The Dominant Culture

The Dominants’ culture is invisible to them; it is the water in which they swim, the air they breathe. To the Dominants, how they speak is the way one speaks, how they dress is the way one dresses, their values are the values, their history is the history.

To the Dominants, the culture of the Dominated is not merely different, it is wrong — wrong speech, wrong dress, wrong emotionally, wrong spirituality, wrong values.

The culture of the Dominated is seen as strange, sometimes comical, usually lesser, inferior.

The Survival of the Dominated

To the Dominated, the culture of the Dominants is oppressive — there is no space for their voice, their dress, their values, their history.

How to survive as a Dominated within the Dominant culture?

Adopt.
We can suppress our culture and adopt their culture, become more like them; white-ish Blacks, man-ish women, Gentile-ish Jews, straight-ish gays. We can walk like them, talk like them, dress like them, think like them. We can make our way as best we can as one of them in their world.

Embrace.
We can accept our fate — the Dominated within the Dominant. This is our life; we can choose it, love it, embrace it, and make it our way as best we can.

Separate.
We can separate from them — from their businesses, their schools, their churches, their government. We can reject their ways and elaborate our ways, our culture; create our own businesses, churches, schools, government. We can make our way as best we can without them.

Rebel.
We can attack the Dominant culture — try to destroy it, discredit it, tear down its heroes, revise its history.

and ours, paint ours as good and theirs as evil. We can try to dominate “Them,” pass laws to constrain “Them.” We can try to make our way the dominant way.

Drop Out.
We can withdraw from both cultures — into drugs, alcohol, insanity, Crime. Since the Dominant culture is unfair its rules are their rules, its laws, their laws, its opportunities, their opportunities — we can take what we can, we can steal, cheat, lie. We can break their laws, which isn’t crime, only doing what is fair, making our way as best we can in their culture.

Adopt.
Embrace.
Separate.
Rebel.
Drop Out.
Crime.
All struggling to survive as the Dominated among the Dominant.

-over
The Possibility of Transformation

Or we can choose to end the old dance —
first to see it,
then to end it —
to transform the culture
so that it embraces the cultures
of both the Dominant
and the Dominated;
the customs of each,
the speech,
the emotionality,
the history,
the spirituality,
of both the Dominant
and the Dominated.

The Dominants will resist —
powerfully.
They will wonder what the fuss is all about.
For them there is no problem,
nothing to solve,
nothing to fix.
Their culture is invisible to them;
it is the water in which they swim,
the air they breathe.

The Dominants are offended
when their culture is made visible,
when it becomes an option
rather than the way things are.
The Dominants will resist,
and if the Dominated persist,
there will be chaos;
A mess,
the disruption of the familiar energy pattern.
And in the chaos,
there is nothing but possibility:
The Dominant crushing the Dominated —
that’s possible!
A settling back into the old comfortably uncomfortable
dance —
that’s also possible.
A complete rupture of the relationship —
that, too, is possible.
And there is always the possibility of transforming the
culture into some new and unthinkable form.
(Remember when it was unthinkable that women and
Blacks would vote.)
There will be resistance,
but is resistance just resistance?
Or is it the sound of the old dance shaking?

There is no “We,”
There is no “Them,”
There is only You
and Me
and all of Us.
And then the Dance begins.  (p. 120)
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*Item 22: Victims of Prejudice Worksheet.* For use August 17. *Life and Work Directions: Resource Kit,* Copyright 1997. The Sunday School Board of the Southern Baptist Convention. All rights reserved.
THE
MILLWRIGHT DIED

My father is ninety-six years old. He is the founder of Herman Miller, and much of the value system and impounded energy of the company, a legacy still drawn on today, is a part of his contribution. In the furniture industry of the 1920's the machines of most factories were not run by electric motors, but by pulleys from a central drive shaft. The central drive shaft was run by the steam engine. The steam engine got its steam from the boiler. The boiler, in our case, got its fuel from the sawdust and other waste coming out of the machine room—a beautiful cycle.

The millwright was the person who oversaw that cycle and on whom the entire activity of the operation depended. He was a key person.

One day the millwright died.

My father, being a young manager at the time, did not particularly know what he should do when a key person died, but thought he ought to go visit the family. He went to the house and was invited to join the family in the living room. There was some awkward conversation—the kind with which many of us are familiar.

The widow asked my father if it would be all right if she read aloud some poetry. Naturally, he agreed. She went into another room, came back with a bound book, and for many minutes read selected pieces of beautiful poetry. When she finished, my father commented on how beautiful the poetry was and asked who wrote it. She replied that her husband, the millwright, was the poet.

It is now nearly sixty years since the millwright died, and my father and many of us at Herman Miller continue to wonder: Was he a poet who did millwright's work, or was he a millwright who wrote poetry?

In our effort to understand corporate life, what is it we should learn from this story? In addition to all of the ratios and goals and parameters and bottom lines, it is fundamental that leaders endorse a concept of persons. This begins with an understanding of the diversity of people's gifts and talents and skills.

Understanding and accepting diversity enables us to see that each of us is needed. It also enables us to begin to think about being abandoned to the strengths of others, of admitting that we cannot know or do everything.

The simple act of recognizing diversity in corporate life helps us to connect
the great variety of gifts that people bring to the work and service of the organization. Diversity allows each of us to contribute in a special way, to make our special gift a part of the corporate effort.

Recognizing diversity helps us to understand the need we have for opportunity, equity, and identity in the workplace. Recognizing diversity gives us the chance to provide meaning, fulfillment, and purpose, which are not to be relegated solely to private life any more than are such things as love, beauty, and joy. It also helps us to understand that for many of us there is a fundamental difference between goals and rewards.

In the end, diversity is not only real in our corporate groups but, as with the millwright, it frequently goes unrecognized. Or as another poet, Thomas Gray, put it, talent may go unnoticed and unused.

Full many a gem of purest ray serene,
The dark unfathomed caves of ocean bear:
Full many a flower is born to blush unseen,
And waste its sweetness on the desert air.

When we think about leaders and the variety of gifts people bring to corporations and institutions, we see that the art of leadership lies in polishing and liberating and enabling those gifts.


Max DePree is chairman of the board of directors of Herman Miller, Inc., the primary innovator in the furniture business for sixty years and regularly included among the top twenty-five firms on Fortune’s list of the most admired companies in the United States. He is the author of the bestseller *Leadership Jazz*. Max DePree was recently elected by *Fortune* magazine to the National Business Hall of Fame.
Stereotype Worksheet

In the list of different groups within our society below, write any stereotypical statements you may have heard for each:

Accountants: ____________________________________________

______________________________________________________

Athletes: ________________________________________________

______________________________________________________

Farmers: ________________________________________________

______________________________________________________

Homemakers: ____________________________________________

______________________________________________________

People over 50: _________________________________________

______________________________________________________

Single People: __________________________________________

______________________________________________________

Californians: ____________________________________________

______________________________________________________

Politicians: _____________________________________________

______________________________________________________

Northerners: ____________________________________________

______________________________________________________

Motorcycle
Riders:

Discussion questions:

How do you feel seeing all of these stereotypes?

What percent are negative? Why are so many negative?

Is anyone exempt from being stereotyped?

How does it feel to know people may be stereotyping you in these ways?

What impact does it have on a person, if we perceive them according to these stereotypes?

Does anyone know of a person (other than yourself) who doesn’t fit one of these stereotypes? When we do, is our tendency to change our stereotype, or to say “they’re the exception?” (e.g. “He’s not your typical New Yorker.”)

Do you think these stereotypes ever creep into your organization?

What would happen to teamwork in the organization if we viewed people this way?

Examples from Sept 11, 2001

Family searching for loved ones had viewed New Yorkers as cold and uncaring. After all of the help and sympathetic gestures they changed their mind.

What stereotype do many now have of a person in the US of Arab descent?
A 30-year anniversary
Integration at Tennessee took place peacefully

THIRTY YEARS ago last Wednesday the University of Tennessee opened the doors of its undergraduate school to African-American students. It is easy to walk across the UT-K campus encountering black students or to watch an event like the Sugar Bowl on television involving players such as Antone Davis, Tony Thompson, Carl Pickens and other blacks attired in orange and think that it has always been this way. It has not.

The university's law and graduate schools were integrated in 1954 by court order. The undergraduate school, however, was not included in the order. When the civil rights movement began sweeping the South in the 1960s, UT was only one of many of such state institutions that did not admit African-Americans.

June 1960 saw the beginning of lunch counter sit-in demonstrations in downtown Knoxville. With the Rev. R.E. James, the late Dr. W.T. Crutcher, Robert Booker and others providing the leadership, the sit-ins had resulted in an economic boycott of downtown merchants and a focusing on the many injustices being endured by blacks in Knoxville.

On July 10, the Associated Council for Full Citizenship, the sponsoring organization for the demonstrations, purchased an advertisement that ran in The Knoxville News-Sentinel. The ad listed many of the grievances of African-Americans in the city. The list included such things as no treatment, even on an emergency basis, at any of the church-related hospitals — Baptist, Catholic or Presbyterian — for black patients. Additionally, the ban against African-Americans from county and state parks and most white-collar jobs was listed. And it was pointed out that the undergraduate school at UT did not accept blacks.

Having been involved on a daily basis in the sit-in demonstrations at the lunch counters and the picket lines around what was then Rich's Department Store on Henley Street, my interest in these matters was keen. As I read the ad, it dawned on me that the matter of the UT undergraduate school was something I could undertake.

I had graduated from Austin High School (not Austin-East) that June and was planning to enroll at Knoxville College where I had a scholarship. Political science was what interested me, but KC offered only a minor in that area. UT, however, offered a degree in the subject. That Sunday night, sitting at my parents' kitchen table I wrote a letter applying for admission to the university.

A few days later, UT responded to my letter. In the letter of reply, UT stated that it was not their policy to admit "negroes" to the undergraduate school. My request was denied. In my letter of application, I had not mentioned my race nor the high school from which I graduated. It has remained a mystery to me how they concluded that I was black.

Following their letter of rejection, I called the admissions office to schedule an appointment for my parents and myself to discuss the matter. The appointment was made, and we went to the university to meet with Grady Atkinson and Bill Smyth.

In the meeting, Atkinson and Smyth stated that the admission of African-Americans was beyond their authority, that it would require a decision of the board of trustees. My parents wanted to know how the matter could be placed before the trustees, and it was suggested that we meet with Dr. Andy Holt, the president of the university.

The meeting was arranged and my parents and I met with Dr. Holt in his office. Dr. Holt wanted to know why I was interested in UT. My father, who had formerly cooked for the athletic department, told him of my longtime interest in UT football and overall favorable impression of the university. My mother mentioned that I had always been interested in politics and at UT could major in political science, something I could not do at Knoxville College.

Dr. Holt reaffirmed that policy decisions were the prerogative of the trustees but that if we wanted the issue to be considered, he would present the matter to the board. We assured him that was our desire and that we hoped the board would act favorably on my request. We also assured him that if the trustees failed to change the policy denying blacks admission to the undergraduate school, we would file a lawsuit against the university.

Dr. Holt then assigned Dr. Herman Spivey, a vice president of the university, to prepare a presentation as to why the policy should be changed for a meeting of the board of trustees. In a special meeting on Nov. 18, 1960, the board changed the policy to admit blacks as undergraduates.

And on Jan. 3, 1961, I, along with two other African-Americans, enrolled at UT. On that same day the University of Georgia also desegregated. The National Guard had to be called out to put down riots and to stop the fire bombing of buildings on the campus in Athens. But at UT things were peaceful.

