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**CLARK REGIONAL WASTEWATER DISTRICT  
PUBLIC NONDISCRIMINATION POLICY**

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**Policy #POL-057**

**Effective: 05/15/2023**

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**Purpose**

Title 40 of the Code of Federal Regulations (CFR), Part 7, Nondiscrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency, prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in programs or activities receiving federal assistance from the United States Environmental Protection Agency (EPA). It requires recipients of federal assistance from the EPA to:

1. Collect, maintain, and provide information showing compliance with 40 CFR Part 7.
2. Designate a person to be the Nondiscrimination Compliance Coordinator to coordinate efforts to comply with 40 CFR Part 7.
3. Adopt grievance procedures that assure the prompt and fair resolution of discrimination complaints alleging violations of 40 CFR Part 7.
4. Provide continuing and prominent public notice of nondiscrimination based on race, color, national origin, age, sex, or disability, and of the identity and contact information for the Nondiscrimination Compliance Coordinator.

As set forth below, it is the Clark Regional Wastewater District's (District) policy not to discriminate based on numerous factors, including those in 40 CFR Part 7 and other applicable state and federal laws. In addition, the District adopts the following to implement the requirements of 40 CFR Part 7.

**Personnel Affected**

All employees and stakeholders seeking access to the District's services, programs, or activities.

**Policy**

**A. Compliance Information**

1. The District shall collect, maintain, and on request of the EPA External Civil Rights Compliance Office (ECRCO), provide the following information to show compliance with 40 CFR Part 7:
  - a. A brief description of any lawsuits pending against the District that allege discrimination prohibited by 40 CFR Part 7.
  - b. Racial/ethnic, national origin, age, sex, handicap, and disability data, or EPA Form 4700-4 information submitted with the District applications for EPA assistance.
  - c. A log of discrimination complaints that identify the complaint, the date it was filed, the date the District's investigation was completed, the disposition, and the date of disposition.
  - d. Reports of any compliance reviews conducted by any other agencies.
  - e. Additional data and information specific to certain District programs or activities to determine compliance where there is reason to believe that

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discrimination may exist in a District program or activity or to investigate a complaint alleging discrimination in a District program or activity.

2. When preparing compliance information, the District shall use the racial classifications set forth in 40 CFR Section 7.25 in determining categories of race, color, or national origin.

### **B. Records Retention and Access**

The District shall keep records of the compliance information identified in paragraphs (1)(a) – (1)(b) for:

- At least three (3) years after completing a project for which the District was a recipient of EPA assistance; OR
- Until the complaint is resolved when any complaint or other action for alleged failure by the District to comply with 40 CFR Part 7 is brought before the three-year period ends.

The District shall give the ECRCO access, during normal business hours, to its books, records, accounts, and other sources of information, including its facilities, as may be pertinent to ascertain compliance with 40 CFR Part 7. In addition, the District shall:

- Make compliance information available to the public, upon request.
- Assist in obtaining other required information that is in the possession of other state agencies, institutions, or persons not under the District's control. If such party refuses to release that information, the District shall inform the ECRCO and explain its efforts to obtain the information.

### **C. Nondiscrimination Compliance Coordinator**

The District's General Manager has designated a position as the Nondiscrimination Compliance Coordinator (NCC), who is responsible to coordinate the District's efforts to comply with its obligations under 40 CFR Part 7. The NCC contact is:

Hilary Gorham,  
Human Resources Manager  
8000 NE 52<sup>nd</sup> Ct  
Vancouver, WA 98665  
(360) 360-5303  
Email: [civilrights@crwwd.com](mailto:civilrights@crwwd.com)

### **D. Notice of Nondiscrimination**

The District shall provide continuing notice that it does not discriminate in any of its programs, services, or activities. Where appropriate or upon request, such notice shall be in a language or languages other than English. The notice shall identify the current District NCC as the responsible individual designated to coordinate the District's efforts to comply with its obligations under 40 CFR Part 7.

