



WISCONSIN DEPARTMENT
of HEALTH SERVICES



Date: November 30, 2017

To: Recipients of Federal financial assistance through DHS, DCF and DWD

From: Department of Health Services (DHS)
Department of Children and Families (DCF)
Department of Workforce Development (DWD)

Subject: Letters of Assurance and Plan requirements for the January 1, 2018–December 31, 2021
Civil Rights Compliance Period

We are pleased to announce the release of the 2018–2021 Civil Rights Compliance (CRC) Requirements. The CRC Requirements describe what agencies receiving Federal funds from DHS, DCF and DWD (collectively “the State Agencies”) must do to ensure nondiscrimination in service delivery, including providing access to individuals with limited English proficiency (LEP) and individuals with disabilities.

These CRC Requirements are intended to meet the civil rights requirements of the United States Department of Health and Human Services (HHS); the United States Department of Agriculture, Food and Nutrition Services (USDA-FNS); and the United States Department of Labor (DOL) by getting assurances from the State Agencies’ recipients that they will comply with applicable Federal civil rights provisions. Thus, the following requirements are a condition of receiving Federal financial assistance from a State Agency:

- All recipients must submit a new CRC Letter of Assurance (LOA) regardless of the number of employees the entity has or the amount of funding received from the State Agencies. The CRC LOA must be submitted **within 15 working days** of the effective date of the contract, grant or other agreement. For recipients receiving Federal funds on an ongoing basis, the CRC LOA is due 15 working days after the effective date of the CRC Requirements, which is **January 23, 2018**.
- Recipients who have 50 or more employees *and* receive \$50,000 or more in funding from the State Agencies must complete a CRC Plan in addition to submitting the CRC LOA. The CRC Plan should not be submitted to the State Agencies. The CRC Plan should be kept on file and made available to State Agency staff upon request during a site visit or discrimination complaint investigation.
- CRC Plans must be completed **60 calendar days after the effective date** of the contract, grant, or other agreement. For recipients receiving Federal funds on an ongoing basis, the CRC Plan must be completed 60 calendar days after the effective date of the CRC Requirements, which is **March 2, 2018**.
- Recipients must ensure their sub-recipients also comply with the CRC Requirements.

For this compliance period, at the suggestion of our current recipients, the State Agencies have streamlined the LOA process and used plain terms in the CRC Requirements instructions. The following is a summary of major changes from the last compliance period's CRC Requirements:

- The deadlines for LOAs and CRC Plans begin to run at the start of the compliance period for ongoing agreements.
- The explanation of the CRC Requirements has been simplified and the instructions use plain terms (when possible).
- The LOA has been modified and shortened to better convey assurance of compliance with applicable Federal civil rights laws.
- The Customer Service Population Analysis and LEP Customer Service Data Analysis charts have been reformatted to simplify the data analysis that recipients must do for CRC Plans.
- The CRC Requirements have been revised to focus on civil rights and equal opportunity requirements pertaining to program service delivery, which the State Agencies are responsible for enforcing. References to civil rights requirements regarding *employment* have been removed. **Note:** Other civil rights laws protect employees from discrimination, but those employment laws are not enforced under these CRC Requirements.
- References to Affirmative Action and other nondiscrimination requirements under *state* laws have been removed. **Note:** Affirmative Action and nondiscrimination provisions under the State's Contract Compliance Law may be applicable to recipients, but those state laws are not enforced under these CRC Requirements. If applicable, recipients must submit separate Affirmative Action Plans.

In sum, these CRC Requirements are intended to meet Federal civil rights laws for service delivery as a condition of receiving Federal financial assistance through a State Agency. By removing provisions outside the reach of those Federal requirements, the State Agencies have simplified the process for their recipients.

The instructions for the CRC LOA and CRC Plan are listed on the DHS, DCF and DWD websites:

DHS: <https://www.dhs.wisconsin.gov/civil-rights/requirements.htm>

DCF: https://dcf.wisconsin.gov/civil_rights/default.htm

DWD: http://dwd.wisconsin.gov/det/civil_rights/plans_instructions.htm

If entities have questions concerning the CRC Requirements, please contact:

DHS: Civil Rights Compliance, 608-266-1258 (Voice), DHSCRC@dhs.wisconsin.gov (Email)

DCF: Civil Rights Unit, 608-422-6889 (Voice), DCFCivilRights@wisconsin.gov (Email)

DWD: Division of Employment and Training, Civil Rights, 608-266-6889 (Voice), david2.duran@dwd.wisconsin.gov (Email)

cc: Division Administrators, DHS, DCF and DWD