Theoitis Robinson Jr. is a Knoxville who writes this column for The News-Sentinel.
Former specialist remembers the early years

by J. Laurie Byrne

In 1947, John B. Sharp suddenly found himself in a "foreign land." The Union County native rushed through his thesis as a graduate student in forestry at Duke University to fill a position as a forestry specialist with the UT Agricultural Extension Service in West Tennessee.

Sharp's assignment was to initiate timber stand improvement and to help fight soil erosion. Non-white people, which accounted for 42.7 percent of the total population in Crockett, Fayette, Hardeman, Haywood, Madison, Shelby and Tipton counties (1950 U.S. Bureau of the Census), were his clients in an area of responsibility.

Fifty-four percent of the total population in that seven-county area were rural farm families (1950 U.S. Bureau of the Census). If Shelby County, with the state's largest urban population, were excluded, that number jumps to 63.5 percent.

The urgency of the assignment and the need to address a threatened species of erosion was apparent to Sharp. He was an expert in soil erosion along the Mississippi Valley. But creation of a position was designed to address the problem of soil erosion.

A white forester working with black farmers created a consciousness that would directly benefit a segment of the black population in West Tennessee. The Crockett County banker and railroad magnate served as chair of the UT board of trustees and was a cultural committee. A phone call by Tigrett to C.E.brehm, then acting president of the university, initiated Sharp's hiring.

Judith Brooks, a District I supervisor in Jackson, served as a mentor to the young forester from East Tennessee. But, Sharp immediately found himself confronted with cultural dichotomies — that which he knew and that which characterized the strange Mississippi Delta and river bottomland in which he now found himself.

Sharp refers to those early days in his letters to Southernism. He said learning the rules for interaction with black people consumed a seemingly disproportionate amount of his time.

Sharp admits that he was culturally unprepared for the initiation that took place immediately upon his arrival in Jackson, after having been raised in a county that had no non-whites among the population (1950 U.S. Bureau of the Census).

Segregation was still tightly woven into the fabric of West Tennessee life in the late 40's, as it was throughout the South. Racial lines were delineated within the Extension Service by black and white county agents assigned to work with their respective populations. 4-H work was also segregated as it had been since the first "negro" 4-H clubs were organized in 1917.

"The black Extension agents were all graduates of Tennessee A&M College in Nashville and they all had the title of assistant county agent in negro work," Sharp recalled. "Their offices were separate from the white agents offices and, generally, they were located in the black population centers in each county seat town."

Both male and female "assistant agents in negro work" were responsible for working with black youth in 4-H project areas as well as the adult black farmers in the county.

Gene Permenter, a white county agent in Somerville, explained local customs to Sharp on his first venture into Fayette County:

"First of all, you don't ever, under any circumstance, shake hands with a black man in Somerville or anywhere in this county for that matter," said Permenter. "You understand that it's my job as a native here to teach you what you'll need to know in order to get along in Extension work in this part of the world."

Upon his arrival in Jackson, Sharp received specific instructions from Brooks on writing letters to any black Extension assistant agent.

"The solution was to simply say, 'Dear Jefl'yes or Dear Brothers,' using the last name only and being sure to avoid the word 'Mr.,'" Sharp explained. "I always conformed to the rules with some wonderment about how much difference it would make one way or the other."

The importance of the formality was soon shown to him by Earnest Bazzle as Sharp was leaving the Woodstock community one afternoon. The pair had been discussing a farmer with whom the agent worked in the Eads community on the east side of Shelby County.

Bazzle said the farmer wanted someone to look at timber on his property, which was possibly ready for sale. Sharp indicated that rather than stopping on this trip he would write the farmer a letter.

"On this note, I could tell that Bazzle became very uncomfortable," said Sharp. "Finally, he told me what was on his mind. He said, 'Mr. Sharp, if you write that farmer a letter, he's a white man, and I know you would want to know how to address him.' He seemed tremendously relieved when I told him how much I appreciated letting me know and that I'd be sure and do the right thing."

One of the most stark instances of segregation that Sharp experienced took place in a Madison County high school cafeteria when he and the black county agent, A.M. Dobbins, visited the school one day to talk about a 4-H project.

The two worked together to improve soil erosion problems in the Denmark and Mercer communities.

"Both of these communities had a high black rural population," said Sharp. "They had extraordinarily dusty roads in the summer and in the winter they were muddy with potholes. And there were gravel roads, and if I remember correctly, there were no blacktop roads in either community at the time."

That day Sharp and Dobbins stopped at Denmark High School to talk with the principal who invited them to stay for lunch. Sharp was the only white person among "a few hundred school children and perhaps 20 faculty."

"When we reached a special dining area near the kitchen, Dobbins said that I should sit at a table near a window all by myself," Sharp recalled. "There was a new white table cloth on this table and two of the home economics students were assigned to bring me my lunch."

"Dobbins appeared perfectly at home with the principal and several teachers at two large tables without white tablecloths some 30 feet away. There was no effort on my part to ask any questions that might abruptly the long-time pattern of black-white relations."

"On the return trip to Jackson, I questioned Dobbins about the reason for segregation in the cafeteria," continued Sharp. "He said he expected me to bring up the subject because of the area where I grew up and that I wasn't expected to understand some of the behavior that characterized everyday life in West Tennessee."

"Dobbins finally told me the real reason why I was placed at a solitary table for lunch. He said, 'Mr. Sharp, my folks would never have understood had I permitted you to eat at our table and your folks certainly would never have understood. We all got to do what's expected of us and not stir up trouble.'"

It was not until passage of the Civil Rights Act in 1964 that black and white agents shared office space in West Tennessee. Under the leadership of H.T. Short, Estelle Vines and Gene W. Turner, there were few problems and no disruption of services due to integration within the Extension Service.
1 PURPOSE

This regulation prescribes civil rights policy for the Department of Agriculture (USDA) and identifies civil rights strategic goals for USDA. It also requires agencies and staff offices to incorporate the goals into their strategic plans in compliance with the Government Performance and Results Act.

2 SPECIAL INSTRUCTIONS

Secretary’s Memorandum 4300-7, Civil Rights Policy Statement, dated February 28, 1997, is hereby superseded.

Specific objectives to achieve the goals are identified in civil rights implementation plans which are referenced in the civil rights performance element and standard for agency heads and staff office directors.

3 POLICY

Because the policy of the Department of Agriculture is to ensure the civil rights of USDA customers and employees, each Agency Head is expected to act in this commitment by taking the necessary steps to implement a viable civil rights program. To assist in translating this commitment into meaningful action, each Agency Head will achieve the following civil rights strategic goals:

a Hold managers, supervisors and other employees accountable for ensuring that USDA customers and employees are treated fairly and equitably, with dignity and respect.

b Ensure equal access and provide equal treatment in the delivery of USDA programs and services to all customers.

c Eliminate under-representation in the workforce by recruiting and employing a highly skilled, competent, and diverse workforce, free of discrimination, reprisal, and sexual harassment.
d  Provide sufficient human, fiscal, and organizational resources, and train all employees, to institute a results-oriented civil rights program.

e  Ensure equal opportunity in procurement and contracting opportunities to minority, women-owned, and small and disadvantaged businesses.

This is a "one size fits all" policy for all customers and employees regardless of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, marital status or family status. USDA employees, from Washington to field offices, must commit to uphold this policy. Also, reprisal of any kind against employees or customers will not be tolerated. There are no exceptions. There are no excuses.

Through performance standards, the subcabinet, Agency Heads, managers, supervisors and other employees across the Department will be held accountable for civil rights at USDA. By word and action, all employees must demonstrate a commitment to equal opportunity for all.
Civil Rights Regulations

Governing Educational Assistance Provided to Organizations and Other Groups by The University of Tennessee Extension

As Provided by Title VI of the Civil Rights Act of 1964
Regulations published under Title VI of the Civil Rights Act of 1964 prohibit the University of Tennessee Extension from working with or assisting any organization or group that excludes participation or treats participants unequally on the basis of race, color or national origin.

Supplemental instructions dated July 2, 1965 (as amended) for administering Title VI of the Civil Rights Act of 1964 are as follows:

Each state Extension director shall be responsible for determining that Extension personnel assist or conduct programs only through those private organizations that do not discriminate on the basis of race, color, or national origin with respect to participation in and benefits from activities of the organization. Written notification of this Extension policy must be made to appropriate officials or private organizations with which Extension workers must maintain cooperative relationships in conducting Extension programs. This notification should make it clear that Extension cannot provide assistance to any organization that excludes any person from membership or participation in any activities of the organization or subjects any person to discrimination because of race, color, or national origin.

State Extension directors will be responsible for developing and maintaining policies and procedures under which Extension staff members, before speaking to, conducting programs through, or otherwise assisting an organization, will determine that the group is not discriminatory on the basis of race, color or national origin. It is, however, the responsibility of the state director to assure himself and the Department of Agriculture that Extension staff members do not work through private organizations that discriminate. He should require such records and such reports by staff members as he deems necessary for this purpose.
Declaration of Independence (1776) WE hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness - That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness.

Constitutional Amendment V (1791) No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Constitutional Amendment XIV (1868) Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The Civil Rights Act of 1866 "All persons within the jurisdiction of the United States shall have the same right to make and enforce contracts, to sue, be parties, and give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as it is enjoyed by white citizens, and shall be subject to like punishments, pains, penalties, taxes, licenses, and exactions of every kind and no other."

The Constitutional Right to Vote Amendment XV (1870) Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.
Amendment XIX (1920) The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex. Congress shall have power to enforce this article by appropriate legislation.

Title VI of the Civil Rights Act of 1964 "...no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance."

Title VI - Discrimination Law Prohibits discrimination in Federally Assisted Programs. Offer Programs to all based on Race, Color and National Origin. Cannot exclude from participation. Non-compliance results in loss of funds.

Title VII of the Civil Rights Act of 1964 “It shall be unlawful employment practice for an employer to:
...fail to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment because of such individual’s race, color, religion, sex or national origin.”
...limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee because of such individual’s race, color, religion, sex or national origin.
...fail or refuse to refer for employment, or otherwise to discriminate against any individual because of such individual’s race, color, religion, sex or origin, or to classify or refer for employment any individual on the basis of his race, color, religion, sex, or national origin"
Prohibits discrimination in anything to do with employment. Salary, location of office, employed or not Race, Color, National Origin, Age, Sex and Religion. Protected by Law, Courts, Legal System. Doesn’t directly affect use of Federal $

Title IX - Education Amendments of 1972 “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

The Americans with Disabilities Act of 1990 A federal antidiscrimination statute designed to remove barriers which prevent qualified individuals with disabilities from enjoying the same employment opportunities and program services that are available to persons without disabilities. An individual is considered to have a disability if that individual either: 1. Has a physical or mental impairment which substantially limits one or more of that person's major life activities, or, 2. Has a record of such impairment, or, 3. Is regarded as having such an impairment.
§ 2000d. Prohibition against exclusion from participation in, denial of benefits of, and discrimination under Federally assisted programs on ground of race, color, or national origin

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.


HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

Coordination of Implementation and Enforcement of Provisions
For provisions relating to the coordination of implementation and enforcement of the provisions of this subchapter by the Attorney General, see section 1-201 of Ex.Ord. No. 12250, Nov. 2, 1980, 45 F.R. 72995, set out as a note under section 2000d-1 of this title.
§ 2000d–2. Judicial review; administrative procedure provisions

Any department or agency action taken pursuant to section 2000d–1 of this title shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 2000d–1 of this title, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of Title 5, and such action shall not be deemed committed to irreviewable agency discretion within the meaning of that chapter.


HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

Codifications
"Chapter 7 of Title 5" and "that chapter" were substituted for "section 10 of the Administrative Procedure Act" and "that section", respectively, on authority of section 7(b) of Pub.L. 89–554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5, Government Organization and Employees. Prior to the enactment of Title 5, section 10 of the Administrative Procedure Act was classified to section 1009 of Title 5.

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§ 2000d-4a. "Program or activity" and "program" defined

For the purposes of this subchapter, the term "program or activity" and the term "program" mean all of the operations of—

(1)(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or

(B) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;

(2)(A) a college, university, or other postsecondary institution, or a public system of higher education; or

(B) a local educational agency (as defined in section 198(a)(10) of the Elementary and Secondary Education Act of 1965), system of vocational education, or other school system;

(3)(A) an entire corporation, partnership, or other private organization, or an entire sole proprietorship—

(i) if assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or

(ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or

(4) any other entity which is established by two or more of the entities described in paragraph (1), (2), or (3);

any part of which is extended Federal financial assistance.

(Pub.L. 88-352, Title VI, § 606, as added Pub.L. 100-259, § 6, Mar. 22, 1988, 102 Stat. 31.)

HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

95-561, title I, § 101(â), Nov. 1, 1978, 92 Stat. 2178, which was classified to section 2354 of Title 20, Education, prior to the complete revision of Pub.L. 89-10 by Pub.L. 100-297, Apr. 28, 1988, 102 Stat. 140. For definitions, see section 2891 of Title 20.

Abortion Neutrality
This section not to be construed to force or require any individual or hospital or any other institution, program, or activity receiving Federal funds to per-

References in Text
Section 198(a)(10) of the Elementary and Secondary Education Act of 1965, referred to in par. (2)(B), is section 198 of Pub.L. 89-10, title I, as added by Pub.L. form or pay for an abortion, see section 8 of Pub.L. 100-259, set out as a note under section 1683 of Title 20, Education.

Exclusion from Coverage
This section not to be construed to extend application of Civil Rights Act of 1964 [42 U.S.C. 2000a et seq.] to ultimate beneficiaries of Federal financial assistance excluded from coverage before Mar. 22, 1988, see section 7 of Pub.L. 100-259, set out as a Construction note under section 1687 of Title 20, Education.
Amendment note set out under section 2701 of Title 20, Education, and Tables.


Effective Dates

1966 Acts. Pub.L. 89–750, § 191, provided that: "The provisions of this title [enacting this section and sections 241m, 871 to 880, and 886 of Title 20, Education, amending sections 241b, 241c, 241e, 241f, 241g, 241h, 241i, 241j, 241k, 241l, 244, 331a, 332a, 332b, 332l, 332w, 821, 822, 823, 841, 842, 843, 844, 861, 862, 863, 864, 883, and 884 of Title 20, repealing section 241d of Title 20, and enacting provisions set out as notes under sections 241a, 241b, and 241c of Title 20] shall be effective with respect to fiscal years beginning after June 30, 1966, except as specifically provided otherwise."

Transfer of Functions

"Secretary of Education" and "Secretary", were substituted for "Commissioner of Education" and "Commissioner", pursuant to sections 301(a)(1) and 507 of Pub.L. 98–388, which are classified to sections 3441(a)(1) and 3507 of Title 20, Education, and which transferred all functions of the Commissioner of Education of the Department of Health, Education, and Welfare, to the Secretary of Education.
§ 2000d–7. Civil rights remedies equalization

(a) General provision


(2) In a suit against a State for a violation of a statute referred to in paragraph (1), remedies (including remedies both at law and in equity) are available for such a violation to the same extent as such remedies are available for such a violation in the suit against any public or private entity other than a State.

(b) Effective date

The provisions of subsection (a) of this section shall take effect with respect to violations that occur in whole or in part after October 21, 1986.


HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

References in Text
The Education Amendments of 1972, referred to in subsec. (a)(1), is Pub.L. 92–318, June 23, 1972, 86 Stat. 235, as amended. Title IX of that Act is classified principally to chapter 38 (section 1681 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of this title and Tables.


Codifications
Section was enacted as part of the Rehabilitation Act Amendments of 1986. Pub.L. 99–506, and not as part of Pub.L. 88–352, July 2, 1964, 78 Stat. 252, known as the Civil Rights Act of 1964, Title VI of which enacted this subchapter.
Title VII, Civil Rights Act of 1964
(as amended)

Purpose

To protect constitutional rights, to extend the Commission on Civil Rights, to establish a Commission on Equal Employment Opportunity (EEOC), and for other purposes

Whom/What the Act Protects

Protected groups covers:

1. People of race or color other than white (now defined by the Supreme Court in terms of the Civil Rights Act of 1866: all ethnic minorities)
2. People of any bona fide religious persuasion
3. Members of either sex
4. People whose national origin is other than the United States

What Managers Can't Do

1. Fail or refuse to hire any person or to otherwise discriminate against any person with respect to compensation, terms, conditions, or privileges of employment because he or she is a member of a protected group.
2. Discharge any person because he or she is a member of a protected group.
3. Limit, segregate, or classify employees or applicants for employment in any way that would deprive or tend to deprive a person of employment opportunities or have an adverse effect on the person’s status as an employee.
4. Fail to provide training to a person because he or she is a member of a protected group.
5. Retaliate against any employees or applicants for employment because they made a charge, testified, assisted, or participated in any manner in an action protected by this law.
6. Print or publish (or have someone else print or publish) any notice or advertisement relating to employment that may adversely affect members of a protected group.
7. Fail to post and keep posted in an obvious place a notice concerning the contents of this law.

What Managers Can Do

1. Hire or employ people on the basis of a bona fide occupational qualification (BFOQ), that is, a qualification demanded by the conditions of the position, e.g., an unusual or special skill, or being male in order to play a male role.
2. Apply different standards of compensation or different terms, conditions, or privileges of employment as part of a legally acceptable seniority or merit system, or a system that pays for piecework or on commission or in different locations, as long as the distinctions are not the result of deliberate discrimination.
3. Set up different compensation packages if the differences are authorized by the provisions of Section 6(d) of the Fair Labor Standards Act of 1938, as amended, if they are based on factors other than sex, e.g., a seniority or merit system or piecework or quality bonuses.
4. Hire without regard to quotas or preferential treatment.
5. Fire or otherwise discipline someone for good cause.

Penalties for Intentional Violation

1. A court order stopping the company from conducting unlawful employment practices and ordering affirmative ac-
tion, which may include but not be limited to reinstating or hiring employees with or without back pay, or any other fair relief the court rules is appropriate.

2. Court action to force an organization to comply (if necessary)

3. Reasonable attorney fees and other costs

**Enforcement**

1. Equal Employment Opportunity Commission (EEOC)
2. Attorney General of the United States (AG)

A person may file charges within 180 days after the alleged unlawful practice took place, and notice of the charge will be served within 10 days afterward. If the person filing the claim has filed charges with a state or local agency, then he or she has 300 days in which to file, or may file within 30 days after the state or local agency finishes its action, whichever is earlier.

If, within 30 days, the EEOC is not able to arrange an agreement it finds acceptable, it may bring civil action through the AG. Employee/applicant may file suit within 90 days after the right to sue notice has been issued.

*[Note: The terms and conditions of the Civil Rights Act of 1964 have been extended to cover harassment in the workplace on the basis of race, color, religion, sex, and national origin. Not only may the individual defendant be held liable, but the organization can be held liable also if it has not taken reasonable steps to prevent harassment. The organization is particularly liable if it can be shown that organization policies or indifferences have created a “hostile environment.”]*
Updated: New Laws and Court Decisions!

FAIR, SQUARE & LEGAL

REvised EDITION

Safe Hiring, Managing & Firing Practices To Keep You & Your Company Out of Court

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Overview

Title VII is the federal statute that prohibits employment discrimination based on a person's race, color, sex, religion or national origin. This statute covers all employers with fifteen (15) or more employees. Employers with less than fifteen (15) employees are usually covered by state anti-discrimination statutes that are usually identical to Title VII. It is not simply the law that requires you to treat all employees equally. It is the right way to manage. Making job-related decisions on any factors that are not based upon the requirements of a job is poor management. The job will not get done as well and you will lose the respect and credibility you need to manage well.

Title VII covers all areas of employment including hiring, discharge, classification and pay practices, and promotion.

Miscellaneous

When an employee claims that his or her religious beliefs prevent the employee from working the same schedule as other employees, or from performing certain types of work, it is not against the law to discipline or discharge the employee if accommodation of the employee's beliefs would require the company to take unreasonable action. An employee's religious beliefs do require reasonable accommodation, however. This continues to be an emerging and complex area of the law. If the issue arises, you should be sensitive both to the needs of the business and to the employee's beliefs. You should obtain legal advice on the particular facts of a situation before taking disciplinary action against an employee who is claiming that religious beliefs prevent the employee from performing the job or working at the time required. Sometimes, a practical solution to a claim that religious beliefs require the employee's action is to involve the employee's religious leader, e.g., pastor, priest or rabbi.

Anti-Discrimination Provision Affecting Discipline

It is unlawful to deal with any employee in any special or different way in any aspect of employment because of that employee's race, color, sex, religion or national origin. If employment actions are motivated by any one of these factors, the action will violate Title VII. Examples of prohibited conduct are requiring greater productivity from an employee in one of these protected groups than another employee, denials of promotions, harsher evaluations, tougher or dirtier job assignments, granting or denying requests for time off or overtime, etc.
The most common situation in which Title VII is brought into play is discipline. Two kinds of problems frequently arise. The first occurs when disciplinary action against a minority or a woman may be proper, but cannot be upheld because similar actions by a white person or by a male did not result in discipline. The second problem concerns discipline which cannot be shown to be job-related. Where disciplinary action is applied uniformly and is job-related, the action will not generally violate Title VII. This means that discipline must be consistent. If there is ever an occasion when a company rule is not applied, there must be a legitimate job-related justification for this exception, and it must be well documented. This does not mean that you cannot take into account personal situations that justify different treatment. These situations do occur and should be taken into account, but these situations are unusual. In every such case you should document the reasons. Because documentation is so important, there is a special section in this booklet on that subject.

Some actions are not taken with the intent to discriminate, but they have that effect. The law has said that if an action of management has a "disparate impact" upon a person in one of the protected groups, then unless there is clear business justification for the action, it will violate Title VII. Thus, job requirements that are more likely to exclude blacks or women must withstand the scrutiny of business justification. If you have reason to believe that decisions you are making will have this type of impact, you should contact higher management so that legal counsel can evaluate the situation.

Title VII does not mean that minority employees or women are entitled to any special consideration. They are not. There are only two categories of employees who are entitled to special consideration or accommodation: handicapped employees and/or employees whose religious beliefs limit some job activity.

Enforcement

Enforcement proceedings under this Act are handled by the EEOC. Charges must be filed with the EEOC before taking court action. If a state has its own equal employment law, the charge may first be processed by the state or local agency.

The EEOC conducts an investigation of the charge to determine whether or not there is reasonable cause to believe that a violation of the law has occurred. In conducting its investigation, the EEOC has broad powers, including the right to reasonable access to records and documents, and the right to subpoena such records as well as witnesses. The EEOC may also expand the charge to cover individuals not named in the original charge, or may process the charge on a "class" basis so that it covers all employees who may have been adversely affected by the alleged discriminatory practice.
At the conclusion of its investigation, the EEOC will issue a determination letter on whether or not "reasonable cause" exists to believe that an unlawful act has occurred. If reasonable cause is found, the EEOC has the right to bring a suit in federal court on behalf of the employee who filed the original charge but, more often, it will issue a right-to-sue letter permitting the employee to sue on his or her own behalf. The right-to-sue letter is issued to the employee in all cases, even in those in which the EEOC has concluded that there is no reasonable cause to believe that the law was violated. The letter simply informs the employee that he or she may sue the employer, but must do so within 90 days of receiving the right-to-sue letter.

