



**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF MANAGEMENT**

THE ASSISTANT SECRETARY

MEMORANDUM

TO: Director, Equal Employment Opportunity Services
Office of Management

FROM: Michell C. Clark

SUBJECT: Delegation of Authority

I. DELEGATION

Under the authority vested in me by a delegation from the Secretary, delegation control EA/EM/271, certified on June 6, 2002, I hereby delegate to you, and to anyone serving for you in an acting capacity:

- A. The authority to administer the Equal Employment Opportunity Program in the Department, in compliance with Title VII of the Civil Rights Act of 1974, 42 U.S.C. 2000e et seq., as amended; the Rehabilitation Act of 1973, 29 U.S.C. 701 et seq., as amended; the Age Discrimination in Employment Act of 1978, 29 U.S.C. 621 et seq. as amended; the Equal Pay Act of 1963, 29 U.S.C. 206 (d) and applicable regulations.
- B. The authority for enforcement of nondiscrimination on the basis of disability in programs or activities conducted by the Department, in compliance with 29 U.S.C. 794 and 34 C.F.R. Part 105.

Unless otherwise specified in future delegations of authority, amendments to the authorities delegated herein are included within the scope of this delegation.

II. RESERVATIONS

- A. Unless otherwise noted in existing or future delegations of authority, the following are reserved to the Secretary:
 - 1. the authority to sign certain Federal Register notices;
 - 2. the authority to approve the Department's affirmative employment plans;

- B. The following authorities are reserved to the Assistant Secretary for Management:
1. the authority to make determinations in appeals under 34 C.F.R. Part 105;
 2. the authority to issue final decisions that may have monetary consequences or include monetary provisions; and
 3. the authority to approve or sign settlement agreements that may have monetary consequences or include monetary provisions.

III. REDELEGATION

No further redelegation is authorized.

IV. CERTIFICATION AND EFFECTIVE DATE

This delegation is effective upon certification of the Department's Delegations Control Officer and supersedes delegations EM/EMM/282 and EMM/EMME/283. I hereby ratify actions within the scope of this delegation taken by you prior to certification of this delegation.

/s/

Michell C. Clark

OGC Clearance and Date: /s/ David Berthiaume, 10/26/2006

Certified Date: 10/27/2006

Departmental Delegations Control Officer: /s/ Naty G. Beetle

Control Number: EM/EMO/323