Equal Opportunity & Nondiscrimination

Policy No.	7
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Approval	GNWDB/CEOB

Reference

Workforce Innovation and Opportunity Act (WIOA) 188; 29 CFR § 38.1-38.8, 68.72; 20 CFR § 683.285; TEGL 1-05; TEGL 37-14; Nebraska Department of Labor (NDOL) Nondiscrimination and Equal Opportunity Policy, Change 2.

Policy

All recipients of WIOA Title I financial assistance must comply with the nondiscrimination and equal opportunity provisions of WIOA Sec. 188 and its implementing regulations provided at 29 CFR Part 38. The obligation to comply with the nondiscrimination and equal opportunity provisions of WIOA Sec. 188 or 29 CFR Part 38 are not excused or reduced by any state or local law or other requirement or private organization rules or policies.

Applicability

The requirements of WIOA Sec. 188 and 29 CFR Part 38 apply to each recipient of WIOA Title I financial assistance, each one-stop partner, and its programs and activities, that are part of the one-stop delivery system, and the employment practices of each recipient, to the extent the employment is in the administration of or in connection with programs and activities conducted under WIOA Title I or the one-stop delivery system.

The requirements of WIOA Sec. 188 and 29 CFR Part 38 do not apply to programs or activities that are financially assisted under laws other than WIOA Title I and are not part of the one-stop delivery system, including programs or activities implemented under the Workforce Investment Act of 1998, contracts of insurance or guaranty, or Federal procurement contracts, with the exception of contracts to operate or provide services to Job Corps Centers.

Prohibitions

In general, recipients are prohibited from using any method that has the purpose or effect of subjecting individuals to discrimination on a prohibited ground due to the recipient's administration of facilities and programs providing aid, benefits, service, or training.

Discrimination and Harassment

It is against the law for recipients of federal financial assistance to discriminate or harass any individual on the basis of race, color, religion, sex, national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of,

applicant to, or participant in programs financially assisted under Title I of WIOA, on the basis of the individual's citizenship status or participant in any WIOA Title I financially assisted program or activity. In addition, a recipient must not exclude any individual from, or restrict any individual's participation in, any program or activity based on the recipient's belief or concern that the individual will encounter limited future employment opportunities because of the individual's race, color, religion, sex, national origin, age, disability, political affiliation or belief, citizenship status, or participation in a WIOA Title I financially assisted program or activity.

A recipient must not communicate any information that suggests, by text or illustration, that the recipient treats beneficiaries, registrants, applicants, participants, employees or applicants for employment differently on any prohibited basis described in 29 CFR § 38.5, except when such treatment is permitted under 29 CFR Part 38 or Federal law.

Intimidation and Retaliation

A recipient must not discharge, intimidate, retaliate, threaten, coerce or discriminate against any individual because the individual has, with regard to the requirements and obligations of WIOA Sec. 188 or 29 CFR Part 38:

- filed a complaint alleging a violation;
- opposed a practice prohibited by the nondiscrimination and equal opportunity provisions; or
- furnished information to, or assisted or participated in any manner in, an investigation, review, hearing, or any other activity related to any of the following:
    - administration of the nondiscrimination and equal opportunity provisions;
    - exercise of authority under those provisions;
    - exercise of privilege secured by those provisions; or
    - otherwise exercised any rights and privileges under the nondiscrimination and equal opportunity provisions.

Assistance for Facilities for Religious Instruction or Worship

WIOA Title I program funds must not be used to subsidize the employment of individuals participating in WIOA Title I programs where the participant would be carrying out the construction, operation, or maintenance of any part of any facility that is used or will be used for religious instruction or worship.

Exceptions and Limitations

The prohibition against use of WIOA Title I funds for facilities for religious instruction or worship, as described above, does not apply to maintenance of a facility that is not primarily or inherently devoted to religious instruction or worship when the organization operating the facility is part of a program or an activity providing services to WIOA Title I participants. WIOA Title I funds may be used to support employment and training in religious activities when the assistance is indirect. Financial assistance for employment in religious activities is considered

indirect when the participant has been provided with a genuine and independent opportunity to choose the provider of the employment, even where the local WIOA Title I service provider pays the provider of employment directly. Financial assistance for training in religious activities is considered indirect when the participant:

- is given a genuine and independent private choice among training providers or program options, which must be provided in a manner that maximizes informed consumer choice; and
- can freely elect, from among those options, to receive training in religious activities.

For training in religious activities, individual training accounts (ITAs) are considered indirect assistance.