Even though many discrimination lawsuits are ultimately won by the employer, the suits are very expensive to defend. For this reason well-documented personnel files are absolutely essential since they may persuade a potential plaintiff or plaintiff's attorney not to pursue a lawsuit.

Jury trials are now available in Title VII cases. The remedies that may be imposed in a Title VII suit include reinstatement, back pay, compensatory and punitive damages and an order to cease the discriminatory practices. If an employee can persuade the court that reinstatement is not feasible, the court can award "front pay" instead of reinstatement. In addition, an employee who wins a Title VII lawsuit is entitled to recover his or her attorney's fees and costs from the employer.
1 PURPOSE

This regulation establishes policy for ensuring positive and continuing notification of USDA equal opportunity policy to the public.

2 CANCELLATION

This regulation replaces DR 4300-3 (April 21, 1986). Equal Opportunity Public Notification Policy.

3 SPECIAL INSTRUCTIONS

The non-discrimination statement is to be used in the next issuance of publications, effective 30 days after the approval date of this regulation.

4 POLICY

It is the policy of the Department of Agriculture:

a That no person shall be discriminated against on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases apply to all programs.) This policy will be communicated to the public through all appropriate USDA public information channels, in English and in languages appropriate to the local population and in alternative means of communication (Braille, large print, audiotape, etc.).

b To reach out in proactive ways to persons who have not participated equally in its programs and activities in the past. This policy will be demonstrated to persons through all public contacts.
Not to participate in any public meeting in which persons are illegally discriminated against because of their race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status.

To use positive examples of employment and program participation by minorities, women and other protected groups in pictures and other visual and sound public information materials.

5 AUTHORITY


b 28 CFR 42.401 et seq., Department of Justice Guidelines for Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs.

c 7 CFR 15. USDA Nondiscrimination Regulations.


e Age Discrimination in Employment Act (29 U.S.C. 633a)


g Section 307 of the Civil Service Reform Act of 1978 (5 U.S.C. 3112)

h 5 CFR Part 720

i Title IX of the Education Amendments of 1972. Pub.L. 92-318, as amended


6 DEFINITIONS

a Recipient. Any State, political subdivision of any State, or instrumentality of any State or political subdivision, any public or private agency, institution, or
organization, or other entity or any individual in any State, to whom Federal financial assistance is extended directly or through another recipient, for any program, including any successor, assignee, or transferee thereof.

b Beneficiary. The individual who ultimately receives program services or benefits.

c Materials. This term includes print and non-print (audio, video, Internet, etc.) materials.

7 DESCRIPTION OF THE NON-DISCRIMINATION STATEMENT

The non-discrimination statement set out below shall be posted in all offices and included in full on all materials which are produced by USDA and its agencies for public information, public education or public distribution. The statement specifically lists all the prohibited bases for discrimination contained in the USDA Civil Rights Policy Statement. The statement shall be in English and in languages appropriate to the local population, and in alternative means of communication (Braille, large print, audiotape, etc.).

If the material is too small to permit the full statement to be included, the material will at minimum include the statement in print size no smaller than the text. that "The USDA is an equal opportunity provider and employer."

USDA'S non-discrimination statement:

"The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer."
3. RESPONSIBILITIES

a Office of Civil Rights will:

(1) Provide policy guidance to agencies and recipients upon request and consistent with the findings of the Office of Civil Rights' monitoring activities.

(2) Provide the necessary format and changes to the USDA non-discrimination poster.

(3) Monitor agency and recipient actions through established review activities for compliance with this policy.

b Office of Communications will:

(1) Review and monitor all public information materials submitted to it for compliance with the policy established in this regulation. Originating offices will be counseled on appropriate remedies when necessary.

c USDA Agencies will:

(1) Consult with the Office of Civil Rights on the appropriate content of new or revised non-discrimination statements.

(2) Include the non-discrimination statement, in full, on all materials which are produced by USDA and its agencies for public information, public education or public distribution. If the material is too small to permit the full statement to be included, the material will at minimum include the statement, in print size no smaller than the text, that "The USDA is an equal opportunity provider and employer." A rule of reason will be applied as to the need for the statement in specific situations. Questions as to the appropriateness for including the statement may be referred to the Office of Civil Rights for policy guidance.

(3) Ensure through normal review processes that recipients are complying with public notification
requirements.

(4) Ensure through normal distribution and review processes that notices of the USDA non-discrimination statement are prominently posted in USDA, its agencies', and recipients' offices. In general, the USDA poster "And Justice For ALL" will be used for this purpose except for suitable substitutes in outdoor areas where necessary. Agencies will be responsible for obtaining and distributing posters to recipients. Units shall post the non-discrimination statement in languages appropriate to the local population.

(5) Establish outreach programs at the local level to ensure that all persons, especially those who previously may not have participated fully, know about the availability of and how to use USDA program services effectively and are encouraged to participate.

(6) Include appropriate references to USDA equal opportunity policy in public speeches and meetings.

(7) Should not agree to participate in meetings with the knowledge that the meeting(s) were convened to avoid compliance with applicable non-discrimination requirements.

(8) Provide materials in alternative means of communication (Braille, large print, audiotape, etc.) upon request.

-END-
Procedure—

for filing a complaint

by anyone who may have been
excluded from participation in,
denied the benefits of or subjected
to discrimination under any program
or activity conducted by The University
of Tennessee Extension

As set forth in the Administrative
Regulations of Title VI of the Civil
Rights Act of 1964
Title VI of the Civil Rights Act of 1964 carries the following provision:

"No person in the United States shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The University of Tennessee Extension is a cooperative program financed from federal, state and county funds. It is the policy of UT Extension to comply fully with this nondiscriminatory provision of the law.

Accordingly, a written complaint may be filed on behalf of anyone or any specific class or group of individuals who may have been excluded from participation in, denied the benefits of or subjected to discrimination under any program or activity conducted by UT Extension.

This written complaint must be filed not later than 180 days from the date of the alleged discrimination unless time for filing is extended by the administrator of the Cooperative State Research, Education, and Extension Service (CSREES), U.S. Department of Agriculture, or by the Secretary of Agriculture. The complaint should give specific information as to the alleged discrimination.

Complaints may be filed with the following:

1. Secretary of Agriculture  
   U.S. Department of Agriculture  
   Washington, D.C. 20250

2. Administrator, CSREES  
   U.S. Department of Agriculture  
   Washington, D.C. 20250

3. Dean, UT Extension  
   The University of Tennessee  
   2621 Morgan Circle  
   121 Morgan Hall  
   Knoxville, TN 37996-4530

(Complaints received by the dean shall be promptly referred to the U.S. Department of Agriculture.)
March 1, 2005

TO: PERSONNEL LISTED

Dear Co-workers:

The following personnel are hereby designated to serve as Equal Employment Opportunity Program Counselors and Title IX Counselors for clientele and staff:

Ms. Janie L. Burney, Associate Professor, Expanded Food and Nutrition Education Program (State Personnel)
Dr. Doyle G. Meadows, Professor, Animal Science-Beef-Sheep-Horse (State Personnel)
Mr. Alvin E. Wade, Assistant Professor, Agricultural Economics and Resource Development (State Personnel)
Ms. Jeanine C. England, Extension Agent (Western Region)
Mr. J. C. Dupree, Jr., Extension Agent (Western Region)
Ms. Rita Jackson, Extension Agent (Western Region)
Ms. Joan L. Wherley, Extension Agent (Central Region)
Mr. J. W. McGuire, Extension Agent (Central Region)
Mr. Edward M. Burns, Extension Agent (Central Region)
Ms. Kaye M. Smith, Extension Agent (Eastern Region)
Mr. Joseph E. Hall, Extension Agent (Eastern Region)
Ms. Judy Gray Cravens, Extension Agent (Eastern Region)

The above named personnel also will serve as members of the EEO Internal Advisory Committee. Mr. Wm. Herbert Byrd, III, EEO Coordinator and Title IX Coordinator, will serve as Chairman of the Committee.

Sincerely yours,

Charles L. Norman
Dean

c Mr. Wm. Herbert Byrd, III
Dr. Clyde E. Chesney
REG FACTS # 1

The Americans with Disabilities Act

ADA REGULATIONS

➢ The Department of Justice issued proposed regulations to implement the requirements for public accommodations and commercial facilities under title III of the ADA on February 22, 1991.

➢ The Architectural and Transportation Barriers Compliance Board, an independent Federal agency, issued proposed accessibility guidelines for new construction and alterations on January 22, 1991. These guidelines will be incorporated in the Department of Justice’s proposed title III rule for public accommodations and commercial facilities.

➢ The Department of Justice will soon issue proposed regulations to implement the requirements for State and local governments under title II of the ADA.

➢ The Equal Employment Opportunity Commission will issue regulations covering employment practices under title I of the ADA.

➢ The Department of Transportation issued regulations on October 4, 1990, to implement the accessibility requirements for newly purchased or leased vehicles under titles II and III of the ADA. Additional regulations implementing the ADA’s other transportation requirements will follow.

➢ The Federal Communications Commission issued proposed regulations on December 4, 1990, establishing standards under title IV of the ADA for telephone relay services for use by individuals with hearing or speech impairments.
REG FACTS # 2

Requirements for Public Accommodations Under the Americans with Disabilities Act.

WHO IS COVERED BY TITLE III OF THE ADA

► All private entities (except private clubs and religious organizations) operating public accommodations and commercial facilities are covered by the ADA and therefore by the title III regulation.

► Places of public accommodation include over 5 million private establishments, such as restaurants, hotels, theaters, convention centers, retail stores, shopping centers, dry cleaners, laundromats, pharmacies, doctors’ offices, hospitals, museums, libraries, parks, zoos, amusement parks, private schools, day care centers, health spas, and bowling alleys.

► Public accommodations are subject to all of the provisions of the regulation, including the requirements for nondiscriminatory eligibility criteria; reasonable modifications in policies, practices, and procedures; auxiliary aids; removal of physical barriers in existing facilities; alternatives to barrier removal; and accessible new construction and alterations.

► In contrast, commercial facilities, such as office buildings, factories, and warehouses, are only subject to the requirements for new construction and alterations.

► State and local governments are not covered by this regulation, but will be covered by the soon-to-be-issued regulation under title II of the ADA.
REG FACTS # 3

Requirements for Public Accommodations Under the Americans with Disabilities Act.

NUMBER OF PLACES OF PUBLIC ACCOMMODATION

➤ There are over 3.8 million private enterprises in the United States operating over 5 million places of public accommodation.

➤ Some examples of categories and numbers of places of public accommodation include --

➤ Food stores -- 155,000
➤ Restaurants -- 283,000
➤ Auto dealers and service stations -- 166,000
➤ Apparel and accessory stores -- 152,000
➤ Furniture and home furnishings -- 139,000
➤ General merchandise -- 50,000
➤ Building materials and supplies -- 90,000
➤ Other retail -- 369,000
➤ Banks -- 66,000
➤ Credit agencies -- 50,000
➤ Real estate firms -- 223,000
➤ Hotels and other lodging -- 53,000
➤ Personal services -- 122,000
➤ Business services -- 321,000
➤ Automobile repair -- 118,000
➤ Motion picture theaters -- 22,000
➤ Places of amusement and recreation -- 50,000
➤ Health services -- 119,000
➤ Education -- 36,000
➤ Social services -- 39,000
REG FACTS # 4

Requirements for Public Accommodations Under the Americans with Disabilities Act.

