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Civil Rights and FEMA Disaster Assistance 2011

Job Aids

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FEMA

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Sources of Civil Rights Information and Resources

The following are useful sources of civil rights information and resources:

- **FEMA's Civil Rights Program:** Describes FEMA's civil rights policy and the services provided by the Civil Rights program.

<http://www.fema.gov/oer/crp.shtm>

- **FEMA's Disability Program Reference Guide:** Provides access to resources related to Accommodating Individuals With Disabilities In The Provision Of Disaster Mass Care, Housing, And Human Services.

<http://www.fema.gov/oer/reference/index.shtm>

- **Non-Discrimination Principles of the Law:**

<http://www.fema.gov/oer/reference/principles.shtm>

- **U.S. Department of Justice Resources:**

- Civil Rights Division: <http://www.justice.gov/crt/index.php>
- Disability Rights Home Page: <http://www.justice.gov/crt/drs/drshome.php>
- Housing and Civil Enforcement Section: http://www.justice.gov/crt/housing/housing_main.php

- **ADA Home Page:** Provides information and publications on a variety of topics related to the Americans with Disabilities Act.

<http://www.ada.gov/>

- **Limited English Proficiency Website:** Provides access to LEP guidance, FAQs, and a variety of resources related to serving people with limited English proficiency.

<http://www.lep.gov/index.htm>

- **I SPEAK Cards:** Provides access to I Speak Cards which can be printed. The cards enable individuals who do not speak English to identify their language and gain access to interpretive services.

www.lep.gov/ISpeakCards2004.pdf

FEMA's Civil Rights Policy

Federal Emergency Management Agency
Directives Management System

U.S. Department of Homeland Security
Washington, D.C. 20472



FEMA

Director's Policy

No.
7-05

Date
November 8, 2005

SUBJECT: Civil Rights Program

1. It is the policy of the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), to ensure that the Civil Rights of all persons receiving services or benefits from agency programs and activities are protected. No person shall, on the grounds of race, color, national origin, sex, religion, age, disability, or economic status shall, be denied the benefits of, be deprived of participation in, or be discriminated against in any program or activity conducted by or receiving financial assistance from FEMA. In particular, all personnel carrying out Federal major disaster or emergency assistance functions, including the distribution of supplies, the processing of applications, and other relief and assistance activities, shall perform their work in an equitable and impartial manner without discrimination. It is Agency policy to prohibit such discrimination in any programmatic guidelines, procedures, or other directives. All valid complaints of Civil Rights violations will be investigated promptly, and any settlement will be enforced, if necessary, by administrative, legal, or judicial means.
2. This Director's Policy Statement supersedes Under Secretary's Policy Statement No. 6-04, Civil Rights Program, dated September 30, 2004.
3. The Agency supports and implements to the fullest extent the following Civil Rights statutes, with their attendant regulations: Title VI of the Civil Rights Act of 1964; the Fair Housing Act of 1968; Title IX of the Higher Education Amendments of 1972; Sections 504 and 508 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Sections 308-309 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, as amended; and Title II the Americans with Disabilities Act of 1990.
4. These prohibitions extend to all entities receiving Federal financial assistance from the Agency, including State and local governments, educational institutions, and any organization of any type obtaining benefits through the Infrastructure or Mitigation Programs. All local boards and their participating charitable organizations receiving aid from the Emergency Food and Shelter Program are covered in a like manner.
5. As an Agency, our goals are to protect lives and prevent the loss of property; to reduce human suffering and enhance the recovery of communities after disaster strikes; and to ensure that FEMA is a high-performance organization serving the public in a timely and cost-efficient manner. We will not truly fulfill these goals unless we also protect precious rights and prevent discrimination. I expect support from every employee of FEMA in carrying out our Civil Rights mandates.


R. David Paulison
Acting Director

FEMA's Disability Policy

The Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), is committed to serving all individuals equally. This commitment extends to individuals with disabilities. FEMA must provide access to Agency programs and activities equal to the access provided to non-disabled persons.

