DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY
4040 NORTH FAIRFAX DRIVE
ARLINGTON, VA 22203-1635

MAR 2 1 2007

Mr. Clarence Johnson
Principal Director Equal Opportunity
Deputy Undersecretary of Defense
(Personnel and Readiness)
4000 Defense Pentagon
Washington, D.C. 20301-4000

Dear Mr. Johnson:

Enclosed is the Department of Defense Education Activity's (DoDEA) Fiscal Year 2006 Annual Report to Congress as required by Section 203 of the Notification and Federal Employee Anti-Discrimination and Retaliation Act of 2002. In compliance with Public Law 107-174, this report provides equal employment opportunity data for Fiscal Years 2002 through 2006.

Please direct questions concerning this report to Ms. Alina Doreste-Johnson, Chief, Equal Employment Opportunity Office, (703) 588-3232.

Sincerely,

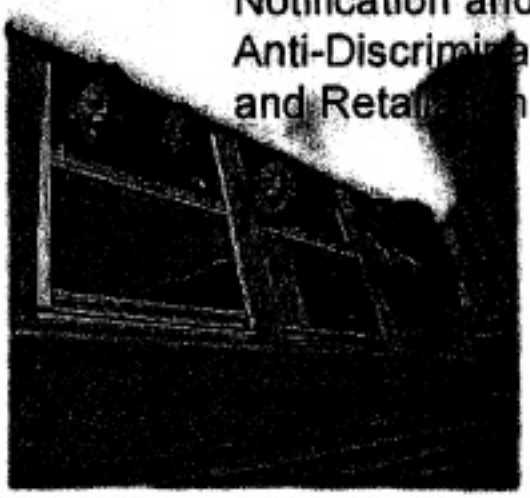
Joseph D. Tafoya
Director

Enclosure:
As Stated

dodea Department of Defense Education Activity

Fiscal Year 2006 Report

Notification and Federal Employee Anti-Discrimination and Retaliation Act of 2002



Department of Defense Education Activity • 4040 North Fairfax Drive • Arlington, VA 22203-1634

No FEAR 2006 Report

DoDEA History

Shortly after the end of World War II, the United States military established schools for the children of its service men and women stationed in Europe and the Pacific. Schools for children of military members stationed at various bases in the United States were already well-established. First administered by the military branches they served, the growing number of schools was soon transferred to civilian managers, then organized into two separate but parallel systems: the Department of Defense Dependents Schools (DoDDS) overseas, and the Department of Defense Domestic Dependent Elementary and Secondary Schools (DDESS) in the United States. In 1994, the two systems were brought together under an umbrella agency, the Department of Defense Education Activity (DoDEA).

Organization

The Department of Defense Education Activity (DoDEA) is a Field Activity of the U.S. Department of Defense. DoDEA is headed by a director who oversees all agency functions from DoDEA headquarters in Arlington, Virginia. DoDEA's schools are divided into three areas, each of which is managed by an area director. Within each of these three areas, schools are organized into districts headed by superintendents.

Serving the Military Community

DoDEA's schools serve the children of military service members and Department of Defense civilian employees throughout the world. Children of enlisted military personnel represent 85 percent of the total enrollment in DoDEA schools.

The entire DoDEA system is guided by the 2006–2011 DoDEA Community Strategic Plan (CSP), which outlines our vision, mission, and goals. Our mission is to provide exemplary educational programs that inspire and prepare all students for success in a global environment.

The Department of Defense Domestic Dependent Elementary and Secondary Schools (DDESS)

DDESS is one of two distinct educational systems operated by DoDEA. DDESS provides comprehensive educational programs on military installations located in 7 states and Puerto Rico that are competitive with that of any school system in the United States.

DDESS operates 66 schools on 16 installations. Schools are organized into 5 districts (Georgia/Alabama; Kentucky; North Carolina; New York/Virginia/Puerto Rico/Cuba; and South Carolina & Ft. Stewart, GA) serving about 25,000 students.

DDESS schools do not provide all grade level programs at every location. Where the grade level program is not offered, dependent students living on the military installations attend schools operated by the Local Education Agency in the civilian community.

The Department of Defense Dependents Schools Europe (DoDDS-E)

DoDDS-Europe operates 99 schools within 5 districts (Bavaria; Heidelberg; Isles; Kaiserslautern; and Mediterranean) throughout Europe serving about 41,000 school-age children of active duty military and civilian employees.