“INDIVIDUALS WITH DISABILITIES”

- The Americans with Disabilities Act provides comprehensive civil rights protections for “individuals with disabilities.”

- An individual with a disability is a person who --
  - Has a permanent or temporary physical or mental impairment that substantially limits one or more “major life activities,” or
  - Has a record of such an impairment, or
  - Is regarded as having such an impairment.

- Examples of physical or mental impairments include, but are not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease, tuberculosis, drug addiction, and alcoholism. Homosexuality and bisexuality are not physical or mental impairments under the ADA.

- “Major life activities” include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

- Individuals who currently engage in the illegal use of drugs are not protected by the ADA when an action is taken on the basis of current illegal drug use.
REG FACTS # 5
Requirements for Public Accommodations Under the Americans with Disabilities Act.

ELIGIBILITY FOR GOODS AND SERVICES

➤ In providing goods and services, a public accommodation may not use eligibility requirements that exclude or segregate individuals with disabilities, unless the requirements are "necessary" for the operation of the public accommodation.

➤ For example, excluding individuals with cerebral palsy from a movie theater or restricting individuals with Down Syndrome to only certain areas of a restaurant would violate the proposed regulation.

➤ Requirements that tend to screen out individuals with disabilities, such as requiring a blind person to produce a driver's license as the sole means of identification for cashing a check, are also prohibited.

➤ Safety requirements may be imposed only if they are necessary for the safe operation of a place of public accommodation. They must be based on actual risks and not on mere speculation, stereotypes, or generalizations about individuals with disabilities. For example, an amusement park may impose height requirements for certain rides when required for safety.

➤ Extra charges may not be imposed on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory treatment, such as removing barriers or providing sign language interpreters.
REG FACTS # 6

Requirements for Public Accommodations Under the Americans with Disabilities Act.

MODIFICATIONS IN POLICIES, PRACTICES, AND PROCEDURES

► A public accommodation must make reasonable modifications in its policies, practices, and procedures in order to accommodate individuals with disabilities.

► A modification is not required if it would "fundamentally alter" the goods, services, or operations of the public accommodation.

► For example, a department store may need to modify a policy of only permitting one person at a time in a dressing room if a mentally retarded individual needs and requests assistance in dressing from a companion.

► Modifications in existing practices must be made to permit the use of guide dogs and other service animals in areas open to the general public. Access may be restricted in other areas if necessary for safe operation.

► Specialists are not required to provide services outside of their legitimate areas of specialization. For example, a doctor who specializes exclusively in burn treatment may refer an individual with a disability, who is not seeking burn treatment, to another provider. A burn specialist, however, could not refuse to provide burn treatment to, for example, an individual with HIV disease.
REG FACTS # 7
Requirements for Public Accommodations Under the Americans with Disabilities Act.

AUXILIARY AIDS

➢ A public accommodation must provide auxiliary aids when they are necessary to ensure effective communication with individuals with hearing, vision, or speech impairments.

➢ “Auxiliary aids” include such services or devices as sign language interpreters, assistive listening headsets, television decoders, telecommunication devices for the deaf (TDD’s), readers, taped texts, brailled materials, and large print materials.

➢ The auxiliary aid requirement is flexible. For example, a brailled menu is not required if waiters are instructed to read the menu to blind customers.

➢ Devices or services of a personal nature, such as prescription eyeglasses, hearing aids, or assistance in eating, toileting, or dressing, are not required.

➢ Auxiliary aids that would result in an undue burden or in a fundamental alteration in the nature of the goods or services are not required by the proposed rule. However, a public accommodation must still furnish another auxiliary aid, if available, that does not result in a fundamental alteration or an undue burden.
REG FACTS # 8

Requirements for Public Accommodations Under the Americans with Disabilities Act.

EXISTING FACILITIES: REMOVAL OF BARRIERS

➤ Physical barriers to entering and using existing facilities must be removed when “readily achievable,” i.e., “easily accomplishable and able to be carried out without much difficulty or expense.” The rule does not require actions that would result in “significant loss of profit or significant loss of efficiency.”

➤ What is readily achievable will be determined on an individual basis in light of the resources available.

➤ Examples of barrier removal measures include --

➤ Installing ramps,

➤ Making curb cuts in sidewalks and entrances,

➤ Rearranging tables, chairs, vending machines, display racks, and other furniture,

➤ Widening doorways,

➤ Installing grab bars in toilet stalls, and

➤ Adding raised letters or braille to elevator control buttons.

➤ First priority must be given to measures that will enable individuals with disabilities to “get in the front door,” followed generally by measures to provide accessible restrooms and access to areas providing goods and services.
REG FACTS # 9

Requirements for Public Accommodations Under the Americans with Disabilities Act.

EXISTING FACILITIES: ALTERNATIVES TO BARRIER REMOVAL

➢ The ADA requires the removal of physical barriers, such as stairs, if it is "readily achievable" (i.e., "easily accomplishable and able to be carried out without much difficulty or expense"). However, if removal is not readily achievable, alternative steps must be taken to make goods and services accessible.

➢ Examples of alternative measures include --

➢ Providing goods and services at the door, sidewalk, or curb,

➢ Providing home delivery,

➢ Retrieving merchandise from inaccessible shelves or racks, and

➢ Relocating activities to accessible locations.

➢ Businesses are not required to adopt alternative measures that result in "significant loss of profit or significant loss of efficiency."

➢ Extra charges may not be imposed on individuals with disabilities to cover the costs of measures used as alternatives to barrier removal. For example, a restaurant may not charge a wheelchair user extra for home delivery when it is provided as an alternative to barrier removal.
Reg Facts # 10

Requirements for Public Accommodations and Commercial Facilities Under the Americans with Disabilities Act.

REQUIREMENTS FOR ALTERATIONS TO EXISTING FACILITIES AND FOR NEW CONSTRUCTION

➢ All alterations undertaken in places of public accommodation or commercial facilities must be accessible. For example, if during renovations a doorway is being relocated, the new doorway must be wide enough to meet the ADA standards for accessibility.

➢ All newly constructed places of public accommodation and commercial facilities must be accessible to individuals with disabilities.

➢ When alterations are made to a “primary function area,” such as the lobby or work areas of a bank, an accessible path of travel to the altered area must also be provided. The bathrooms, telephones, and drinking fountains serving that area must also be made accessible to the extent that the added accessibility costs are not disproportionate to the overall cost of the alterations.

➢ Elevators are not required in facilities under three stories or with fewer than 3,000 square feet per floor, unless the building is a shopping center, mall, professional office of a health care provider, or station used for public transportation.

➢ The architectural standards for accessibility in new construction and alterations that will apply under the proposed regulation will be established in guidelines to be issued by the Architectural and Transportation Barriers Compliance Board, an independent Federal agency.
REG FACTS # 11

Requirements for Public Accommodations Under the Americans with Disabilities Act.

ENFORCEMENT OF THE ADA AND ITS REGULATIONS

➤ Private parties may bring lawsuits to obtain court orders to stop discrimination. No monetary damages will be available in such suits. A reasonable attorney’s fee, however, may be awarded.

➤ Individuals may also file complaints with the Attorney General, who is authorized to bring lawsuits in cases of general public importance or where a “pattern or practice” of discrimination is alleged.

➤ In suits brought by the Attorney General, monetary damages (not including punitive damages) and civil penalties may be awarded. Civil penalties may not exceed $50,000 for a first violation or $100,000 for any subsequent violation.
REG FACTS # 12

The Americans with Disabilities Act

OFFICE ON THE AMERICANS WITH DISABILITIES ACT

➤ The Office on the Americans with Disabilities Act, with John L. Wodatch as its director, will oversee the implementation of the Department’s ADA responsibilities. The Office is located within the Coordination and Review Section of the Civil Rights Division.

➤ The Office will develop and implement regulations regarding the ADA’s requirements for public accommodations under title III and State and local governments under title II.

➤ The Office will spearhead the Federal Government’s technical assistance (i.e., information outreach) efforts under the ADA. The Office will coordinate the technical assistance activities of the other Federal agencies that have ADA compliance responsibilities, and will carry out the Department’s technical assistance obligations for public accommodations and State and local governments.

➤ The Office will also --

➤ Design and implement a system for investigating ADA complaints,

➤ Determine if State and local accessibility codes meet ADA standards,

➤ Establish coordination procedures with the Equal Employment Opportunity Commission and the Department of Labor for handling employment complaints.

For more information contact:

Office on the Americans with Disabilities Act
Civil Rights Division, U.S. Department of Justice
P.O. Box 66118, Washington, D.C. 20035-6118
(202) 514-0301 (Voice) (202) 514-0381 (TDD)
Electronic Bulletin Board (202) 514-6193
REG FACTS # 13

The Americans with Disabilities Act

TECHNICAL ASSISTANCE

► The ADA requires that the Federal agencies responsible for issuing ADA regulations provide "technical assistance."

► Technical assistance is the dissemination of information (either directly by the Department or through grants and contracts) to help individuals protected by the ADA and entities covered by the ADA in understanding their rights and responsibilities under the law.

► Methods of providing information include, for example, audio-visual materials, pamphlets, manuals, electronic bulletin boards, checklists, and training.

► The Department issued a proposed government-wide plan for the provision of technical assistance on December 5, 1990.

► The Department’s efforts to date have focused on raising public awareness of the ADA by providing --

► Fact sheets and pamphlets in accessible formats,

► Speakers for workshops, seminars, classes, and conferences,

► A special ADA information line, and

► Access to ADA documents through an electronic bulletin board for users of personal computers.

► The Department will provide a comprehensive program of technical assistance relating to public accommodations and State and local governments once final title II regulations are issued.
Americans with Disabilities Act
Requirements in Public Accommodations
Fact Sheet

General
✓ Public accommodations such as restaurants, hotels, theaters, doctors’ offices, pharmacies, retail stores, museums, libraries, parks, private schools, and day care centers, may not discriminate on the basis of disability. Private clubs and religious organizations are exempt.

✓ Reasonable changes in policies, practices, and procedures must be made to avoid discrimination.

Auxiliary Aids
✓ Auxiliary aids and services must be provided to individuals with vision or hearing impairments or other individuals with disabilities, unless an undue burden would result.

Physical Barriers
✓ Physical barriers in existing facilities must be removed, if removal is readily achievable. If not, alternative methods of providing the services must be offered, if they are readily achievable.

✓ All new construction in public accommodations, as well as in “commercial facilities” such as office buildings, must be accessible. Elevators are generally not required in buildings under three stories or with fewer than 3,000 square feet per floor, unless the building is a shopping center, mall, or a professional office of a health care provider.

✓ Alterations must be accessible. When alterations to primary function areas are made, an accessible path of travel to the altered area (and the bathrooms, telephones, and drinking fountains serving that area) must be provided to the extent that the added accessibility costs are not disproportionate to the overall cost of the alterations. Elevators are required as described above.
Entities such as hotels that also offer transportation must generally provide equivalent transportation service to individuals with disabilities. New fixed-route vehicles capable of carrying more than 16 passengers must be accessible.

**Remedies**

- Individuals may bring private lawsuits to obtain court orders to stop discrimination, but money damages cannot be awarded.

- Individuals can also file complaints with the Attorney General who may file lawsuits to stop discrimination and obtain money damages and penalties.
Americans with Disabilities Act
Statutory Deadlines

I. Employment

➤ The ADA requirements become effective on:
  - July 26, 1992, for employers with 25 or more employees.
  - July 26, 1994, for employers with 15-24 employees.

II. Public Accommodations

➤ The ADA requirements become effective on:
  - January 26, 1992, generally.
  - August 26, 1990, for purchase or lease of new vehicles that are required to be accessible.