It is FEMA's policy, in accordance with Sections 501 and 504 of the Rehabilitation Act of 1973, as amended, that no qualified individual with a disability shall be denied participation in, or benefit of, any program conducted by FEMA, including employment (see Title 44, Code of Federal Regulations, Part 16).

It is FEMA's policy in accordance with Section 508 of the Rehabilitation Act of 1973, as amended, to provide comparable access to employees and the general public through the procurement, development, maintenance and use of electronic information technology that conforms to Section 508 Standards issued by the Architectural and Transportation Barriers Compliance Board (i.e., the "Access Board"). This minimum accessibility requirement became effective June 21, 2001.

It is FEMA's policy in accordance with Section 308 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Stafford Act), and Federal law to ensure that the Civil Rights of all persons receiving services or benefits from agency programs and activities are protected. No person shall, on the grounds of race, color, national origin, sex, religion, nationality, age, disability, limited English proficiency, or economic status, be denied the benefits of, be deprived of participation in, or be discriminated against in any program or activity conducted by or receiving financial assistance from FEMA. In particular, all personnel carrying out Federal major disaster or emergency assistance functions, including the distribution of supplies, the processing of applications, and other relief and assistance activities, shall perform their work in an equitable and impartial manner without discrimination. In accordance with Federal law, FEMA prohibits such discrimination in any programmatic guidelines, procedures, or other directives. All valid complaints of Civil Rights violations will be investigated promptly, and any settlement will be enforced, if necessary, by administrative, legal, or judicial means.

These prohibitions extend to all entities receiving Federal financial assistance from FEMA, including state and local governments, educational institutions, and any organization of any type obtaining benefits through the Infrastructure or Mitigation Programs. All local boards and their participating charitable organizations receiving aid from the Emergency Food and Shelter Program are covered in a like manner.

Checklist: Planning Meetings

Use the following checklist when planning public meetings to ensure that the civil rights of all residents are protected.

Location		
• Has the meeting site been selected to be inclusive of all population groups?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Is the site centrally located?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Is the site within a reasonable distance for all groups, including minorities, ethnic populations, elder housing, and persons with disabilities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Can the site be reached easily by public transportation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Is the location in a part of the community where people normally gather?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Physical Accessibility		
• Are parking areas free of gravel, ruts, mud, steep grades, curbstones, stairs, or other obstructions that would impede persons with disabilities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Are there well-marked, close-by handicapped parking spaces?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Are the building approach and entrance accessible by individuals with disabilities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Can interior spaces and pathways accommodate assistive devices, and are they free of obstructions (thresholds, steps, clutter, etc.)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Are restrooms accessible and well marked?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Are there provisions to help persons with visual impairments navigate the facility (e.g., personal assistance)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• If the event will be located on an upper floor, is there a working elevator?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Communication		
• Have arrangements been made for a sign language interpreter to communicate with individuals with hearing impairments?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Have provisions been made for individuals with low visual acuity, including large, high-contrast signs and good lighting?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Are personnel available to assist individuals with visual and cognitive impairments as needed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Are interpreters available to communicate with non-English-speaking individuals, either in person or by telephone?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Are language-appropriate signs displayed for the intended audience?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Are alternate language versions of printed information available?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Checklist: Planning Meetings (Continued)

Outreach

Will the following outlets be used to make information about the event available to all population groups?

- Broadcast media that reach disadvantaged populations and ethnic communities Yes No
- Closed-captioned TV announcements for persons with hearing impairments (include TTY numbers to call for assistance) Yes No
- Radio messages for persons with visual impairments Yes No
- Outreach into target communities Yes No
- Service organizations that cater to potentially underserved populations Yes No

Checklist: Providing Information

This checklist includes strategies for making information accessible to individuals with disabilities, limited English proficiency, or other disadvantages.