The Department of Defense Dependents Schools Pacific (DoDDS-P)

DoDDS-Pacific operates 45 schools within 4 districts (Guam, Japan, Korea, and Okinawa) serving about 24,000 students affiliated with 18 military installations within the Pacific theatre.

The Department of Defense Education Activity Workforce

DoDEA's workforce totals 16,652 educational and support personnel.

DDESS, including Cuba, employs 4,843 (29% of the working population in DoDEA).

DoDDS-Europe employs 7,355 (44%).

DoDDS-Pacific employs 4,082 (25%).

DoDEA Headquarters employs 372 (2%).

Like many schools in the United States, DoDDS schools within Europe and the Pacific are accredited by the North Central Association Commission on Accreditation and School Improvement (NCS CASI).

The DoDEA Community Strategic Plan is the foundation for the attainment of the DoDEA vision--***Communities investing in success for all children.***

Fiscal Year 2006

5 CFR §724.302(a)

(1) The number of cases in **Federal Court** pending or resolved in each fiscal year and arising under each of the respective provisions of the Federal Antidiscrimination Laws and Whistleblower Protection Laws applicable to them as defined in §724.102 of subpart A of this part in which an employee, former Federal employee, or applicant alleged a violation(s) of these laws, separating data by the provision(s) of law involved.	**08**[1]
(2) In the aggregate, for the cases identified in paragraph (a)(1) of this section and separated by provision(s) of law involved:	**08**
(i) The status or disposition (including settlement)	1. Complaint filed in 10/01/03 (FY04) **settled prior to trial on 11/09/05**. $10,000 compensatory damages, $7,500 attorney fees, $500 court costs. 2. Complaint filed in 06/08/05 (FY05), U.S. District Court, E.D. N.C. **Motion for Summary Judgment granted on 06/19/06.** 3. Notice of Appeal filed 09/12/05 (FY05), U.S. Court of Appeals for the 9th Circuit. Court issued Notice of non-payment of filing fees for appeal on 10/12/05 giving Plaintiff 21 days to file motion to proceed *in forma pauperis* or pay docketing and filing fees or show cause why appeal should not be dismissed. Plaintiff's motion to proceed *in pauperis* was denied on 02/24/06. Plaintiff directed to pay fees by 03/17/06. Plaintiff failed to follow instructions from the Court. **On 05/26/06 case was terminated on the merits.** 4. Complaint filed 09/01/05 (FY05), U.S. District Court for Puerto Rico. **(Note: Case settled on 02/16/07 (FY07). Will report costs in FY07 report.)** 5. Complaint filed December 04/January 05 (FY05), U.S. Court of Appeals for the 4th Circuit. A Motion to Dismiss and MSJ was filed on 01/03/06. Oral argument held 01/27/06. Motion to Dismiss and MSJ granted on 02/08/06. Plaintiff appealed on 03/10/06 in US Court of Appeals for the 4th Circuit. Mediation conferences held in Court of Appeal on 05/08/06

[1] For the FY 2006 Annual No FEAR Act report, Section 203(a)(1)-(4), DoDEA is reporting only civil actions filed in U.S. District Court, an approach different than that taken by DoDEA in the FY 2006 and prior reports. This change in reporting is a result of current developments relating to OPM's development of regulations for the No FEAR Act.

	and 06/21/06. **(Note: Case dismissed on 11/13/06 (FY07) for failure to prosecute. Will report in FY07 report.)** 6. Complaint filed on 01/28/06 (FY06), U.S. District Court for Puerto Rico. Answer filed on 02/27/06. **(Note: Non-Jury trial is set for 02/22/07; Pretrial/Settlement Conference set for 01/23/07. Will report in FY07 report.)** 7. Complaint filed on 06/09/04 (FY04), U.S. District Court, E.D. N.C. **Motion for Summary Judgment granted on 02/07/06.** 8. Complaint filed on 06/06 (FY06), U.S. District Court, E.D. VA. **Dismissed on 10/20/06.**
(ii) The amount of money required to be reimbursed to the Judgment Fund by the agency for payments as defined in §724.102 of subpart A of this part.	**$18,000**
(iii) The amount of reimbursement to the Fund for attorney's fees where such fees have been separately designated.	**$7500**
(3) In connection with cases identified in paragraph (a)(1) of this section, the total number of employees in fiscal year 06 disciplined as defined in §724.102 of subpart A of this part and the specific nature, e.g., reprimand, etc., of the disciplinary actions taken, separated by the provision(s) of law involved. Title VII Age Discrimination in Employment Act (ADEA) Rehabilitation Act Equal Pay Act Sexual Orientation (Executive Order 13087) Illegal Personnel Practices Whistleblower Protection Act Status as a Parent (Executive Order 13160 - discrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent in federally conducted education and training programs) Status as a Parent (Executive Order 13152 - Failing to hire someone because of fears that being a parent cause them to be less committed to their job or not sending a single parent on travel for assignments or training because of a mistaken belief that the employee does not have child care) Genetic Information (Executive Order 13145)	None.
(4) The final year-end data posted in accordance with Equal Employment Opportunity Regulations at subpart G of Title 29 of the Code of Federal Regulations (implementing section 301(c)(1)(B) of the No FEAR Act).	See Page 6.
(5) Whether or not in connection with cases in Federal court, the number of employees in FY06 disciplined as defined in §724.102 of subpart A of this part in accordance with any DoDEA policy described in paragraph (a)(6) of this section. The specific nature, e.g., reprimand, etc., of the disciplinary actions taken must be identified.	None.

