COMPLIANCE REVIEWS

FACULTY GUIDE

Internal Compliance Review

Internal Compliance Review (ICR) is a structured procedure used to monitor the UME organization's compliance with laws, regulations and polices related to non-discrimination and accommodation, including UME's Compliance and Inclusion Plan (once called Affirmative Action Plan). Reviews are conducted in multiple counties within UME's clusters on a rotating four-year cycle.

ICR reviews are training simulations intended to instruct and demonstrate the

Everything you need to know to participate in internal compliance reviews.

federal review process to faculty, staff, and all personnel who would be involved in an actual federal compliance review. USDA-NIFA 's Equal Opportunity Staff Office conducts reviews on a regular basis, and the ICR process keeps us prepared for them.

Dates for on-site reviews are set with program leaders and area Extension directors at least six months in advance. All faculty, staff and volunteers involved in designing and delivering programs must be present and involved in Internal Compliance Reviews. In an actual federal review, no one is excluded from the chance to alert reviewers to questionable or discriminatory practices, make constructive suggestions, or to report promising practices.

In a federal on-site review, personnel are interviewed to determine their knowledge of non-discriminatory and inclusive practices.
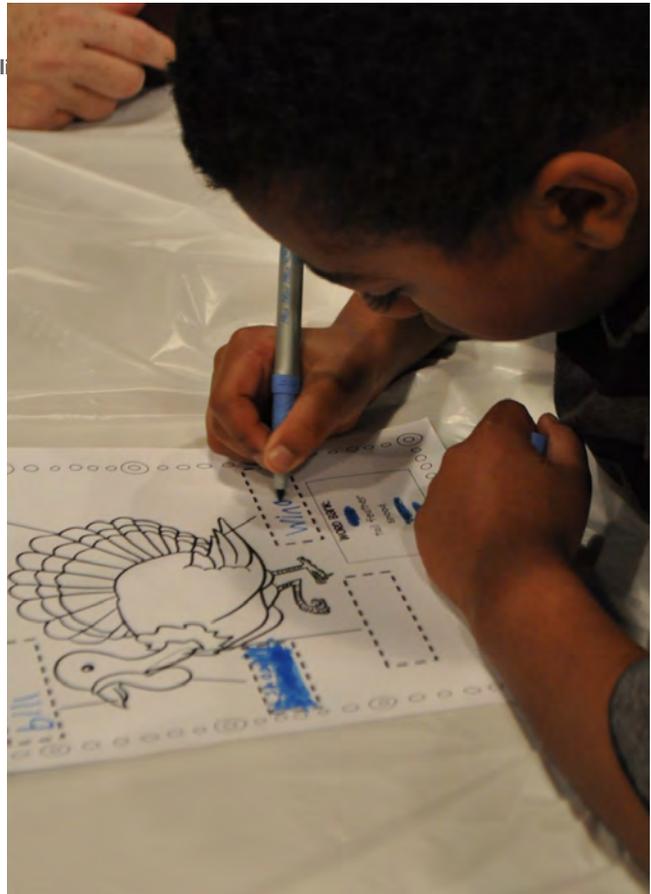
The heart of Title VI of the 1964 Civil Rights Act is that everyone pays for Extension programs, so everyone must be given the opportunity to participate in them.

The ICR questionnaire simulates the exhaustive federal review interview.

County-Level Review Meetings

The county-level review centers around a group meeting where all faculty-submitted responses to the UME Internal Compliance Review Self-Evaluation Questionnaire are shared and discussed. Faculty also fill out the questionnaire for their program area/discipline. (Note: one person, such as an AED, <u>does not</u> fill out the questionnaire for the entire county or cluster.) After review of the general questionnaire responses, the ICR faculty review team splits up into subject-matter areas for discussions with individual faculty members and program assistants (and any others who have a role in administering programs). Each subject matter area's portion of the questionnaire (questions 28-33) is examined along with UMERS data and promising practices. The reviewer makes notes for his report to the team which flows into the annual ICR State-level Report certified by the Dean and Extension Director and summarized in a brief letter to NIFA. Promising or best practices resulting from ICR are shared among all Extension counties and clusters every year.