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**1. Methods of Notice**

Methods of notice shall accommodate those with impaired vision or hearing. At a minimum, this notice shall be posted on the District's website and in a prominent place in the District's offices or facilities.

**2. Nondiscrimination Statement**

The text of the notice to be provided under this policy shall read as follows:

*The Clark Regional Wastewater District (District) is committed to a policy of nondiscrimination in the conduct of its business, to the delivery of equitable and accessible services, and to ensuring full compliance with federal and state nondiscrimination laws in all programs, services, and activities. The District will not discriminate on the basis of race, color, religion, age, national origin, ancestry, ethnic group identification, creed, sex, sexual orientation, marital status, disability, medical condition, political beliefs, genetic information, or veteran's status. The District does not intimidate or retaliate against any individual or group because they have exercised their protected rights, or for the purpose of interfering with such rights protected under 40 CFR Parts 5 and 7, including Title VI and VII of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; Section 13 of the Federal Water Pollution Control Act Amendments of 1972 and Chapter 49.60 RCW, Washington's Law Against Discrimination, and 42 U.S.C. 12101 et seq., the Americans with Disabilities Act (ADA).*

*If you have any questions about this notice or any of the District's nondiscrimination programs, policies, or procedures, or if you believe that you have been discriminated against with respect to a District program, service, or activity, you may contact the District's Nondiscrimination Compliance Coordinator. Or you may visit District's website at [www.crwwd.com/civilrights](http://www.crwwd.com/civilrights) to obtain a copy of its policies and procedures or to file a grievance/complaint of discrimination.*

**3. General Publications**

General publications that are distributed to the public (e.g., public outreach materials, such as brochures, notices, fact sheets, or other information on rights and services; applications or forms to participate in or access the District programs, processes, or activities) shall include the following Notice of Nondiscrimination:

*The District does not discriminate on the basis of race, color, religion, age, national origin, ancestry, ethnic group identification, creed, sex, sexual orientation, marital status, disability, medical condition, political beliefs, genetic information, or veteran's status in the administration of any of its programs, services or activities, and prohibits intimidation and retaliation, as required by applicable laws and regulations.*

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**E. Grievance Procedures**

The District shall adopt procedures to allow any person or group to submit a complaint alleging discrimination of any kind by the District, including discrimination by the District that may constitute a violation of 40 CFR Part 7 or of any state or federal statutes or regulations that the District enforces, and in order to assure the prompt and fair resolution of any such discrimination complaints. The procedures shall be posted on the District website.

**F. Retaliation**

To ensure individuals can invoke these grievance procedures without fear of reprisal, the District explicitly prohibits retaliation against any individual for any purpose, including for the purpose of interfering with any right or privilege guaranteed under any state or federal statutes or regulations because that individual has filed a complaint or has testified, assisted, or participated in any way in an investigation, proceeding, or hearing of any kind or has opposed any practice made unlawful under any state or federal statutes or regulations. Prohibited retaliatory acts include intimidation, threats, coercion, or discrimination against any such individual or group. Any concern regarding retaliation should be reported to the NCC.

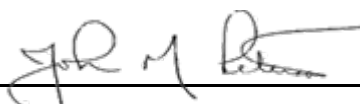
Claims of intimidation and retaliation will be handled promptly and fairly pursuant to the District Nondiscrimination Grievance Policy and Procedures and in the same manner as other claims of discrimination.

**G. Complaint Tracking and Review**

All complaints will be logged, tracked, and reviewed regularly by the NCC. The log will include a summary of allegations, status, and the final determination and or resolution. The review shall include an analysis of patterns of complaints or systemic problems within the District, its programs, and services.

**H. Policy Review**

The District's Nondiscrimination Policy and Procedures are reviewed on a regular basis (for both print and online materials), and revised as necessary, to ensure compliance with current laws, statutes, and regulations and to provide for the prompt and fair resolution of discrimination complaints.

  
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John M. Peterson, General Manager

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May 15, 2023  
Effective Date

<b>REVIEWED:</b>
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