(6) A detailed description of DoDEA's policy for taking disciplinary action against Federal employees for conduct that is inconsistent with Federal Antidiscrimination Laws and Whistleblower Protection Laws or for conduct that constitutes another prohibited personnel practice revealed in connection with agency investigations of alleged violations of these laws.	*Under the jurisdiction of the Human Resources Office* DoDEA Regulation 5751.9, Disciplinary and Adverse Actions Administrative Grievances *Updated annually by the Diversity and Equal Employment Opportunity Office:* DoDEA Anti-Harassment Policy DoDEA Reasonable Accommodation Policy DoDEA EEO Policy Notification of NoFEAR Act *Under the jurisdiction of the Office of Compliance and Assistance* Defense Hotline Program DoDEA Guidance on Executive Order 13160 Defense Hotline Procedures No disciplinary actions were reported for FY06.
(7) Analysis of the information provided in paragraphs (a)(1) through (6) of this section in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with 29 CFR part 1614 subpart F of the Code of Federal Regulations. Such analysis must include: (i) An examination of trends (ii) Causal analysis (iii) Practical knowledge gained through experience, and (iv) Any actions planned or taken to improve complaint or civil rights programs of DoDEA with the goal of eliminating discrimination and retaliation in the workplace.	**See Page 16.**
(8) For FY06, any adjustment needed or made to the budget of DoDEA to comply with its Judgment Fund reimbursement obligation(s) incurred under §724.103 of subpart A of this part; and	Not Applicable.
(9) DoDEA written plan developed under §724.203(a) of subpart B of this part to train its employees.	**See Page 18.**

2006 - §724.302(a)(4) The final year-end data posted in accordance with Equal Employment Opportunity Regulations at subpart G of Title 29 of the Code of Federal Regulations (implementing section 301(c)(1)(B) of the No FEAR Act).

(1) The number of complaints filed with such agency in such fiscal year.

Complaints on hand at the beginning of FY06	39
Number of complaints filed in FY 06	29
Remands during FY06	1
Total Complaints	69
Total of Complaints not consolidated	65
Complaints Closed during FY06	33
Complaints that were consolidated	3
Complaints on hand at the end of FY06	28

(2) The number of individuals filing those complaints (including as the agent of a class).

Number of individuals filing those complaints (including as the agent of a class)	28

(3) The number of individuals who filed 2 or more of those complaints.

Number of Repeat Filers	1

(4) The number of complaints (described in paragraph (1)) in which each of the various bases of alleged discrimination is alleged.[2]

Race - **18**	
Black	12
White	06
American Indian/Alaskan Native	00
American Asian/Pacific Islander	00
Color - **09**	09
Religion - **03**	03
Reprisal - **13**	13
Sex - **15**	
Male	09
Female	06
National Origin - **04**	
Hispanic	01
Other	03
Equal Pay Act - **00**	00
Age - **10**	10
Disability - **12**	
Mental	05
Physical	07

[2] Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

(5) The number of complaints (described in paragraph (1)) in which each of the various issues of alleged discrimination is alleged. [3]

Appointment/Hire	06
Assignment of Duties	03
Awards	00
Conversion to Full Time	00
Disciplinary Action	04
(1) Demotion	00
(2) Reprimand	01
(3) Suspension	01
(4) Removal	00
(5) Other	02
Duty Hours	00
Evaluation/Appraisal	02
Examination/Test	00
Harassment	09
(1) Non-Sexual	09
(2) Sexual	00
Medical Examination	00
Pay (Including Overtime)	00
Promotion/Non-Selection	06
Reassignment	03
(1) Denied	00
(2) Directed	03
Reasonable Accommodation	01
Reinstatement	00
Retirement	00
Termination	01
Terms/Conditions of Employment	03
Time and Attendance	02
Training	00
Other	06

[3] Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

(6) The average length of time, for each step of the process, it is taking such agency to process complaints (taking into account all complaints pending for any length of time in such fiscal year, whether first filed in such fiscal year or earlier). Average times under this paragraph shall be posted-- (A) for all such complaints, (B) for all such complaints in which a hearing before an administrative judge of the Equal Employment Opportunity Commission is not requested, and (C) for all such complaints in which a hearing before an administrative judge of the Equal Employment Opportunity Commission is requested.