Physical and Programmatic Accessibility

Each program or activity, must be operated in a manner that makes it readily accessible to qualified individuals with a disability. A qualified individual with a disability is an individual who, with or without a reasonable accommodation for his or her disability, meets eligibility requirements.

Each recipient must insure that no qualified individual with a disability may be excluded from participation in, or be denied the benefits of a recipient's service, program, or activity or be subjected to discrimination by any recipient because a recipient's facilities are inaccessible or unusable by individuals with disabilities.

Program accessibility requires the provision of reasonable accommodations for individuals with disabilities, making reasonable modifications to policies, practices, and procedures, administering programs in the most integrated setting appropriate, communicating with persons with disabilities as effectively as with others, and providing appropriate auxiliary aids or services, including assistive technology devices and services, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the program or activity.

In determining what types of auxiliary aids and services are necessary, a recipient must give primary consideration to the requests of individuals with disabilities. In order to be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability. Some examples include: qualified interpreters, video remote interpreting service, text and video-based telecommunications products and systems, videotext displays, and telephone handset amplifiers.

Assurances

Each recipient of WIOA Title I financial assistance must provide written assurances that it will adhere to and comply with the requirements of WIOA Sec. 188 and 29 CFR Part 38.

- In the case of the Greater Nebraska Workforce Development Board (GNWDB), the assurances are included in the WIOA Title I grant agreement with Nebraska Department of Labor (NDOL).
- For all other recipients of WIOA Title I financial assistance provided through the local board, the assurances are made part of the memorandum of understanding (MOU) agreement between the recipient and the local board.

Equal Opportunity Officer
Every recipient must designate an Equal Opportunity Officer (EO Officer), except small recipients and service providers. A small recipient is defined as a recipient that serves fewer than 15 program participants during one grant year (program year) or employs fewer than 15 employees on any given day during one grant year.

In Greater Nebraska, NDOL is the WIOA Title I grant recipient agency and the Greater Nebraska Administrator is the Greater Nebraska EO Officer related to the grant.

Administrator of Workforce Services, Greater Nebraska EO Officer
Nebraska Department of Labor
550 S. 16th Street, PO Box 94600
Lincoln, NE 68509-4600
Ndol.greaternebraska@nebraska.gov

The EO Officer is responsible for:

- serving as the recipient's liaison with Civil Rights Center (CRC);
- monitoring and investigating the recipient's activities, and the activities of the entities that receive WIOA Title I financial assistance from the recipient, to make sure that the recipient and its sub recipients are not violating their nondiscrimination and equal opportunity obligations;
- reviewing the recipient's written policies to make sure that those policies are nondiscriminatory;
- developing and publishing the recipient's procedures for processing discrimination complaints and making sure that those procedures are followed;
- reporting directly to the Commissioner of Labor and the NDOL State-level EO Officer on nondiscrimination and equal opportunity matters;
- undergoing training (at the recipient's expense) to maintain competency as an EO Officer; and
- if applicable, overseeing the development and implementation of the recipient's Methods of Administration.

Service providers are not required to designate an EO Officer. The obligation for ensuring service provider compliance with the nondiscrimination and equal opportunity provisions of

WIOA Sec. 188 and 29 CFR Part 38 rests with the Governor or local area grant recipient (i.e., Chief Elected Official), as specified in the state's nondiscrimination plan.

Equal Opportunity Notice
Each recipient of WIOA Title I financial assistance must provide initial and continuing notice that it does not discriminate in the delivery of programs and services or employment on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of WIOA, on the basis of the individual's citizenship status or participant in any WIOA Title I financially assisted program or activity.

The following specific wording is placed on EO Notice posters and in written EO policy statements:

Equal Opportunity is the Law

"It is against the law for this recipient of Federal financial assistance to discriminate on the following bases:
Against any individual in the United States, on the basis of race, color, religion, sex, national origin (including limited English proficiency), age, disability, or political affiliation or belief or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I financially assisted program or activity.

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

If you think that you have been subjected to discrimination under a WIOA Title I financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either: the recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action."

This notice, in the form of Nebraska's Equal Opportunity is the Law poster, must be posted prominently in a reasonable numbers and placed where customers and staff frequent.

The Equal Opportunity Notice must also be:

- on the recipient's web site pages;
- disseminated in internal memoranda and other written or electronic communications with staff;
- included in employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available;
- provided to each participant and employee; and
- made part of each participant's and employee's file and be a part of both paper and electronic files, if both are maintained.

In addition, the Equal Opportunity Notice must be:

- provided in appropriate formats to registrants, applicants, eligible applicants/registrants, applicants for employment and employees and participants with visual impairments;
- provided to participants in appropriate languages other than English; and
- initially published and provided within 90 calendar days of the latter of January 3, 2017 or the first date the requirements of WIOA Sec. 188 and 29 CFR Part 38 apply to the recipient (i.e., within 90 days of first becoming a recipient).

