



## GRANT MANAGEMENT MEMORANDUM

2014-02

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**Date:** May 13, 2014

**To:** All California Governor's Office of Emergency Services Homeland Security and Emergency Management Subgrantees

**From:** Homeland Security and Prop 1B Division

**Subject:** Grant Assurances – Discrimination

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The California Governor's Office of Emergency Services (Cal OES) would like to remind all subgrantees of the below grant assurances regarding discrimination:

- Subgrantees will comply with all federal and state laws and regulations relating to civil rights protections and nondiscrimination. These include, but are not limited to:
  - a. Title VI of the Civil Rights Act of 1964, Public Law 88-352, (42 U.S.C. § 2000d *et seq.*), as amended, which prohibits discrimination on the basis of race, color and national origin.
  - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. § 1681 *et seq.*), which prohibits discrimination on the basis of gender.
  - c. The Americans with Disabilities Act, as amended, which prohibits Recipients from discriminating on the basis of disability (42 U.S.C. § 12101 *et seq.*).
  - d. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability in any program receiving federal financial assistance.
  - e. The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age.
  - f. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse.
  - g. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism.
  - h. Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records.
  - i. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 *et seq.*, as implemented by 24 CFR Part 100), as amended, relating to nondiscrimination in the sale, rental and financing of housing.
  - j. Title 44 of the Code of Federal Regulations (CFR) Parts 7, 16, and 19 relating to nondiscrimination.
  - k. The requirements of any other nondiscrimination provisions in the specific statute(s) under which the application for federal assistance is being made and any other applicable statutes.



- l. Will, in the event that a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, gender, or disability against a Recipient of funds, the Recipient will forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs.
- m. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.
- n. Will comply, and assure the compliance of all its subgrantees and contractors, with the nondiscrimination requirements and all other provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1.

And finally, subgrantees should keep in mind the potential issues when delivering training, exercises, or any other activities that include comments or jokes that may be offensive to participants.

Thank you in advance for your cooperation and support and we look forward to the continued collaboration between the Cal OES and our homeland security partners for many years to come.

Sincerely,

A handwritten signature in purple ink that reads "Kris M. Whitty".

KRIS M. WHITTY, Chief  
Homeland Security and Prop 1B Division