Complaints pending during FY06	
Average number of days in investigation	220.09
Average number of days in final action	109.32
Complaints pending during FY06 where hearing was requested	
Average number of days in investigation	271.25
Average number of days in final action	22.93
Complaints pending during FY06 where hearing was not requested	
Average number of days in investigation	208.72
Average number of days in final action	260.50
Complaints dismissed by DoDEA	
Total Complaints dismissed by DoDEA	7
Average days pending prior to dismissal	391
Complaints withdrawn by Complainants	
Total Complaints withdrawn by Complainants during **formal** stage.	2

(7) The total number of final agency actions rendered in such fiscal year involving a finding of discrimination and, of that number-- (A) the number and percentage that were rendered without a hearing before an administrative judge of the Equal Employment Opportunity Commission, and (B) the number and percentage that were rendered after a hearing before an administrative judge of the Equal Employment Opportunity Commission.

Total Final Agency Actions Finding Discrimination	
Total Number Findings	0
Without Hearing	0
With Hearing	0

(8) Of the total number of final agency actions rendered in such fiscal year involving a finding of discrimination-- (Page 116 STAT 574). (A) the number and percentage involving a finding of discrimination based on each of the respective **bases** of alleged discrimination, and (B) of the number specified under subparagraph (A) for each of the respective bases of alleged discrimination-- (i) the number and percentage that were rendered without a hearing before an administrative judge of the Equal Employment Opportunity Commission, and (ii) the number and percentage that were rendered after a hearing before an administrative judge of the Equal Employment Opportunity Commission.

Findings of Discrimination Rendered by Basis (Total Findings)	#	%
Race	00	0.0
Color	00	0.0
Religion	00	0.0
Reprisal	00	0.0
Sex	00	0.0
National Origin	00	0.0
Equal Pay Act	00	0.0
Age	00	0.0
Disability	00	0.0

Findings of Discrimination Rendered by Basis (Findings after Hearing)	#	%
Race	00	0.0
Color	00	0.0
Religion	00	0.0
Reprisal	00	0.0
Sex	00	0.0
National Origin	00	0.0
Equal Pay Act	00	0.0
Age	00	0.0
Disability	00	0.0

Findings of Discrimination Rendered by Basis (Findings without Hearing)	#	%
Race	00	0.0
Color	00	0.0
Religion	00	0.0
Reprisal	00	0.0
Sex	00	0.0
National Origin	00	0.0
Equal Pay Act	00	0.0
Age	00	0.0
Disability	00	0.0

(9) Of the total number of final agency actions rendered in such fiscal year involving a finding of discrimination-- (A) the number and percentage involving a finding of discrimination in connection with each of the respective **issues** of alleged discrimination, and (B) of the number specified under subparagraph (A) for each of the respective issues of alleged discrimination-- (i) the number and percentage that were rendered without a hearing before an administrative judge of the Equal Employment Opportunity Commission, and (ii) the number and percentage that were rendered after a hearing before an administrative judge of the Equal Employment Opportunity Commission.

Findings of Discrimination Rendered by Issues (Total Findings)	#	%
Appointment/Hire	00	0.0
Assignment of Duties	00	0.0
Awards	00	0.0
Conversion to Full Time	00	0.0
Disciplinary Action	00	0.0
(1) Demotion	00	0.0
(2) Reprimand	00	0.0
(3) Suspension	00	0.0
(4) Removal	00	0.0
(5) Other	00	0.0
Duty Hours	00	0.0
Evaluation/Appraisal	00	0.0
Examination/Test	00	0.0
Harassment	00	0.0
(1) Non-Sexual	00	0.0
(2) Sexual	00	0.0
Medical Examination	00	0.0
Pay (Including Overtime)	00	0.0
Promotion/Non-Selection	00	0.0
Reassignment	00	0.0
(1) Denied	00	0.0
(2) Directed	00	0.0
Reasonable Accommodation	00	0.0
Reinstatement	00	0.0
Termination	00	0.0
Terms/Condition of Employment	00	0.0
Time and Attendance	00	0.0
Training	00	0.0
Other	00	0.0