Note: When the Equal Opportunity Notice has been given in an alternate format to registrants, applicants, eligible applicants/registrants, participants, applicants for employment and employees with a visual impairment, a case note that the alternate-format notice has been given must be made a part of the employee's or participant's file.

EO Tagline

Recruitment brochures and other materials, including pamphlets, flyers, and other publications distributed or communicated in written or oral form, electronically or on paper, for customers, staff or the general public that describe programs financially assisted under Title I of WIOA or the requirements for participant by recipients and participants will include the following EO tagline:

"Equal opportunity Program/Employer. Auxiliary aids and services are available upon request to individuals with disabilities."

If a phone number is included, the tagline must also include the telephone number of the text telephone (TTY) or other equally effective telecommunications systems, such as a relay service, video phone, or captioned telephone used by the recipient.

Program information that is broadcast in the news media and electronically such as on television and radio or on a large screen monitor must also include the tagline.

Orientations

During each presentation to orient new participants, new employees, and/or the general public to its WIOA Title I financially assisted program or activity, a recipient must include a discussion of rights under the nondiscrimination and equal opportunity provisions of WIOA, including the right to file a complaint of discrimination with the recipient or CRC Director. This information must be communicated in appropriate languages and in formats accessible for individuals with disabilities. When possible, the Equal Opportunity Notice should be provided in print and signed by WIOA Title I program participants and employees of the recipient and retained on file.

Affirmative Outreach

Recipients must take appropriate steps to ensure that they are providing equal access to their WIOA Title I financially assisted programs and activities. These steps should involve reasonable efforts to include members of the various groups protected under 29 CFR Part 38, including but not limited to:

- individuals with limited English proficiency;
- individuals with disabilities;
- persons of different sexes and age groups; and
- persons of various racial and ethnic/national origin groups and religions.

Collection and Maintenance of EO Data

Each recipient must collect data and maintain records the CRC Director finds necessary to determine whether the recipient has complied or is complying with the nondiscrimination and equal opportunity provisions of WIOA Sec. 188 and 29 CFR Part 38. The system and format in which the records and data are kept must be designed to allow the Governor and CRC to conduct statistical or other quantifiable data analyses to verify the recipient's compliance with WIOA Sec. 188 and 29 CFR Part 38.

EO data must be collected for all WIOA Title I financially assisted programs for applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment by race/ethnicity, sex, age, and where known, disability status. Beginning on January 3, 2019, each recipient must also record the limited English proficiency and preferred language of each applicant, registrant, participant, and terminee. This collected information must be stored in a manner that ensures confidentiality, and must be used only for the purposes of:

- recordkeeping and reporting;
- determining eligibility, where appropriate, for WIOA Title I financially assisted programs or activities;
- determining the extent to which the recipient is operating its WIOA Title I financially assisted program or activity in a nondiscriminatory manner; and
- other uses authorized by law.

In Greater Nebraska, this information is recorded in the NEworks labor exchange system for applications, registrants, participants, and terminees. Employee's EO data is maintained on file.

Medical and Disability Information

Any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic, or both, must be maintained in one or more separate files, apart from any other information about the individual, and treated as confidential. Whether these files are electronic or hard copy, they must be locked or otherwise secured (for example, through password protection).

Complaints

Each recipient must maintain discrimination complaint logs, and submit to CRC upon request, with the name and address of the complainant, the basis of the alleged discrimination (ex: race, color, religion, sex, national origin, etc.), a brief description of the complaint, the date filed and the disposition of the complaint.

Information that could lead to identification of a particular individual as having filed a complaint must be kept confidential.

Where designation of individuals by race or ethnicity is required, the guidelines of the Office of Management and Budget must be used.

A service provider's responsibility for collecting and maintaining the information required under this section may be assumed by the Governor or local area grant recipient, as provided in the state's nondiscrimination plan.

Information to be Provided to CRC

Each recipient must promptly notify the CRC Director when any administrative enforcement actions or lawsuits are filed against it alleging discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of WIOA, on the basis of the individual's citizenship status or participant in any WIOA Title I financially assisted program or activity.

This notification must include the names of the parties to the action or lawsuit, forum in which each case was filed, and relevant case numbers.