➤ New facilities designed and constructed for first occupancy later than January 26, 1993, must be accessible.

➤ Generally, lawsuits may not be filed until January 26, 1992. In addition, except with respect to new construction and alterations, no lawsuit may be filed until:
  - July 26, 1992, against businesses with 25 or fewer employees and gross receipts of $1 million or less.
  - January 26, 1993, against businesses with 10 or fewer employees and gross receipts of $500,000 or less.

III. Transportation

A. Public bus systems

➤ The ADA requirements become effective on:
  - January 26, 1992, generally.
  - August 26, 1990, for purchase or lease of new buses.

B. Public rail systems -- light, rapid, commuter, and intercity (Amtrak) rail

➤ The ADA requirements become effective on:
  - January 26, 1992, generally.
  - August 26, 1990, for purchase or lease of new rail vehicles.

➤ By July 26, 1995, one car per train accessibility must be achieved.
III. Transportation (cont.)
   ➤ By July 26, 1993, existing key stations in rapid, light, and commuter rail systems must be made accessible with extensions of up to 20 years (30 years, in some cases, for rapid and light rail).

C. Privately operated bus and van companies
   ➤ The ADA requirements become effective on:
     - January 26, 1992, generally.
     - July 26, 1996 (July 26, 1997, for small providers) for purchase of new over-the-road buses.
     - August 26, 1990, for purchase or lease of certain new vehicles (other than over-the-road buses).

IV. State and local government operations
   ➤ The ADA requirements become effective on:

V. Telecommunications
   ➤ The ADA requirements become effective on:
     - July 26, 1993, for provision of relay services.

This document is available in the following accessible formats:
   - Braille
   - Large Print
   - Audiotape
   - Electronic file on computer disk and electronic bulletin board (202) 514-6193

For more information on the ADA contact:
U.S. Department of Justice
Civil Rights Division
Coordination and Review Section
P.O. Box 66118
Washington, D.C. 20035-6118
(202) 514-0301 (Voice)
(202) 514-0381 (TDD)
(202) 514-0383 (TDD)
The Americans with Disabilities Act

Questions and Answers
Introduction

A Note from the Attorney General

As a parent, as a former governor, and as Attorney General, I have personally witnessed the many faces of discrimination confronting persons with disabilities. Barriers to employment, transportation, public accommodations, public services, and telecommunications have imposed staggering economic and social costs on American society and have undermined our well-intentioned efforts to educate, rehabilitate, and employ individuals with disabilities. By breaking down these barriers, the Americans with Disabilities Act will enable society to benefit from the skills and talents of individuals with disabilities, will allow us all to gain from their increased purchasing power and ability to use it, and will lead to fuller, more productive lives for all Americans.

The Americans with Disabilities Act gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications.

Fair, swift, and effective enforcement of this landmark civil rights legislation is a high priority of the Department of Justice. This booklet is designed to provide answers to some of the most often asked questions about the new legislation.

Dick Thornburgh
Attorney General
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* Questions and answers on employment were developed in consultation with the Equal Employment Opportunity Commission.
Employment

Q. What employers are covered by the ADA, and when is the coverage effective?

A. The employment provisions apply to private employers, State and local governments, employment agencies, and labor unions. Employers with 25 or more employees will be covered starting July 26, 1992, when the employment provisions go into effect. Employers with 15 or more employees will be covered two years later, beginning July 26, 1994.

Q. What practices and activities are covered by the employment nondiscrimination requirements?

A. The ADA prohibits discrimination in all employment practices, including job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities.

Q. Who is protected against employment discrimination?

A. Employment discrimination is prohibited against “qualified individuals with disabilities.” Persons discriminated against because they have a known association or relationship with a disabled individual also are protected. The ADA defines an “individual with a disability” as a person who has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or is regarded as having such an impairment.

The first part of the definition makes clear that the ADA applies to persons who have substantial, as distinct from minor, impairments, and that these must be impairments that limit major life activities such as seeing, hearing, speaking, walking, breathing, performing manual tasks, learning, caring for oneself, and working. An...
individual with epilepsy, paralysis, a substantial hearing or visual impairment, mental retardation, or a learning disability would be covered, but an individual with a minor, nonchronic condition of short duration, such as a sprain, infection, or broken limb, generally would not be covered.

The second part of the definition would include, for example, a person with a history of cancer that is currently in remission or a person with a history of mental illness.

The third part of the definition protects individuals who are regarded and treated as though they have a substantially limiting disability, even though they may not have such an impairment. For example, this provision would protect a severely disfigured qualified individual from being denied employment because an employer feared the "negative reactions" of others.

Q. Who is a "qualified individual with a disability"?

A. A qualified individual with a disability is a person who meets legitimate skill, experience, education, or other requirements of an employment position that he or she holds or seeks, and who can perform the "essential functions" of the position with or without reasonable accommodation. Requiring the ability to perform "essential" functions assures that an individual will not be considered unqualified simply because of inability to perform marginal or incidental job functions. If the individual is qualified to perform essential job functions except for limitations caused by a disability, the employer must consider whether the individual could perform these functions with a reasonable accommodation. If a written job description has been prepared in advance of advertising or interviewing applicants for a job, this will be considered as evidence, although not necessarily conclusive evidence, of the essential functions of the job.

Q. Does an employer have to give preference to a qualified applicant with a disability over other applicants?

A. No. An employer is free to select the most qualified applicant available and to make decisions based on reasons unrelated to the existence or consequence of a disability. For example, if two persons apply for a job opening as a typist, one a person with a disability who accurately types 50 words per minute, the other a person without a disability who accurately types 75 words per minute, the employer may hire the applicant with the higher typing speed, if typing speed is needed for successful performance of the job.

Q. What is "reasonable accommodation"?

A. Reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has the same rights and privileges in employment as non-disabled employees.

Q. What kinds of actions are required to reasonably accommodate applicants and employees?

A. Examples of reasonable accommodation include making existing facilities used by employees readily accessible to and usable by an individual with a disability; restructuring a job; modifying work schedules; acquiring or modifying equipment; providing qualified readers or interpreters; or appropriately modifying examinations, training, or other programs. Reasonable accommodation also may include reassigning a current employee to a vacant position for which the individual is qualified, if the person becomes disabled and is unable to do the original job. However, there is no obligation to find a position for an applicant who is not qualified for the position sought. Employers are not required to lower quality or quantity standards in
order to make an accommodation, nor are they obligated to provide personal use items such as glasses or hearing aids.

The decision as to the appropriate accommodation must be based on the particular facts of each case. In selecting the particular type of reasonable accommodation to provide, the principal test is that of effectiveness, i.e., whether the accommodation will enable the person with a disability to do the job in question.

Q. Must employers be familiar with the many diverse types of disabilities to know whether or how to make a reasonable accommodation?

A. No. An employer is only required to accommodate a "known" disability of a qualified applicant or employee. The requirement generally will be triggered by a request from an individual with a disability, who frequently can suggest an appropriate accommodation. Accommodations must be made on an individual basis, because the nature and extent of a disabling condition and the requirements of the job will vary in each case. If the individual does not request an accommodation, the employer is not obligated to provide one. If a disabled person requests, but cannot suggest, an appropriate accommodation, the employer and the individual should work together to identify one. There are also many public and private resources that can provide assistance without cost.

Q. What are the limitations on the obligation to make a reasonable accommodation?

A. The disabled individual requiring the accommodation must be otherwise qualified, and the disability must be known to the employer. In addition, an employer is not required to make an accommodation if it would impose an "undue hardship" on the operation of the employer's business. "Undue hardship" is defined as "an action requiring significant difficulty or expense" when considered in light of a number of factors. These factors include the nature and cost of the accommodation in relation to the size, resources, nature, and structure of the employer's operation. Where the facility making the accommodation is part of a larger entity, the structure and overall resources of the larger organization would be considered, as well as the financial and administrative relationship of the facility to the larger organization. In general, a larger employer would be expected to make accommodations requiring greater effort or expense than would be required of a smaller employer.

Q. Must an employer modify existing facilities to make them accessible?

A. An employer may be required to modify facilities to enable an individual to perform essential job functions and to have equal opportunity to participate in other employment-related activities. For example, if an employee lounge is located in a place inaccessible to a person using a wheelchair, the lounge might be modified or relocated, or comparable facilities might be provided in a location that would enable the individual to take a break with co-workers.

Q. May an employer inquire as to whether a prospective employee is disabled?

A. An employer may not make a pre-employment inquiry on an application form or in an interview as to whether, or to what extent, an individual is disabled. The employer may ask a job applicant whether he or she can perform particular job functions. If the applicant has a disability known to the employer, the employer may ask how he or she can perform job functions that the employer considers difficult or impossible to perform because of the disability, and whether an accommodation would be needed. A job offer may be conditioned on the results of a medical examination, provided that the examination is required for all entering employees in the same job category regardless of disability, and that information obtained is handled according to confidentiality requirements specified in the Act. After an employee enters on duty, all medical examinations and inquiries must be
job related and necessary for the conduct of the employer's business. These provisions of the law are intended to prevent the employer from basing hiring and employment decisions on unfounded assumptions about the effects of a disability.

Q. Does the ADA take safety issues into account?

A. Yes. The ADA expressly permits employers to establish qualification standards that will exclude individuals who pose a direct threat -- i.e., a significant risk -- to the health and safety of others, if that risk cannot be lowered to an acceptable level by reasonable accommodation. However, an employer may not simply assume that a threat exists; the employer must establish through objective, medically supportable methods that there is genuine risk that substantial harm could occur in the workplace. By requiring employers to make individualized judgments based on reliable medical evidence rather than on generalizations, ignorance, fear, patronizing attitudes, or stereotypes, the ADA recognizes the need to balance the interests of people with disabilities against the legitimate interests of employers in maintaining a safe workplace.

Q. Can an employer refuse to hire an applicant or fire a current employee who is illegally using drugs?

A. Yes. Individuals who currently engage in the illegal use of drugs are specifically excluded from the definition of a "qualified individual with a disability" protected by the ADA when an action is taken on the basis of their drug use.

Q. Is testing for illegal drugs permissible under the ADA?

A. Yes. A test for illegal drugs is not considered a medical examination under the ADA; therefore, employers may conduct such testing of applicants or employees and make employment decisions based on the results. The ADA does not encourage, prohibit, or authorize drug tests.

Q. Are people with AIDS covered by the ADA?

A. Yes. The legislative history indicates that Congress intended the ADA to protect persons with AIDS and HIV disease from discrimination.

Q. How does the ADA recognize public health concerns?

A. No provision in the ADA is intended to supplant the role of public health authorities in protecting the community from legitimate health threats. The ADA recognizes the need to strike a balance between the right of a disabled person to be free from discrimination based on unfounded fear and the right of the public to be protected.

Q. What is discrimination based on "relationship or association"?

A. The ADA prohibits discrimination based on relationship or association in order to protect individuals from actions based on unfounded assumptions that their relationship to a person with a disability would affect their job performance, and from actions caused by bias or misinformation concerning certain disabilities. For example, this provision would protect a person with a disabled spouse from being denied employment because of an employer's unfounded assumption that the applicant would use excessive leave to care for the spouse. It also would protect an individual who does volunteer work for people with AIDS from a discriminatory employment action motivated by that relationship or association.