Findings of Discrimination Rendered by Issues (Findings after Hearing)	#	%
Appointment/Hire	00	0.0
Assignment of Duties	00	0.0
Awards	00	0.0
Conversion to Full Time	00	0.0
Disciplinary Action	00	0.0
(1) Demotion	00	0.0
(2) Reprimand	00	0.0
(3) Suspension	00	0.0
(4) Removal	00	0.0
(5) Other	00	0.0
Duty Hours	00	0.0
Evaluation/Appraisal	00	0.0
Examination/Test	00	0.0
Harassment	00	0.0
(1) Non-Sexual	00	0.0
(2) Sexual	00	0.0
Medical Examination	00	0.0
Pay (Including Overtime)	00	0.0
Promotion/Non-Selection	00	0.0
Reassignment	00	0.0
(1) Denied	00	0.0
(2) Directed	00	0.0
Reasonable Accommodation	00	0.0
Reinstatement	00	0.0
Termination	00	0.0
Terms/Condition of Employment	00	0.0
Time and Attendance	00	0.0
Training	00	0.0
Other	00	0.0

Findings of Discrimination Rendered by Issues (Findings without Hearing)	#	%
Appointment/Hire	00	0.0
Assignment of Duties	00	0.0
Awards	00	0.0
Conversion to Full Time	00	0.0

Disciplinary Action	00	0.0
(1) Demotion	00	0.0
(2) Reprimand	00	0.0
(3) Suspension	00	0.0
(4) Removal	00	0.0
(5) Other	00	0.0
Duty Hours	00	0.0
Evaluation/Appraisal	00	0.0
Examination/Test	00	0.0
Harassment	00	0.0
(1) Non-Sexual	00	0.0
(2) Sexual	00	0.0
Medical Examination	00	0.0
Pay (Including Overtime)	00	0.0
Promotion/Non-Selection	00	0.0
Reassignment	00	0.0
(1) Denied	00	0.0
(2) Directed	00	0.0
Reasonable Accommodation	00	0.0
Reinstatement	00	0.0
Termination	00	0.0
Terms/Condition of Employment	00	0.0
Time and Attendance	00	0.0
Training	00	0.0
Other	00	0.0

(10)(A) Of the total number of complaints **pending in such fiscal year** (as described in the parenthetical matter in paragraph (6)), the number of complaints that were first filed before the start of the then current fiscal year.

(B) With respect to those pending complaints that were first filed before the start of the then current fiscal year-- (i) the number of individuals who filed those complaints, and (ii) the number of those complaints which are at the various steps of the complaint process.

(C) Of the total number of complaints pending in such fiscal year (as described in the parenthetical matter in paragraph (6)), the total number of complaints with respect to which the agency violated the requirements of section 1614.106(e)(2) of title 29 of the Code of Federal Regulations (as in effect on July 1, 2000, and amended from time to time) by failing to conduct within 180 days of the filing of such complaints an impartial and appropriate investigation of such complaints.

Pending Complaints Filed in Previous Fiscal Years by S	
Total Complaints from Previous Fiscal Years	39
Total Complainants	6
Number of Complaints Pending	
Investigation	0
ROI issued, pending Complainant's Action	0
Hearing	5
Final Agency Action	1
Appeal with EEOC Office of Federal Operations	0

2006 - §724.302(a)(7) Analysis of the information provided in paragraphs (a)(1) through (6) of this section in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with 29 CFR part 1614 subpart F of the Code of Federal Regulations.

(A) An Examination of Trends

Representation of Women and Minorities

A review of the total workforce of 16,652 reveals that 13,014 (78%) employees are women. White females are the largest female group at 10,133 (61%), Black females 1,510 (9%), Hispanic females 841 (5%), Asian females 460 (3%), American Indian/Alaskan Native females 20 (0.12%). We have no representation of female Native Hawaiian/Other Pacific Islanders and 50 females identified a race of 2 or more.