Compliance Reviews and Complaint Investigations

Each recipient, as part of a compliance review or monitoring activity conducted or carried out by the CRC Director, must provide the following information:

- the name of any other Federal agency that conducted a civil rights compliance review or complaint investigation, and that found the grant applicant or recipient to be in noncompliance, during the two years before the grant application was filed or CRC began its examination; and
- information about any administrative enforcement actions or lawsuits that alleged discrimination on any protected basis, and that were filed against the grant applicant or recipient during the two years before the application or renewal application, compliance review, or monitoring activity.

This information must include the names of the parties, forum in which each case was filed, and relevant case numbers.

At the discretion of the CRC Director, recipients may be required to provide, in a timely manner:

- any information and data that the Director considers necessary to investigate complaints and conduct compliance reviews on bases prohibited under the nondiscrimination and equal opportunity provisions of WIOA and 29 CFR Part 38; and
- the particularized information and/or to submit the periodic reports that the CRC Director considers necessary to determine compliance with the nondiscrimination and equal opportunity provisions of WIOA or 29 CFR Part 38.

Where designation of individuals by race or ethnicity is required, the guidelines of the Office of Management and Budget must be used.

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Records Retention and Access

The following records, whether they exist in electronic form (including email) or hard copy, must be retained for a period of not less than three years from the close of the applicable program year:

- records of applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment; and
- other records as are required under 29 CFR Part 38 or by the CRC Director.

Where a discrimination complaint has been filed or compliance review initiated, every recipient that possesses or maintains any type of hard-copy or electronic record related to the complaint (including records that have any relevance to the underlying allegations in the complaint, as well as records regarding actions taken on the complaint) or to the subject of the compliance review must preserve all records, regardless whether hard-copy or electronic, that may be relevant to a complaint investigation or compliance review, and maintain those records for a period of not less than three years from the date of final action related to resolution of the complaint or compliance review.

Each recipient must permit access by the CRC Director or the Director's designee during its hours of operation to its premises and to its employees and participants, to the extent that such individuals are on the premises during the course of the investigation, for the purpose of conducting complaint investigations, compliance reviews, or monitoring activities associated with a state's development and implementation of a nondiscrimination plan, and for inspecting and copying such books, records, accounts and other materials as may be pertinent to ascertain compliance with and ensure enforcement of the nondiscrimination and equal opportunity provisions of WIOA or 29 CFR Part 38.

Asserted considerations of privacy or confidentiality are not a basis for withholding information from CRC and will not bar CRC from evaluating or seeking to enforce compliance with the nondiscrimination and equal opportunity provisions of WIOA Sec. 188 and 29 CFR Part 38.

Whenever any information that the Director asks a recipient to provide is in the exclusive possession of another agency, institution, or person, and that agency, institution, or person fails or refuses to furnish the information upon request, the recipient must certify to CRC that it has made efforts to obtain the information and that the agency, institution, or person has failed or refused to provide it. This certification must list the name and address of the agency, institution, or person that has possession of the information and the specific efforts the recipient made to obtain it.

Complaint Filing Procedures

Any individual, or individual's representative, who believes that the individual or any specific class of individuals, has been or is being subjected to discrimination, harassment, or retaliation prohibited under WIOA Sec. 188 or 29 CFR Part 38 may file a written complaint. The complaint

may be filed with the Greater Nebraska EO Officer or the Director, Civil Rights Center, U.S. Department of Labor, Room N4123, 200 Constitution Avenue, NW, Washington, DC 20210.

Generally, a complaint must be filed within 180 days of the alleged discrimination, harassment, or retaliation. However, for good cause shown, the CRC Director may extend the filing time. The time period for filing is for the administrative convenience of CRC, and does not create a defense for the respondent.

Required Content
Each complaint must be filed in writing, either electronically or in hard copy, and must contain the following information:

- the complainant's name, mailing address, and, if available, email address (or another means of contacting the complainant);
- the identity of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination);
- a description of the complainant's allegations, which must include enough detail to allow the CRC Director or the recipient, as applicable, to decide whether CRC or the recipient, as applicable, has jurisdiction over the complaint; the complaint was filed in time; and the complaint has apparent merit, in other words, whether the complainant's allegations, if true, would indicate noncompliance with any of the nondiscrimination and equal opportunity provisions of WIOA Sec. 188 or 29 CFR Part 38; and
- the written or electronic signature of the complainant or the written or electronic signature of the complainant's representative.

A complaint may be filed by completing and submitting CRC's Complaint Information Form and Privacy Act Consent, which may be obtained either from the recipient's EO Officer or from CRC. The forms are available electronically on CRC's website and in hard copy via postal mail upon written request to Director, Civil Rights Center, U.S. Department of Labor, Room N4123, 200 Constitution Avenue, NW, Washington, DC 20210.