Individuals With Visual Impairments/Blindness

- Post signs with high-contrast lettering and large print.
- Produce large-print versions of print materials.
- Have staff members available to assist with reading print-based materials or with filling out forms.
- At public meetings, have speakers read visual aids aloud. When that is impractical (e.g., for a slide presentation), provide someone to read the visuals to the individual.
- Ensure that all electronically provided information complies with standards set forth in section 508 of the Rehabilitation Act.

Individuals With Hearing Impairments/Deafness

- When talking with an individual who has a hearing impairment:
 - Face them when speaking; avoid turning away or covering your mouth while talking.
 - Enunciate clearly without exaggerating or shouting.
- Provide a sign language interpreter in the DRC and at all public meetings and press conferences.
- Ensure that telephone systems accommodate telecommunications devices for the deaf (TDDs/TTYs).
- Produce closed-captioned public service announcements and other broadcasts.

Individuals With Cognitive Disabilities or Reading Limitations

- Have staff members available to assist with reading and filling out forms or doing online registrations.
- Communicate with sensitivity:
 - Clearly describe the process, explaining who, what, where, when, why, and how.
 - Provide ample time for questions and clarification.
- Lessen reading requirements by incorporating visual media such as graphics and color coding.

Individuals Who Are Socioeconomically Disadvantaged

- Hold public meetings at locations that are widely used by the community.
- Reach out to community and faith-based organizations serving minority populations to include them in disaster preparedness, recovery, and reconstruction planning.
- Remind community organizations and recipients of the eligibility standards for obtaining benefits so that eligible individuals can access aid without difficulty.

Checklist: Providing Information (Continued)

Individuals With Limited English Proficiency (LEP)

- Determine what languages are spoken in the community.
- Provide language services, including:
 - Bilingual personnel at DRCs and call centers who can conduct business in non-English languages.
 - Interpreters (on-site or available by phone) who can help personnel communicate with LEP clients.
 - Enlist the cooperation of community and ethnic organizations for translation assistance.
- Ensure that written materials routinely provided in English also are provided in regularly encountered languages other than English.
- Use language identification tools such as I Speak cards to assist non-English speakers.
- Include non-English alternatives on Internet sites. Provide all materials for a given language through a single link (e.g., a Spanish language resource page).
- Conduct multiethnic outreach:
 - Ensure that lead agencies in charge of the emergency operations center have an extensive ethnic media contact list (newspapers, radio, television) to send press releases to.
 - Ensure that ethnic media are disseminating FEMA's messages.
 - Coordinate with ethnic organizations to get the word out about available services.
 - Send Community Relations teams into ethnic communities.

Checklist: Making Fair Funding Decisions

Use the following checklist when making funding decisions to ensure that the civil rights of all residents are protected.

Grants	
• Are potential applicants informed in an equitable manner about available grant programs and the requirements and procedures for applying?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Are grant opportunities advertised to community organizations (e.g., minority, ethnic, disability, and other advocacy groups)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Are grants awarded in an equitable manner—	
• Among and within communities?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Among individual applicants?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Hiring and Contracting	
• Are hiring and contracting opportunities advertised to minority populations, including ethnic and disadvantaged?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Are hiring and contracting conducted fairly and equitably?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Are measures taken to prevent practices that would interfere with full and open competition? Practices to prevent include:	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Placing unreasonable requirements on firms in order for them to qualify to do business	
• Requiring unnecessary experience and excessive bonding	
• Using noncompetitive pricing practices	
• Giving noncompetitive awards to consultants that are on retainer contracts	
• Allowing organizational conflicts of interest	
• Specifying only a “brand name” product instead of allowing an “equal” product to be offered.	
• Taking any arbitrary action in the procurement process.	
• Using outdated lists of prequalified persons, firms, or products.	

Operation of FEMA-Assisted Programs	
• Are measures taken to prevent programs from acting on the basis of race, color, religion, nationality, sex, age, or economic status, either directly or through contractual means to:	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Deny program services, aids, or benefits?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Are measures taken to prevent retaliation against any person for opposing an unlawful policy or practice, making charges, testifying, or participating in any complaint action under a civil rights law?	<input type="checkbox"/> Yes <input type="checkbox"/> No