Processing Time

Informal Processing - In FY 2006, DoDEA field personnel counseled 64 informal matters. Of those 64 informal complaints, 29 or 45% of those complainants filed formal. In FY 2005 and FY2004, 41% of informals became formal complaints. This is a significant improvement from FY 2000 and 2001 where 100% of counseled matters proceeded to the formal level. Our European Area Office (DoDDS-E) has had great success in using collateral-duty counselors and provides extensive annual training to those counselors. With DoDDS-E having the largest workforce population within DoDEA, the collateral-duty counselors are selected from a broad cross-section of DoDDS-Europe employees reflective of its workforce to better serve educators and non-educators alike. Since initiation of the Europe collateral-duty program in 2003, the program has grown from 6 collateral-duty counselors to 13. Agency collateral-duty counselors have proven to be effective as they have a vested interest in resolving issues within their own workforce. Well-trained counselors have been the key factor in early resolutions, withdrawal of EEO complaints, and channeling employee disputes to the proper forums. In the Pacific region and CONUS locations, DMEO has permanent EEO specialists providing counseling services and those areas enjoy similar positive trends.

Formal Processing - In FY05, the government average for processing complaints was 237 days. For FY06, DoDEA decreased its processing time from 220 days in FY05 to 192 days in FY06.

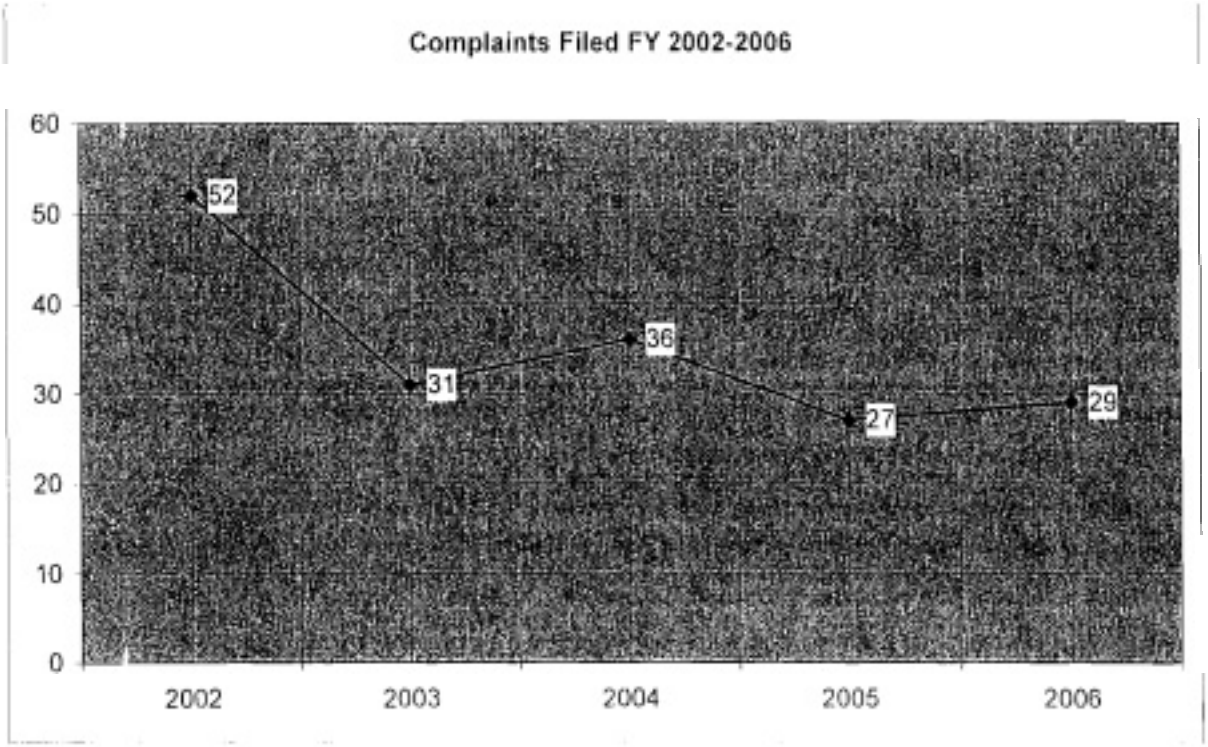
Although processing times have improved, the structure and composition the DoDEA workforce poses many challenges during the processing of a complaint. The majority of DoDEA's workforce is composed of educators who are geographically dispersed and absent from the workplace for the summer break. Discrimination complaints from educators account for 73% of current open EEO cases. Historically, DoDEA conducted its investigations through fact-finding conferences, requiring all the parties to be present during a specific period of time. These fact-finding conferences proved to be too disruptive to DoDEA's mission, impractical during summer breaks, costly, and logistically difficult. Within the last 3 years DoDEA has shifted to interrogatories as the preferred method for investigations to improve effectiveness and efficiency.