Q. Will the ADA increase litigation burdens on employers?

A. Some litigation is inevitable. However, employers who use the period prior to the effective date of employment coverage to adjust their policies and practices to conform to ADA requirements will be much less likely to have serious litigation concerns. In drafting the ADA, Congress relied heavily on the language of the Rehabilitation Act of 1973 and its implementing regulations. There is already an extensive body of law interpreting the requirements of that Act to
which employers can turn for guidance on their ADA obligations. The Equal Employment Opportunity Commission will issue specific regulatory guidance one year before the ADA’s employment provisions take effect, publish a technical assistance manual with guidance on how to comply, and provide other assistance to help employers meet ADA requirements. Equal employment opportunity for people with disabilities will be achieved most quickly and effectively through widespread voluntary compliance with the law, rather than through reliance on litigation to enforce compliance.

Q. How will the employment provisions be enforced?

A. The employment provisions of the ADA will be enforced under the same procedures now applicable to race, sex, national origin, and religious discrimination under Title VII of the Civil Rights Act of 1964. Complaints regarding actions that occur after July 26, 1992, may be filed with the Equal Employment Opportunity Commission or designated State human rights agencies. Available remedies will include hiring, reinstatement, back pay, and court orders to stop discrimination.

Public Accommodations

Q. What are public accommodations?

A. Public accommodations are private entities that affect commerce. The ADA public accommodations requirements extend, therefore, to a wide range of entities, such as restaurants, hotels, theaters, doctors’ offices, pharmacies, retail stores, museums, libraries, parks, private schools, and day care centers. Private clubs and religious organizations are exempt from the ADA’s requirements for public accommodations.

Q. Will the ADA have any effect on the eligibility criteria used by public accommodations to determine who may receive services?

A. Yes. If a criterion screens out or tends to screen out individuals with disabilities, it may only be used if necessary for the provision of the services. For instance, it would be a violation for a retail store to have a rule excluding all deaf persons from entering the premises, or for a movie theater to exclude all individuals with cerebral palsy. More subtle forms of discrimination are also prohibited. For example, requiring presentation of a driver’s license as the sole acceptable means of identification for purposes of paying by check could constitute discrimination against individuals with vision impairments. This would be true if such individuals are ineligible to receive licenses and the use of an alternative means of identification is feasible.

Q. Does the ADA allow public accommodations to take safety factors into consideration in providing services to individuals with disabilities?

A. The ADA expressly provides that a public accommodation may exclude an individual, if that individual poses a direct threat to the health or safety of others that cannot be mitigated by appropriate modifications in the public accommodation’s policies or procedures, or by the provision of auxiliary aids. A public accommodation will be permitted to establish objective safety criteria for the operation of its
business; however, any safety standard must be based on objective requirements rather than stereotypes or generalizations about the ability of persons with disabilities to participate in an activity.

Q. Are there any limits on the kinds of modifications in policies, practices, and procedures required by the ADA?

A. Yes. The ADA does not require modifications that would fundamentally alter the nature of the services provided by the public accommodation. For example, it would not be discriminatory for a physician specialist who treats only burn patients to refer a deaf individual to another physician for treatment of a broken limb or respiratory ailment. To require a physician to accept patients outside of his or her specialty would fundamentally alter the nature of the medical practice.

Q. What kinds of auxiliary aids and services are required by the ADA to ensure effective communication with individuals with hearing or vision impairments?

A. Appropriate auxiliary aids and services may include services and devices such as qualified interpreters, assistive listening devices, notetakers, and written materials for individuals with hearing impairments; and qualified readers, taped texts, and Brailled or large print materials for individuals with vision impairments.

Q. Are there any limitations on the ADA’s auxiliary aids requirements?

A. Yes. The ADA does not require the provision of any auxiliary aid that would result in an undue burden or in a fundamental alteration in the nature of the goods or services provided by a public accommodation. However, the public accommodation is not relieved from the duty to furnish an alternative auxiliary aid, if available, that would not result in a fundamental alteration or undue burden. Both of these limitations are derived from existing regulations and caselaw under section 504 and are to be determined on a case-by-case basis.

Q. Will restaurants be required to have Brailled menus?

A. No, not if waiters or other employees are made available to read the menu to a blind customer.

Q. Will a clothing store be required to have Brailled price tags?

A. No. Sales personnel could provide price information orally upon request.

Q. Will a bookstore be required to maintain a sign language interpreter on its staff in order to communicate with deaf customers?

A. No, not if employees communicate by pen and notepad when necessary.

Q. Are there any limitations on the ADA’s barrier removal requirements for existing facilities?

A. Yes. Barrier removal need only be accomplished when it is “readily achievable” to do so.

Q. What does the term “readily achievable” mean?

A. It means “easily accomplishable and able to be carried out without much difficulty or expense.”

Q. What are examples of the types of modifications that would be readily achievable in most cases?

A. Examples include the simple ramping of a few steps, the installation of grab bars where only routine reinforcement of the wall is required, the lowering of telephones, and similar modest adjustments.

Q. Will businesses need to rearrange furniture and display racks?

A. Possibly. For example, restaurants may need to rearrange tables and
Public Accommodations

department stores may need to adjust their layout of racks and shelves in order to permit wheelchair access.

Q. Will businesses need to install elevators?

A. Businesses are not required to retrofit their facilities to install elevators unless such installation is readily achievable, which is unlikely in most cases.

Q. When barrier removal is not readily achievable, what kinds of alternative steps are required by the ADA?

A. Alternatives may include such measures as in-store assistance for removing articles from high shelves, home delivery of groceries, or coming to the door to receive or return dry cleaning.

Q. Must alternative steps be taken without regard to cost?

A. No, only readily achievable alternative steps must be undertaken.

Q. How is “readily achievable” determined in a multisite business?

A. In determining whether an action to make a public accommodation accessible would be “readily achievable,” the overall size of the parent corporation or entity is only one factor to be considered. The ADA also permits consideration of the financial resources of the particular facility or facilities involved and the administrative or fiscal relationship of the facility or facilities to the parent entity.

Q. Who has responsibility for removing barriers in a shopping mall— the landlord who owns the mall or the tenant who leases the store?

A. Legal responsibility for removing barriers depends upon who has legal authority to make alterations, which is generally determined by the contractual agreement between the landlord and tenant. In most cases the landlord will have full control over common areas.

Q. What does the ADA require in new construction?

A. The ADA requires that all new construction of places of public accommodation, as well as of “commercial facilities” such as office buildings, be accessible. Elevators are generally not required in facilities under three stories or with fewer than 3,000 square feet per floor, unless the building is a shopping center, mall, or professional office of a health care provider.

Q. Is it expensive to make all newly constructed public accommodations and commercial facilities accessible?

A. The cost of incorporating accessibility features in new construction is less than one percent of construction costs. This is a small price in relation to the economic benefits to be derived from full accessibility in the future, such as increased employment and consumer spending and decreased welfare dependency.

Q. Must every feature of a new facility be accessible?

A. No, only a reasonable number of elements such as parking spaces and bathrooms must be made accessible in order for a facility to be “readily accessible.” Moreover, mechanical areas, such as catwalks and fan rooms, to which access is required only for purposes of maintenance and repairs, might not need to be physically accessible if the essential functions of the work performed in those areas require physical mobility.

Q. What are the ADA requirements for altering facilities?

A. All alterations that could affect the usability of a facility must be made in an accessible manner to the maximum extent feasible. For example, if during renovations a doorway is being relocated, the new doorway must be wide enough to meet the new construction standard for accessibility. When alterations are made to a primary function area, such as the lobby of a bank or the dining area of a cafeteria, an accessible
path of travel to the altered area must also be provided. The bathrooms, telephones, and drinking fountains serving that area must also be made accessible. These additional accessibility alterations are only required to the extent that the added accessibility costs are not disproportionate to the overall cost of the alterations. Elevators are generally not required in facilities under three stories or with fewer than 3000 square feet per floor, unless the building is a shopping center, mall, or professional office of a health care provider.

Q. Does the ADA permit a disabled person to sue a business when that individual believes that discrimination is about to occur, or must the individual wait for the discrimination to occur?

A. The ADA public accommodations provisions permit an individual to allege discrimination based on a disabled person's reasonable belief that discrimination is about to occur. This provision allows a person who uses a wheelchair to challenge the planned construction of a new place of public accommodation, such as a shopping mall, that would not be accessible to wheelchair users. The resolution of such challenges prior to the construction of an inaccessible facility would enable any necessary remedial measures to be incorporated in the building at the planning stage, when such changes would be relatively inexpensive.

Q. How does the ADA affect existing State and local building codes?

A. Existing codes remain in effect. The ADA allows the Attorney General to certify that a State law, local building code, or similar ordinance that establishes accessibility requirements meets or exceeds the minimum accessibility requirements for public accommodations and commercial facilities. Any State or local government may apply for certification of its code or ordinance. The Attorney General can certify a code or ordinance only after prior notice and a public hearing at which interested people, including individuals with disabilities, are provided an opportunity to testify against the certification.

Q. What is the effect of certification of a State or local code or ordinance?

A. Certification can be advantageous if an entity has constructed or altered a facility according to a certified code or ordinance. If someone later brings an enforcement proceeding against the entity, the certification is considered "rebuttable evidence" that the State law or local ordinance meets or exceeds the minimum requirements of the ADA. In other words, the entity can argue that the construction or alteration met the requirements of the ADA because it was done in compliance with the State or local code that had been certified.

Q. When are the public accommodations provisions effective?

A. In general, they become effective on January 26, 1992.

Q. How will the public accommodations provisions be enforced?

A. Private individuals may bring lawsuits in which they can obtain court orders to stop discrimination. Individuals may also file complaints with the Attorney General, who is authorized to bring lawsuits in cases of general public importance or where a "pattern or practice" of discrimination is alleged. In these cases, the Attorney General may seek monetary damages and civil penalties. Civil penalties may not exceed $50,000 for a first violation or $100,000 for any subsequent violation.
Miscellaneous

Q. Is the Federal government covered by the ADA?

A. The ADA does not cover the executive branch of the Federal Government. The executive branch continues to be covered by title V of the Rehabilitation Act of 1973, which prohibits discrimination in services and employment on the basis of handicap and which is a model for the requirements of the ADA. The ADA, however, does cover Congress and other entities in the legislative branch of the Federal Government.

Q. What requirements, other than those mandating nondiscrimination in employment, does the ADA place on State and local governments?

A. All government facilities, services, and communications must be accessible consistent with the requirements of section 504 of the Rehabilitation Act of 1973. Individuals may file complaints with Federal agencies to be designated by the Attorney General or bring private lawsuits.

Q. Does the ADA cover private apartments and private homes?

A. The ADA generally does not cover private residential facilities. These facilities are addressed in the Fair Housing Amendments Act of 1988, which prohibits discrimination on the basis of disability in selling or renting housing. If a building contains both residential and nonresidential portions, only the nonresidential portions are covered by the ADA. For example, in a large hotel that has a residential apartment wing, the residential wing would be covered by the Fair Housing Act and the other rooms would be covered by the ADA.

Q. Does the ADA cover air transportation?

A. Discrimination by air carriers is not covered by the ADA but rather by the Air Carrier Access Act (49 U.S.C. 1374 (c)).

Q. What are the ADA's requirements for public transit buses?

A. The ADA requires the Department of Transportation to issue regulations mandating accessible public transit vehicles and facilities. The regulations must include a requirement that all new fixed-route, public transit buses be accessible and that supplementary paratransit services be provided for those individuals with disabilities who cannot use fixed-route bus service.

Q. How will the ADA make telecommunications accessible?

A. The ADA requires the establishment of telephone relay services for individuals who use telecommunications devices for the deaf (TDD’s) or similar devices. The Federal Communications Commission will issue regulations specifying standards for the operation of these services.