AEDs and Program Leaders (where applicable) meet with faculty to implement recommendations for correction. "All reasonable efforts" (ARE) are examined and revised/updated and, in cases where there are long-standing issues that have not responded to ARE, a Response Plan is formulated (All Reasonable Efforts and Response Plans are prepared as part of ICR and filed in each county's Central File). Response Plan questions three, four and five are meant for follow up during the next review cycle, and may be left blank on the initial response. In addition to questions 28-33 of the ICR Questionnaire, individual faculty compliance and inclusion performance may be noted in the Plan of Work Review.

As a courtesy, the Dean may notify NIFA EOS that an internal review has been conducted and that corrections have been made for deficiencies noted. This is a very general letter and usually contains a list of counties reviewed and best practices. The content of UME Internal Compliance Reviews is proprietary, although AREs and Response Plans are on file for federal compliance reviews as well as a blank questionnaire and this guide. Best practices are also posted to the UME Compliance website (under Human Resources).

Internal Compliance Review Committee

The faculty review team that conducts internal compliance reviews is trained and kept current on federal laws and regulations related to program compliance and accommodation for Extension.

They are a key component of the organization's compliance and inclusion efforts and a source of important information for their colleagues. In upgrading program data systems and integrating ICR more closely with Plans of Work and other measures, administrative leaders seek to simplify internal compliance efforts and data collection. Metrics/ data about program participants can be used in both areas, as well as for planning future programs. Duplication of effort can be eliminated as ICR is integrated into day-to-day program work activities: once goals are aligned among Plans of Work,

Internal Compliance Review, Diversity and Inclusion efforts, and the Compliance and Inclusion Plan less duplication of effort should occur, and similar data will be used across all plans to demonstrate performance. (See pages 8-10.)

Steps and Timelines

The University of Maryland Extension Reporting System (UMERS) is audited in January when end-year reports are prepared for the review. UMERS Reports capture bulk demographic data on those who participate in Extension programs, giving a good indication of how well Extension is reaching minority and historically under-served audiences. During the audit, make sure you contact the the Evaluation and Assessment Office with any corrections to your data.

Print out your faculty member reports from UMERS (once audit has been finalized and announced). It's a good idea to have last year's reports on hand for comparison if you are in the same position title and location. Print out reports for your "home" county if you have multi-county responsibilities.

Review areas where you aren't meeting parity (see page 6).

Review the County Central File (Central Civil Rights File) to ensure you know what resources are in it.

Prepare All Reasonable Efforts forms for program areas/disciplines where you are not achieving parity.

Prepare press release clippings and other media (posters, flyers) you have used to publicize programs to minority and underserved audiences; and mailings and communications that include public notification)of nondiscrimination and inclusion) and accommodation statements.

ASSEMBLE:

- mailing lists you have used to reach minority* clientele

- meeting records where minority* stakeholders or other partners were present

- committee and board records showing the diversity of your stakeholders, advisors, or participants

- media that demonstrates where you made time, location, special interest, accommodation, or other attempts to attract minority, disabled, limited English proficient or other historically underserved clientele to programs

1. Complete the County Internal Compliance Review Self-Evaluation Questionnaire <u>including</u> questions 28-33 for your discipline/subject matter area. Send it electronically to your AED and to the Review Committee team leader assigned to your county at least 10 days prior to the on-site ICR review date.

2. Look at program/outcome areas where you've exceeded parity and identify practices that made you successful. Make a list for the interview during your on-site review.

3. Gather up any media you have that demonstrate promising/best practices to share with the reviewer.

4. Ensure that all the forms associated with compliance review are completed for your programs.

5. If you administer any major grant-based programs (nutrition, 4-H) that have separate reporting applications, make sure you have printed out relevant summary reports (demographics of participants and volunteers) for the ICR team review of your area.

6. For 2015, have last year's records available: beginning in 2016, make sure you have at least two years of records on hand for your program area.

7. Have mailing lists on hand to show outreach to minorities (also documents to show partnerships with agencies doing outreach).

Check with the reviewer ahead of time if you work in multiple counties: print out "home county" reports.

