



ARKANSAS DEPARTMENT OF AGRICULTURE

NONDISCRIMINATION AND LIMITED ENGLISH PROFICIENCY POLICY

Effective Date: [09/16/2025]

The Arkansas Department of Agriculture (Department) does not discriminate on the basis of race, color, national origin, sex, age, disability, Limited English Proficiency (LEP), or low-income status in administration of its programs or activities or in its hiring or employment practices. The Department does not intimidate or retaliate against any individual or group who files a complaint regarding, participates in an investigation or proceeding related to, or otherwise takes action to oppose any practice prohibited by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights.

As a recipient of federal funding, the Department complies with all federal civil rights laws that prohibit discrimination in programs and activities receiving federal financial assistance, including Title VI of the Civil Rights Act of 1964; 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 40 C.F.R. Parts 5 and 7. Title VI also applies to recipients of federal financial assistance that passes through the Department in the form of grants, contracts, or subcontracts, as well as federal financial assistance that passes through another state agency to the Department. The Department's compliance with Title VI is contingent upon the adherence of its employees, contractors, subcontractors, and sub-recipients of Department funded contracts and grants to Title VI and all applicable laws, regulations, and rules. The Department is committed to ensuring all employees, contractors, and service beneficiaries are aware of the provisions and responsibilities of Title VI.

The Department established this Nondiscrimination and LEP Policy to ensure prompt and fair resolution of complaints alleging discrimination in the administration of the Department's programs and activities. The policy provides a process for filing a timely complaint to the proper authority, describes the process for investigating and resolving the complaint, and identifies where to obtain resources for individuals with disabilities or Limited English Proficiency. The policy does not apply to administrative actions that are being pursued in another forum.

1. Nondiscrimination Coordinator

The Department's Nondiscrimination Coordinator is responsible for coordination of compliance efforts and receipt of inquiries concerning nondiscrimination requirements required by federal civil rights laws. The Nondiscrimination Coordinator's contact information is listed below.

Kylee Horst

Email: Kylee.R.Horst@arkansas.gov

Phone: 501-414-1825

<https://agriculture.arkansas.gov/resources/public-information/accessibility/>

2. Complaint Procedure

If you believe that you have been discriminated against with respect to a Department program or activity, you may contact the Nondiscrimination Coordinator to file a complaint. A complaint should be filed within sixty (60) calendar days of the alleged discriminatory act. The Department may waive the 60-day filing deadline for good cause, in its discretion.

To file a complaint, please submit the information listed below along with any supporting documents to the Nondiscrimination Coordinator by email to Kylee.R.Horst@arkansas.gov. If you are unable to submit a complaint by email, please contact the Nondiscrimination Coordinator for alternative methods of submitting a complaint. Your submission should include:

- a) Your name, address, and telephone number. If you are filing a complaint on behalf of another person, please also include the name of the person for whom you are filing the complaint and your relationship to the person.
- b) A detailed explanation of the action(s) by the Department that allegedly resulted in discrimination.
- c) A detailed explanation of the alleged discrimination that occurred or will occur and the parties impacted or potentially impacted by the alleged discrimination.
- d) The name of the Department Division and employee(s) involved in the alleged discrimination and the location where the incident referenced in the complaint occurred.

Within fifteen (15) business days of receiving a written complaint, the Nondiscrimination Coordinator will provide the complainant with written notice of receipt. The Department may request any additional information needed to meet the complaint requirements. Within (15) fifteen business days of receiving any additional information, the Department will provide the complainant with written notice that the complaint is deemed complete.

The Department will determine if it has jurisdiction to pursue the matter and whether the complaint has enough merit to warrant an investigation based upon information in the complaint and other available information. A complaint will be regarded as meriting investigation unless:

- a) The complaint is unrelated to discrimination;
- b) The complaint clearly appears on its face to be patently frivolous;
- c) Within the time allotted for making the determination of jurisdiction and investigative merit, the Department voluntarily concedes noncompliance and agrees to take appropriate remedial action or reaches an informal resolution with the complainant;
- d) Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint; or
- e) The complaint is not timely and good cause does not exist for waiving the timing requirement.

The Department will review each complaint to determine whether the preponderance of evidence standard is met. The Nondiscrimination Coordinator will provide the complainant with updates throughout the complaint process. Within 180 calendar days of a written complaint being deemed complete, the Nondiscrimination Coordinator will issue to the complainant a written response stating whether discrimination was found, a description of the investigation process, and the resolution.

3. Available Resources

a. Resources for Persons with Disabilities

The Department provides free aids and services, such as written information in other formats (large print, audio, accessible electronic formats, etc.), to communicate effectively with and ensure meaningful access to programs and activities for persons with disabilities. If you need these services, please contact the Nondiscrimination Coordinator.

b. Resources for Limited English Proficiency

Limited English Proficiency (LEP) refers to individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English and, therefore, are entitled to language assistance under Title VI and similar laws with respect to a particular type of service, benefit, or encounter.

The Department provides free aids and services, such as interpreters and written information in other languages, to ensure meaningful access to programs and activities for persons with limited English proficiency. If you need these services, please contact the Nondiscrimination Coordinator.