
POLICY TRANSMITTAL NO. 07-22	DATE: JUNE 18, 2007
OFFICE FOR CIVIL RIGHTS	DEPARTMENT OF HUMAN SERVICES OFFICE OF LEGISLATIVE RELATIONS AND POLICY

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:1-11, Table of Contents; and 1-11-21 through 1-11-22.

EXPLANATION: **Policy revisions were approved by the Commission and the Governor as required by the Administrative Procedures Act.**

OAC 340:1-11-21 is revised to remove language regarding rude treatment.

OAC 340:1-11-22 is revised to remove language regarding rude treatment and reflect the current title of the Oklahoma Department of Human Services (OKDHS).

Original signed on 4-20-07

William Drapala, Administrator
Office for Civil Rights

Sharon Neuwald, Coordinator
Office of Legislative Relations and Policy

WF # 07-06 (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following an "OKDHS" number, such as personnel policy at OKDHS:2-1 and personnel rules at OAC 340:2-1. The "340" is the Title number that designates OKDHS as the rulemaking agency; the "2" specifies the Chapter number; and the "1" specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, OKDHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, OKDHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at 405-521-4326.

REMOVE

340:1-11, Table of Contents

340:1-11-21

340:1-11-22

INSERT

340:1-11, Table of Contents, pages 1-2,
revised 6-25-07

340:1-11-21, 1 page only, revised 6-25-07

340:1-11-22, 1 page only, revised 6-25-07

**SUBCHAPTER 11.CIVIL RIGHTS AND NONDISCRIMINATION ON BASIS OF RACE,
COLOR, NATIONAL ORIGIN, SEX, AGE, RELIGION OR DISABILITY****PART 1. METHODS OF ADMINISTRATION**

- 340:1-11-1. Statement of compliance
- 340:1-11-1.1. Definitions
- 340:1-11-2. Designated agency
- 340:1-11-3. Practices prohibited
- 340:1-11-4. Administration responsibilities
- 340:1-11-5. Administration of programs
- 340:1-11-6. Dissemination of policy
- 340:1-11-7. Awareness training
- 340:1-11-8. Data regarding race, ethnicity, condition of disability, and limited English proficiency (LEP)
- 340:1-11-9. Composition of planning and rulemaking bodies
- 340:1-11-10. Interpreter Services Program
- 340:1-11-11. Execution of compliance reviews
- 340:1-11-12. Complaint policy and procedures
- 340:1-11-13. Determination of site or location of facilities
- 340:1-11-14. Department responsibility to vendors and subcontractors
- 340:1-11-15. Recruitment and employment practices

**PART 2. FOOD STAMP PROGRAM DISCRIMINATION COMPLAINT AND
NON-COMPLIANCE SYSTEM**

- 340:1-11-20. Purpose and scope
- 340:1-11-21. Complaints of discrimination
- 340:1-11-22. Discrimination and non-compliance
- 340:1-11-23. Right to file complaint of discrimination or allegation of rude treatment **[REVOKED]**
- 340:1-11-24. Retaliation
- 340:1-11-25. Complaint processing **[REVOKED]**
- 340:1-11-26. Confidentiality
- 340:1-11-27. Civil Rights training

**PART 3. THE AMERICANS WITH DISABILITIES ACT REQUEST AND COMPLAINT
SYSTEM**

- 340:1-11-40. Purpose and scope
- 340:1-11-41. Overview of reasonable accommodation for employees - Title I
- 340:1-11-42. Examples of reasonable accommodation

- 340:1-11-43. Office for Civil Rights responsibilities
- 340:1-11-44. Request by a client
- 340:1-11-45. Request by an employee or job applicant
- 340:1-11-46. Role of the immediate supervisor
- 340:1-11-47. Local coordinator and supervisor responsibilities
- 340:1-11-48. Division coordinator or county director responsibilities
- 340:1-11-49. Division administrator, associate director, or area director responsibilities
- 340:1-11-50. Review by the Request Review Committee
- 340:1-11-51. Appeal of request for reasonable accommodation
- 340:1-11-52. Medical documentation
- 340:1-11-53. Illegal use of drugs
- 340:1-11-54. Undue hardship and reasonable accommodation
- 340:1-11-55. Retaliation or coercion

340:1-11-21. Complaints of discrimination

When operation, management, or delivery of services is alleged to be in non-compliance with laws, regulations, or guidelines mandated by the federal government, the Office for Civil Rights (OCR) is the delegated authority to accept, investigate, and seek resolution of complaints of discrimination to applicants or participants of the Food Stamp Program. All written or verbal complaints alleging discrimination are immediately forwarded to OCR. ■ 1

INSTRUCTIONS TO STAFF 340 1-11-21

1. **The Oklahoma Department of Human Service (OKDHS) employee who receives a complaint alleging discrimination forwards the complaint to the Office for Civil Rights (OCR) within five working days.**

340:1-11-22. Discrimination and non-compliance

(a) Discrimination is prohibited in all aspects of the delivery of Food Stamp Program benefits. Prohibited actions include, but are not limited to:

- (1) denial of a household of any services or benefits;
- (2) distinction in the quality, quantity, or manner in which the benefits are provided;
- (3) segregation or separate treatment of persons in any manner related to the receipt of program benefits;
- (4) use of criteria or methods of administration that have the effect of defeating or impairing the objectives of the program; and
- (5) selection of the site for certification and issuance offices that have the effect of excluding persons.

(b) The Oklahoma Department of Human Services (OKDHS) does not condone rudeness or disrespect of or toward program applicants, recipients, or the general public. Any substantiated claim of disrespect of any person is considered as non-compliance with OKDHS policies and procedures. ■ 1

INSTRUCTIONS TO STAFF 340:1-11-22

1. Complaints of rudeness or disrespect, not motivated by race, color, sex, age, disability, religion, national origin, or political opinion or affiliation, are addressed by the county director or head of the office or institution where the alleged behavior took place.