Regarding the investigation of complaints, the Diversity Management & Equal Opportunity (DMEO) office continues to work closely with the Civilian Personnel Management Service Investigation and Resolution Division (CPMS, IRD) to improve investigative timelines. On March 2, 2004, IRD convened a meeting with the DoD EEO Directors to discuss their performance, staffing problems, and delays in assigning investigators to complaints. To correct deficiencies and delays, IRD assigned a well-seasoned investigator, experienced in interrogatories, dedicated to investigate all DoDEA CONUS cases. This new arrangement did improve the processing times since approximately 47% of DoDEA's cases arise in the CONUS locations.

Within the last year, IRD revised their intake procedures of cases for investigation, dissolving the previously existing arrangement. At this point it is premature to assess the efficiency and effectiveness of this revision. To counter possible delays, the DMEO office has started to send electronic files to IRD to expedite the process.

Amendments of complaints is another area of concern regarding the interpretation of processing days. In 1999, the EEOC regulatory guidelines were revised to allow for amending formal complaints. The regulations state in part that when a complainant amends his/her instant formal complaint, the Agency has an additional 180 days, or no more than 360 days, from when the initial complaint is filed to complete its investigation. The statistics from the 462 report fail to reflect if a complaint has been amended because there's no "amendment" line-item in the report.

Additionally, in the advanced stages of a complaint there is no line-reporting item provision indicating when the Complainant has changed his/her request from an administrative hearing to a Final Agency Decision. Although the 462 report provides for comments, this event could dramatically impact the actual processing days. In the interest of accuracy in reporting and proper interpretation of processing days, both of these matters have been raised to the EEOC.



DoDEA Positive Trends

DoDEA has been experiencing a positive trend in the consistent reduction of filing of formal complaints. From FY02 to FY06, DoDEA has seen a 39% decrease in formal filings. We attribute the decrease in filings to the support of upper management, an increase in training among administrative staff, and utilization of well-trained collateral-duty counselors.

Employment of the Disabled

Government-wide, employees with targeted disabilities represented 0.96% of the total workforce. DoDEA reported in FY 2006 that approximately .026% (44 out of 16,652 employees) of the workforce have targeted disabilities.

DoDEA must overcome inherent barriers of overseas locations, the nature of the work, and self-identification. Extensive training has occurred within DoDDS-Europe making the workplace population aware of its obligation to survey attendees prior to making plans of a conference, meeting, or agency-sponsored social occasion. Because teaching requires a certain amount of physical exertion and mobility, this may pose potential barriers for individuals with impairments substantially limiting one or more major life activities. Additionally, it has been a long held belief that DoDEA's overseas locations do not attract individuals with targeted disabilities due to the unfriendly facilities, possible lack of medical care in overseas locations, and small communities outside installations are not under the requirements of the Americans with Disabilities Act (ADA) and are known to have disability-unfriendly accommodations in housing and public venues.

DoDEA's workforce is composed of 13,868 educators and 2,784 non-educators. October 2006 statistics reveal that 44 individuals with targeted disabilities compose .34% of DoDEA's total permanent workforce (and eligible to have benefits). Of those, 41 are educators and 3 are GS/WG employees. Even though 32 out of the 44 employees with targeted disabilities are educators working in overseas locations, most of those educators are located in the more accessible

locations. Accessibility and medical services in most remote overseas locations are limited. Although base housing reduces some of the physical barriers, most locations lack sufficient base housing, especially for new arrivals. The bottom line is DoDEA's numbers are very low. Marketing the more "disability-friendly" overseas locations may prove to be an effective recruitment tool since conventional methods for both educators and GS employees have not paid off.

Regarding self-identification, DoDEA currently had 37,125 applicants active and eligible for hire for the 2005/2006 school year. Of those applicants, 808 (2%) listed or identified some kind of disability. Of those 37,125 applicants, (22%) chose not to identify their disability. As it relates to the existing workforce, we speculate that the reluctance of self-identification is based on confidentiality issues and the perception that claiming a disability will jeopardize promotions and desirable transfers. DoDEA HR and EEO are strategizing on effective surveying practices addressing confidentiality concerns in order to encourage the existing workforce and applicants to self-identify their disabilities.

(B) Causal Analysis

An Agency Assessment was completed after FY05 and deficiencies were identified. It was noted that EEO program officials are currently not included in vacancy projections and succession planning strategies for the Agency. In addition, there are no time-tables or schedules established to review the Agency Employee Recognition Awards Program and Procedures. As such, the Human Resources office and the EEO office chiefs are working together to address the need to revamp the Awards program and develop a recruitment strategy in support of succession planning strategies.