Complaint Processing Procedures
Greater Nebraska will issue a written notice of final action on complaints within 90 calendar days of the date on which the complaint is filed. Complaint procedures include:

1. Acknowledgement Letter

Within ten (10) calendar days of the filing of the complaint, the EO Officer will provide initial, written notice to the complainant acknowledging receipt of the complaint. The notice will include:

- notice that the complainant and the respondent has the right to be represented by an attorney or other individual of their choice in the complaint process;
- notice of rights contained in 29 CFR § 38.35;

- notice that the complainant has the right to request and receive, at no cost, auxiliary aids and services, language assistance services, and that this notice will be translated into the non-English languages; and
- informed of the Greater Nebraska Equal Opportunity & Nondiscrimination policy to initially attempt resolution of the complaint through mediation, which is an alternative dispute resolution (ADR). The mediation process is explained to the complainant.

2. Alternative Dispute Resolution

An ADR is a process where all parties agree on a resolution to the discrimination complaint without going through the entire complaint process. The process must be directed by the EO Officer or his/her designee who does not have a conflict of interest in the complaint. It is the complainant's choice to use ADR or the customary process. The complainant may attempt ADR at any time after the complainant has filed a written complaint with the recipient, but before a Notice of Final Action has been issued.

Within twenty (20) calendar days of the filing of the complaint, the complainant accepts or rejects the offer of mediation.

a) If mediation is accepted, it is held within thirty (30) calendar days of the filing of the complaint.
b) If an agreement is reached that is satisfactory to both parties, the complaint is resolved.
c) A party to any agreement reached under ADR may file a complaint with the Director of the CRC in the event the agreement is breached. In such circumstances, the following rules apply:
    a. The non-breaching party may file a complaint with the Director of the CRC within 30 days of the date on which the non-breaching party learns of the alleged breach;
    b. The Director of the CRC must evaluate the circumstances to determine whether the agreement has been breached. If it is determined the agreement has been breached, the complainant may file a complaint with the CRC based upon his/her original allegation(s), and the Director of the CRC will waive the time deadline for filing such a complaint.
d) If the parties do not reach an agreement under ADR, the complainant will be given a Notice of Final Action of the right to file a complaint with the Director of the CRC within 30 days of the notice date.

3. Mediation Not Accepted

If mediation is not accepted within thirty (30) calendar days of the filing of the complaint, a notice to the complainant is sent that contains the following information:

a. A list of the issues raised in the complaint; and
b. For each issue, a statement whether the local area will accept the issue for investigation or reject the issue, and the reasons for each rejection.

4. A Period for Fact-finding

A period for fact-finding or investigation of the circumstances underlying the complaint must be completed within sixty (60) calendar days of the filing of the complaint.

5. Notice of Final Action

A written Notice of Final Action, provided to the complainant within ninety (90) calendar days of the filing of the complaint and contains the following information:

a) for each issue raised in the complaint, a statement of either:
   - the recipient's decision on the issue and an explanation of the reasons underlying the decision; or
   - a description of the way the parties resolved the issue.

b) notice that the complainant has a right to file a complaint with CRC within 30 days of the date on which the Notice of Final Action is received if the complainant is dissatisfied with the recipient's final action on the complaint.

Notice of Recipient's Lack of Jurisdiction

If a recipient determines that it does not have jurisdiction over a complaint, it must notify the complainant, in writing within five business days of making such determination. This notice of lack of jurisdiction must include:

- a statement of the reasons for that determination; and
- notice that the complainant has a right to file a complaint with CRC within 30 days of the date on which the complainant receives the notice.

Failure to Comply

Whenever the Secretary of Labor finds that a state or other recipient of WIOA Title I financial assistance has failed to comply with the requirements of WIOA Sec. 188 or 29 CFR Part 38, the Secretary must notify the state or recipient and must request that compliance takes place. If within a reasonable period of time, not to exceed 60 days, the state or recipient fails or refuses to comply, the Secretary may refer the matter to the United States Attorney General with a recommendation that an appropriate civil action be instituted or take such other action as may be provided by law.

Once a referral is received or if the United States Attorney General has reason to believe that the state or recipient of WIOA Title I financial assistance is engaged in a pattern or practice of discrimination, the United States Attorney General may bring a civil action in any appropriate

district court of the United States for such relief as may be appropriate, including injunctive relief.

Disclaimer

This policy is based on Greater Nebraska's reading of the applicable statutes, regulations, rules and guidance released by the U.S. Government and the State of Nebraska. This policy is subject to change as revised or additional statutes, regulations, rules and guidance are issued.