, but is not limited to, excluding an individual from participation in or denying an individual the benefits of any program or activity receiving Federal financial assistance due to the individual's race, color, national origin, including limited English proficiency, sex, age, or disability and further included intimidation and retaliatory conduct.

The CENTER assures that reasonable effort will be made to provide meaningful access to its programs for limited-English proficient individuals and individuals with disabilities. Further, the CENTER will ensure that the factors used to determine the appropriate time, place, location, duration, and security at public meetings are developed and applied in a non-discriminatory manner. In the event that the CENTER receives federal funding to administer an environmental permitting program, the CENTER will develop, publicize, and implement written public participation procedures consistent with EPA's Public Participation Guidance (71 FR 14207).

Nondiscrimination Coordinator

Hye Yeong Kwon, Executive Director/CEO, is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7 (Non-discrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (hereinafter referred to collectively as the federal non-discrimination laws).

In addition to being responsible for providing information to individuals internally and externally on the CENTER's nondiscrimination policy and overseeing grievance processes, the Nondiscrimination Coordinator is also responsible for:

- Conducting semi-annual reviews of all discrimination complaints filed with the CENTER to identify and address any patterns or systemic problems;
- Ensuring that appropriate training is provided for staff on the CENTER's nondiscrimination policies and grievance procedures, as well as the nature of the CENTER's obligation to comply with federal nondiscrimination laws; and

- Undertaking periodic evaluations of the efficacy of the CENTER's efforts to provide services, aids, benefits, and participation in the CENTER's programs and activities without regard to race, color, national origin, disability, age, sex or prior exercise of rights or opposition to actions protected under federal nondiscrimination laws.

The Nondiscrimination Coordinator does not have any responsibilities that create a conflict of interest, such as serving as a legal advisor for the CENTER.

Contact information for the Nondiscrimination Coordinator is provided below:

Hye Yeong Kwon, Executive Director/CEO
Center for Watershed Protection
11711 E. Market Place, Suite 200
Fulton, MD 20759
410-696-3922
hyk@cwpp.org

Grievance Procedures

The Grievance Procedures described below are established so that anyone who believes he or she has been subjected to discrimination in the receipt of benefits and/or services from the CENTER on the grounds of race, color, national origin, sex or age, or has been subjected to intimidation or retaliation because he or she has exercised a right to participate in or opposed actions protected by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights, may file a complaint following the procedure below. In addition, the Equal Employment Investigations and Compliance Department representative or designee may, on his or her own initiative, undertake compliance reviews to investigate compliance of CENTER departments, agencies, or offices with Title VI, the ADA/Section 504, and other federal and state civil rights laws in the absence of a complaint on a periodic basis.

The complaint should be in writing and contain information about the complainant and the alleged discrimination such as:

1. The name, address, and phone number of complainant;
2. The name of the CENTER board member or employee(s) against whom the complaint is filed;
3. The location, date, and description of the alleged violation; and
4. The signature of the complainant or his or her designee.

A complaint regarding discrimination in or language access to CENTER services, programs and activities should be submitted by the complainant or his or her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

Nondiscrimination Coordinator (including language access) –

Hye Yeong Kwon, Executive Director/CEO
Nondiscrimination Coordinator
11711 East Market Place
Suite #200
Fulton, MD 20759
410-696-3922
hyk@cwpp.org

If a complaint is submitted directly to an office or staff member, the office or staff member shall forward the complaint to the Nondiscrimination Coordinator within 5 calendar days.

After receipt of the complaint:

- a. the Coordinator, or her or his designee, will timely make a determination of whether the CENTER has jurisdiction over the complaint, and send the complainant an acknowledgement letter informing her/him whether the complaint will be investigated;
- b. If the Coordinator finds jurisdiction, s/he will notify the CENTER department or agency that is the subject of the complaint and request a response to the complaint, and will begin an investigation. The investigation may include interviews of the complainant, CENTER employees, contractors, subcontractors, subgrantees, and witnesses to the alleged discrimination, as well as review of any physical or written evidence.

The Coordinator, or her or his designee, may attempt to conciliate and resolve the complaint through a mutually agreeable solution. Any informal resolution must be signed by both the CENTER department that is the subject of the complaint and the complainant. An appropriate, prompt, and impartial investigation of any allegations filed under Title VI or related federal non-discrimination statutes will be conducted. A preponderance of the evidence standard will be applied during the analysis of the complaint.

When the Coordinator, or her or his designee, determines that a violation has occurred and an informal resolution is not reached, the Coordinator shall make a recommendation to the CENTER's Board Chairperson, or her/his designee for remedial actions. The CENTER's Board Chair, or her/his designee will accept, revise, or reject the Coordinator's recommendations and order the complained-of CENTER department, or other CENTER entity[ies] to implement the accepted recommendations.

The Coordinator will provide a prompt written response to the complainant at the conclusion of the investigation. The Coordinator will issue one of three letters:

- a. A closure letter summarizing the allegations and the investigation process, and stating that there was not a violation and that the case will be closed; or
- b. A letter of resolution summarizing the allegations and the investigation process, and describing the informal resolution mutually agreed to by the complainant and the department or agency about which the complaint was submitted; or
- c. A letter of finding summarizing the allegations and the investigation of the alleged complaint and explaining any remedial actions to be taken by the CENTER.

If the response does not satisfactorily resolve the issue, the complainant has the right to file his or her complaint with the associated federal or state agency.

The Nondiscrimination Coordinator shall maintain records of complaints received, informal resolutions and investigation findings.

These procedures do not deny the right of the complainant to file a complaint with state or federal agencies, or to seek private counsel for complaints alleging discrimination, intimidation, or retaliation of any kind that is prohibited by law.

These procedures will be reviewed on an annual basis and revised as necessary, to ensure prompt and fair resolution of discrimination complaints.