Parity and Data

In recent years, in an attempt to fairly extend the resources of Extension to all people in the community, some land-grant extension groups have begun using what we will refer to as resource-based parity.

An average representing the proportion of program contacts in the best-served population, (using OMB categories for race and sex) is applied across the board to determine the number of potential program beneficiaries for each race and Hispanic ethnicity for the upcoming year. So, future efforts seek to include all potential program participants with equitable resources.

Planning Contacts: Using U.S. Census Population to Plan Parity Percentage								
	White	African-American or Black	American Indian or Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Two or More Races	Total Races	Hispanic
Census Population	4,038	2,423	212	807	42	978	8,500	[326]
census % to total	47.5%	28.5%	2.5%	9.5%	0.5%	11.5%	100.0%	12.0%
39.72% x census pop	4038 x .3972	2423 x .3972	212 x .3972	807 x .3972	42 x .3972	978 x .3972		
Minimum planned contacts	1,604	962	84	320	17	388	3,375	[405]
Average history contacts	1,080 2,719= 39.72%	876 2,719= 32.2%	7	541	2	213	2,719	
Check math	1604 4038= .3972							3375x .12= 405
Actual Avg % Reached	39.72%	32.2%	0.35%	19.90%	0.00%	7.83%	100.0%	12.0%

Sample Contact Plan (Minimum Parity)										
	White	African-American or Black	American Indian or Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Two or More Races	Total Races	Hispanic	Female	Male	Total Sexes
Minimum planned contacts	1604 3375= 47.5%	962 3375= 28.5	84 3375= 2.5%	320 3375= 9.5%	17 3375= 0.5%	388 3375= 11.5%	3,375 +24%*	**405** 3,375= 12.0%			3,375
Minimum Parity %	**47.5%**	**28.5%**	**2.5%**	**9.5%**	**0.5%**	**11.5%**	100.0%	**12%**			
Historical Avg %	39.72%	32.2%	0.35%	19.9%	0.00%	7.83%	100.0%	12.0%	53.00%	47.00%	100.0%

Note that in counties where Whites are the majority, achieving the minimum parity for Whites is not as important as exceeding the minimum parities for all other races and Hispanics. This is due to laws and regulations protecting historically underserved and discriminated-against minorities. In minority-majority counties such as Prince George's where Whites are a minority, pay attention to the need to serve the White minority in balance with outreach to historically underserved and discriminated-against groups, including the Black majority.

Note that people with disabilities have been historically underserved and discriminated against: 7 C.F.R. (Code of Federal Regulation) provides for public notification in multiple formats with flexible contact options and programs and materials planned with this group in mind.
In counties with Hispanic Whites, the White race category will also include those Hispanics who identified their race: this county is 12% Hispanic, at least some of those are White, raising the percentage of Whites. Please note that Amish people are white Europeans who have chosen to stay separate from mainstream society due to their religious beliefs: they are not considered historically underserved or a protected class under discrimination laws and regulations. It is a matter of practicing inclusion to encourage their participation in programs, while not neglecting protected classes under 7 C.F.R.

For more information and examples on calculating and planning parity please see the following documents posted on the UME Compliance webpage:

Data & Parity
UME Parity Tool
Data Collection Policy

If you have questions concerning Internal Compliance Review, please contact the AGNR Human Resources Office or the Coordinator of Diversity Programs.

ICR Committee Activities and Reporting

Internal compliance reviews are organized and conducted by faculty for faculty. Faculty and program delivery staff are closest to program planning and implementation: faculty are ultimately responsible for federal compliance in programs (Title VI). The internal compliance review process receives administrative support, particularly in training and reporting activities, from AGNR's Human Resources Office.

Committee Composition

Committee members are tenured faculty members employed by Cooperative Extension at the state, cluster and/or county levels. Members are selected and appointed by the Director of UME to represent the counties and clusters. Members are representative of a cross-section of administrative and management faculty, all Extension subject matter areas, and all races and genders.

The State Chairperson of the Internal Compliance Review Committee is a tenured faculty member employed by University of Maryland Extension.

The Dean and Director appoints the state chairperson for a period of two years, and the state chairperson can be located at either the state level (UMCP or UMES) or in any county or cluster. The chairperson may act as an observer of county reviews on occasion to monitor the process quality.

