Appendix: B Proposed 45 C.F.R. § 88.5 Notice requirement

As provided for public inspection
https://s3.amazonaws.com/public-inspection.federalregister.gov/2018-01226.pdf.

(a) *In general*. The Department and each recipient shall post the notice text located in Appendix A to this part in accordance with paragraph (b) of this section by [DATE 90 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE IN THE *FEDERAL REGISTER*], or with respect to new recipients, within 90 days after becoming a recipient.

(b) *Specific requirements*. The notice text required in paragraph (a) of this section shall appear:

(1) On the Department's and each recipient's website(s), and

(2) In a prominent and conspicuous physical location in every Department and recipient establishment where notices to the public and notices to their workforce are customarily posted to permit ready observation. The text of the notice shall be large enough to be easily read. The Department and each recipient shall take steps to ensure that such notices are not altered, defaced, or covered by other material.

(c) *Factors in evaluation of compliance*. In evaluating a recipient's compliance with the requirements of this part, OCR will take into account whether the recipient has provided the notice text in paragraph (a) of this section:

(1) In a personnel manual or other substantially similar document for members of the recipient's workforce;

(2) In applications for membership in the recipient's workforce or for participation in a service, benefit, or other program, including for training or study; and

(3) In a student handbook or other substantially similar document for students participating in a program of training or study, including for post-graduate interns, residents, and fellows.

(d) *Combined nondiscrimination notices*. The Department and each recipient may post the notice text provided in appendix A of this part along with the content of other notices only if it retains all of the language provided in appendix A of this part in an unaltered state.