(C) Practical Knowledge Gained Through Experience

In FY06, DoDEA EEO staff continues to send out status requests to EEOC in reference to hearing requests that had been stagnant for 1 year or more. As a result, DoDEA received many decisions that had been carried over from one year to the next. As a result, checking the status of dormant cases has become a regular practice within the organization.

Canvassing for volunteer staff and training those volunteers to form a pool of employees to serve as collateral-duty counselors has paid off in tremendous ways. The collateral-duty counselors have been able to resolve issues at the lowest possible level and have become visible within the organization as a resource to the program. The program continues to grow and is supported by upper management.

EEO training adapted to fit the school environment has been created to provide more effective training to educational administrators. Taking lessons learned from case decisions and using a variety of teaching strategies has aided in keeping the audience interested and able to absorb the information in practical terms. This training has provided educational administrators with the skills and awareness of the EEO processes and programs that are needed to effectively supervise personnel. It develops a values-based EEO program leadership concept that reconciles the goals of federal EEO law, the impact of successful EEO programs on leadership, quality and mission accomplishment and the reality of leading an EEO Program in a diverse workforce. Evaluation results have been exemplary.

(D) Any Actions Planned or Taken to Improve Complaint or Civil Rights Programs of the Agency

During FY04, DoDEA actively pursued attracting and hiring minorities and persons with disabilities using a variety of recruitment mechanisms (i.e., advertisement and participation in conferences and on-campus recruitment at Historically Black Colleges and Universities, National Council of La Raza, World Congress of Disabilities, and the Hispanic Association of Colleges and Universities).

According to DoDEA training records, only 12 employees were trained in FY 02. IN FY04, DoDEA's EEO staff trained over 16,370 employees. Due to DoDEA's top leadership in the support of the EEO program, the Agency has made a major commitment to train its workforce to promote early dispute resolution and reduce complaint activity.

DoDEA has made significant strides in the conversion ratio of informal matters to formal complaints, reduction of formal complaints, and educating its workforce. DoDEA senior officials have shown their commitment by including EEO in all leadership conferences, availing their workforce to training, and providing support to their EEO programs at all levels. DoDEA will focus on the challenges presented and continue building on achievements.

2006 - §724.302(a)(9) DoDEA written plan developed under §724.203(a) of subpart B of this part to train its employees

Subject: Compliance with No FEAR Act Training Requirements – Training Plan

Background
The Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002 was passed by Congress and signed by President Bush on May 15, 2002, and became effective on October 1, 2003. The purpose of this Act is to hold Federal agencies more accountable for violations of anti-discrimination and whistleblower protection laws. The Act applies to Federal employees, former Federal employees, and applicants for Federal employment.

According to the final rule published July 20, 2006, by the Office of Personnel Management (OPM) Federal agencies must train all employees on their rights and remedies under the federal discrimination, retaliation, and whistleblower laws by December 17, 2006. In order to comply with this training requirement, the DoDEA HQ DMEO office developed an online No FEAR Act training module, in addition to traditional classroom-style presentations.

Training Objectives
Inform participants of their rights, remedies, and responsibilities available to federal employees under the Antidiscrimination laws and Whistleblower Protection laws.

Content and Delivery of Training
Content includes information as required by the No FEAR Act and the OPM final rule. The training teaches participants about their rights and remedies under anti-discrimination, retaliation, and whistleblower protection laws. Content also provides supervisors additional instruction on their specific responsibilities.

Training can be accessed either online via DoDEA's https://intranet.dodea.edu/intranet/training/index.cfm. DoDDS-Europe has the training on its Employee Orientation Intranet Site at https://iweb.aaot-mzk.eu.dodea/employee.info/orientation/. DoDDS-Europe's site does not allow the participant to exit the training without entering to complete the certificate. The certificate certifies the date and e-mail and name of the employee. Upon successful completion of online training and assessment, employees will be able to print an automatically generated electronic certificate of completion. All classroom-trained attendees are required to sign in and certify that they received the required training. All Area Directors certify to the Agency head that all employees have been trained.

DoDEA has complied with the No FEAR training requirement.

Who Attends
Mandatory for all employees, managers, and supervisors to take the DoDEA developed online training module or classroom-style session.

When Is It
For current employees:
Date: 9/14/06-12/17/06 then refresher training at least once every two years.
Time and Place: At the employee's workstation.

New employees
Date: Within 90 days of hire then refresher training at least once every two years
Time and Place: At the employee's workstation.
Training requirement is announced at orientation briefing and on supervisor checklists.