The committee shall consist of eight to ten tenured or tenure-track faculty members, with six serving on review teams and at least two acting as alternates. In addition, one senior UME representative serves as State Chairperson to produce the state report. AGNR's Coordinator of Diversity Programs shall serve as an ex-officio member to coordinate and support the work of the UME Internal Compliance Review Committee.

The ICR Committee forms two review teams and works closely with the Diversity Coordinator (Human Resources Office, AGNR) to prepare for reviews:

Steps to Prepare for the Review

The University of Maryland Extension Reporting System (UMERS) is audited in January when year-end reports are prepared for the review. UMERS Reports capture bulk diversity/demographic data on those who participate in extension programs, giving a good indication of how well extension is reaching minority, and historically under-served audiences.

1. Review county faculty prepare their files for the audit.
2. Review team leaders notify county offices of review times and details of the process for the on-site visit.
3. The Diversity Coordinator analyzes UMERS reports by county and alerts teams to specifics or areas that require attention, including areas where promising practices need to be identified, captured, and shared with all counties.
4. Faculty in the review counties complete Internal Compliance Review Self-Evaluation Questionnaires, including the sections for each subject matter/program area.

5. Responses to questionnaires are electronically transmitted to each county's review team leader at least one week prior to on site review date.
6. Review team members study UMERS reports (at various levels including faculty member level) and receive copies of counties' completed questionnaires from their team leader to prepare for the on-site visit.
7. Teams arrive at county offices for on-site review training simulation.
8. After the review visit, team members write up their reports and forward to the team leader.

Committee Responsibilities

Committee members are expected to attend all meetings and will need to spend at least five to seven days in committee work per year. This includes: *one training meeting to make plans and study review procedures; a few hours to prepare with other team members for the on-site review; two or three days for the actual county reviews; and at least one day to write the final report and send it to the team leader. The review team leaders will need to spend at least one additional day assembling reports and processing them to the state committee chairperson. The state committee chairperson will need to spend three to five days attending the initial committee training meeting, communicating with team leaders and the Diversity Coordinator, and preparing the State Report.*

Committee members shall participate in two or three county reviews each year, depending on the assigned geographical area; every attempt will be made to have committee members review the counties and/or Baltimore City outside the geographical region where they are employed.

Expenses incurred by committee members, while conducting Internal Compliance Review Committee business, are submitted to the Director Human Resources Management/ Equity Officer. The appropriate expense account form will be processed with a note indicating they are members of the Internal Compliance Review Committee.

The State Chairperson works with the Coordinator of Diversity Programs and Training (Human Resources Office) to:

• Review and update county review procedures and plan county reviews
• Follow up with recommendations from committee meetings
• Organize lists of committee members, review team appointments, and complete correspondence pertinent to the county
• Collect reports from the six reviewed counties and ensure that all program areas are completed
• Distribute electronic files of review materials to counties, and
• Forward electronic reports to Coordinator, Diversity Programs on or before the date due

Committee Reporting and Response Procedures

•**Review Team faculty forward their program area reports to Team Leader.**

•**Team Leader compiles team report by county and sends to Committee Chairperson and Coordinator, Diversity Programs.**

•**State Report is written by Chairperson and Coordinator and submitted to the Director of Human Resources Management/Equity Officer who reviews it and transmits it to UME Director and Associate Director.**

• **After review, State Report is transmitted to the reviewed cluster/counties AEDs and UME Program Leaders for review of compliance status and promising practices.**

• **Coordinator of Diversity Programs posts "Best Practices" to web for dissemination to UME faculty statewide.**

• **AEDs complete AA-AF 1 "ICR Response Plans" and forward with cover letter to Associate Director and Director.**

• **During next year's review period, the prior year's AA-AF 1's are reviewed and the second half is filled out (items 3,4,5). Copies are kept in faculty program files and the Central Civil Rights File in faculty members' "home counties."**

For more information regarding ICR, forms, sample reports, and explanations of "All Reasonable Efforts" go to the **UME Compliance website** in the Administrative Services area of the website. Contact the Human Resources Office with questions and requests.