Q. Are businesses entitled to any tax benefit to help pay for the cost of compliance?

A. As amended in 1990, the Internal Revenue Code allows a deduction of up to $15,000 per year for expenses associated with the removal of qualified architectural and transportation barriers.

The 1990 amendment also permits eligible small businesses to receive a tax credit for certain costs of compliance with the ADA. An eligible small business is one whose gross receipts do not exceed $1,000,000 or whose workforce does not consist of more than 30 full-time workers. Qualifying businesses may claim a credit of up to 50 percent of eligible access expenditures that exceed $250 but do not exceed $10,250. Examples of eligible access expenditures include the necessary and reasonable costs of removing architectural, physical, communications, and transportation barriers; providing readers, interpreters, and other auxiliary aids; and acquiring or modifying equipment or devices.
This document is available in the following alternate formats:

- Braille
- Large Print
- Audiotape
- Electronic file on computer disk and electronic bulletin board (202) 514-6193

For additional information on the ADA contact:

Office on the Americans with Disabilities Act
Civil Rights Division
U.S. Department of Justice
P.O. Box 56118
Washington, D.C. 20035-6118
(202) 514-0301 (Voice)
(202) 514-0381 (TDD)
(202) 514-0383 (TDD)

For more specific information about ADA requirements affecting employment contact:

Equal Employment Opportunity Commission
1801 L Street NW
Washington, DC 20507
800-USA-EEOC (Voice)
800-800-3302 (TDD)

For more specific information about ADA requirements affecting transportation contact:

Department of Transportation
400 Seventh Street SW
Washington, DC 20590
(202) 366-9305
(TDD) (202) 755-7687

For more specific information about requirements for accessible design in new construction and alterations contact:

Architectural and Transportation Barriers Compliance Board
1111 18th Street NW
Suite 501
Washington, DC 20036
800-USA-ABLE
800-USA-ABLE (TDD)

For more specific information about ADA requirements affecting telecommunications contact:

Federal Communications Commission
1919 M Street NW
Washington, DC 20554
(202) 634-1837
(202) 632-1836 (TDD)
TO: All State and County Extension Staff Members
FROM: Billy G. Hicks
Dean
DATE: July 1, 1995
SUBJECT: AMERICAN'S WITH DISABILITIES ACT

The American's With Disabilities Act protects qualified individuals with disabilities from employment and program participation discrimination. It is the policy of Extension to treat the needs of every qualified individual on a case by case basis depending on the circumstances of the particular employment or program participation situation.

County Extension staff should contact the District Supervisor, and Section Leaders contact the appropriate Associate/Assistant Dean, should questions arise about securing listening devices, interpreters, or other required accommodations for persons with a disability. Every reasonable effort should be made to accommodate persons with a disability in our educational programs.

Reasonable accommodations will also be made for present staff who develop a disability and for qualified applicants who seek a position with the Tennessee Agricultural Extension Service. Every situation will be treated on a case by case basis. County Extension Leaders should contact their District Supervisor, and Section Leaders should contact the appropriate Assistant/Associate Dean, with questions concerning reasonable accommodations in employment. The final decision on reasonable accommodations (depending on the scope of the accommodation) will be made by the Dean of the Agricultural Extension Service.

The Tennessee Agricultural Extension Service has a grievance procedure in place to meet the requirements of ADA. To file a grievance related to employment, the procedures are the same as those outlined in our publication, "Equal Employment Opportunity in the Tennessee Agricultural Extension Service." If a program participant wishes to file a complaint under ADA, these procedures are the same as those outlined in publication, "SP362 Procedure for Filing a Complaint."

I will inform you if there are any changes in TAES policies and procedures related to the Americans With Disabilities Act.
What is included in the term “disability?” Although we often think of people who are in wheelchairs, a disability also includes anyone who has difficulty walking, seeing, speaking, hearing, counting, lifting, reading, writing, etc. A disability is a condition a person was born with, or has acquired by accident, injury or disease.

It’s important to remember that people with disabilities are people first. They do not want to be treated differently than anyone else. They may look, move or act differently, but they have the same needs...to be loved, appreciated, respected and productive. As we interact with people who are disabled, the most important thing we can do is to show a positive attitude. Being sensitive to those with disabilities means a willingness to accommodate their special needs.

Names Can Hurt

Sometimes language can be a barrier between people, when no harm is intended. The use of specific terms, for example, can create negative images that limit how individuals with disabilities can participate in society. For instance, do you know why the word “handicap” is considered insulting by some — and should be avoided? “Handicap” is derived from “cap in hand,” a phrase associated with beggars and begging. No wonder people with disabilities dislike the term! In addition to “handicapped,” some other words to avoid include

> afflicted with, victim of or stricken with
> confined to a wheelchair or wheelchair-bound
> deaf-and-dumb
> cripple or lame
> deformed or defective

These terms imply that the person lacks personal ability and is not equal to those with different capacities.

Put People First

What terms should we use when interacting with those with disabilities? The most important thing to remember is to refer to the person first, not the disability. Instead of saying, “a deaf man,” refer to a “person with a hearing impairment.” Be sensitive when choosing words. Grouping individuals together as “the mentally retarded” or “the handicapped” puts the focus on the disability, not on the individual and his or her dignity as a human being. Avoid labels. “People with disabilities” places people first.

Emphasize abilities, not limitations. For example, say “uses a wheelchair” rather than “wheelchair-bound.” Don’t over-emphasize a “superhuman” quality of those with a disability who are successful. They don’t want recognition because of what they have overcome, but what they have accomplished because of who they are and their abilities.

Start with Good Planning

When planning your Extension

Prepared by Wanda H. Russell, Professor, Communications. Thanks to the Indiana Governor’s Planning Council for People with Disabilities for some materials included in this factsheet.
programs, involve people with disabilities, if possible, in making the arrangements. They can give you valuable insights into the needs of those with disabilities. For example, consider whether possible meeting rooms you might use are accessible to everyone. If you will have audience members who have vision problems (such as the elderly), will the typeface in your handouts and presentation materials be large enough for them to read? When you are presenting a workshop using slides or overheads, do you speak to the audience, instead of the screen, so anyone who reads lips can understand you?

Most importantly, we want to ensure that individuals with a disability may fully participate in all Extension services, programs and activities. To include everyone, and make everyone feel welcome, add the following to all notices for public meetings associated with your office:

If you have a disability that requires special assistance for your participation in the meeting, please contact the (County) Extension office at (phone number).

At the meeting site, have a portable table-top sign on your registration table such as the following:

If you need special assistance, please ask.

(Note: This universal disability symbol was included in your clip art notebook, Ya Gotta Have Art, on Disk 5, as a WordPerfect graphic.)

If a person with a disability attends your meeting, always ask if assistance is needed, rather than assuming it is. Talk directly to the person with the disability, even if parents or friends are present. Use a normal tone of voice. If the person cannot hear or understand you, he or she will let you know. When talking with a person with a mental disability, speak simply, not loudly. Raising your voice may cause confusion.

If you do not understand what the person with the disability is saying, say so. This will be appreciated. Ask the person to repeat or use an alternative phrase.

Be careful not to assume that a person with one disability also has others. A person in a wheelchair does not necessarily have a mental disability, nor is a person who is blind especially likely to have a hearing impairment.

When interacting with people who are disabled, the most important factors to remember are:

- caring — showing concern for each individual’s needs to participate fully
- common sense — remembering to consider accessibility factors when planning programs
- commitment — to be sure that anyone who wishes to participate in Extension programs can do so, regardless of disability.

The Americans with Disabilities Act (ADA) declares that no one shall be prevented, because of discrimination, from enjoying the same program benefits or employment opportunities available to persons without disabilities. That’s the letter of the law. The spirit, or intent, of the law is broader — that everyone, regardless of his or her abilities, should be able to participate fully in this society. As a publicly-funded organization, Extension is committed to making our educational programs accessible to everyone.

Remember, people with disabilities are people first — and they have a great deal to offer. We need to provide them opportunities to share their abilities with others.
I. STATEMENT OF POLICY. The University of Tennessee Agricultural Extension Service (UTAES) is committed to complying with the letter and spirit of Title VI and Title VII of The Civil Rights Act of 1964, Title IX of The Education Amendments of 1972 and all other federal and state civil rights statutes. UTAES administers and shall continue to administer all programs and activities on a nondiscriminatory basis, without regard to race, color, national origin, sex or other legally protected categories and shall engage in affirmative action to include in its programs and activities persons who are presently underrepresented by race or sex.

Annually, on or before November 1, the Dean of UTAES will remind all administrative personnel and Extension Leaders in each county in writing of UTAES' equal opportunity/affirmative action policy and the responsibility of these individuals to cooperate and assist in the effort to effectuate this policy.

A statement of the UTAES equal opportunity/affirmative action policy will be included in all publications utilized by UTAES. Further, Extension Agents and other UTAES personnel having contact with the news media shall request that UTAES equal opportunity/affirmative action policy statement be included in public service announcements made by the news media.

II. RECORDKEEPING. UTAES will collect, maintain and report data on participation in UTAES programs and activities by race and sex. In doing so, UTAES will utilize official USDA reporting forms and procedures whenever required or feasible. All participation records will be maintained for a minimum of five (5) years.

The following specific records will be maintained by UTAES:

(1) County Extension Agents will maintain a record of membership in all 4-H Clubs and Home Demonstration Clubs and attendance at camps and conferences by race and sex.

Annually, on or before September 15, County Extension Agents will provide, through UTAES district offices, this information to the Dean's Office in standardized format. This data will be edited, compiled and transmitted in summary form by the Dean's Office to USDA on or before November 1.
(2) On or before November 1, 1985, each County Extension staff
will, with the assistance of the Dean's office, prepare/revise county
maps showing community boundaries and the racial composition therein.
4-H and Home Demonstration Clubs will be identified on these maps.
These maps will be updated periodically as new census data are available.

A community shall be defined as a group of people living within a
geographical area, the boundaries of which may be determined by natural
or man-made features, census tracts, school districts, places of
employment or commercial facilities. Boundaries of 4-H Club communities
will not necessarily coincide with the boundaries of Home Demonstration
Club communities.

(3) The Dean's office will provide recordkeeping training,
as a part of orientation, for all newly employed Extension Agents.
Update seminars will be provided on an "as needed" basis to advise
personnel having recordkeeping responsibilities of new recordkeeping
requirements and procedures.

III. 4-H AND HOME DEMONSTRATION CLUBS. In accordance with its general
equal opportunity/affirmative action policy, UTAES will continue
to include and seek to include program participants without regard
to race or sex. Further, UTAES will continue its affirmative action
efforts with the goal of achieving participation in 4-H and Home
Demonstration Clubs, by race and sex, so that the presence of any
group, by race or sex, is not less than 80% of the number of participants
that would be expected if the racial/gender composition of the club
were exactly proportional to the composition of the relevant community.

The following specific steps are presently taken, and will continue
to be taken, by UTAES County Extension staff offices:

(1) Public service announcements will be made through the
news media informing potential program participants of the availability
of program opportunities on a nondiscriminatory basis.

(2) Personal letters and program circulars will be utilized,
where appropriate, to advise potential program participants of program
opportunities.

(3) Where appropriate, personal visits to potential program
participants will be made by UTAES staff members.

(4) Club members will be encouraged by UTAES county staff
to notify and recruit potential program participants of program
opportunities.

IV. EFFORTS TO ENSURE THAT ALL UTAES HOME DEMONSTRATION CLUBS
ON A NONDISCRIMINATORY BASIS.

(1) Annually, by February 1, the Dean, through appropriate
UTAES channels, shall notify the Presidents of all Home Demonstration
Clubs that club membership practices and activities must be conducted
in a nondiscriminatory manner and that UTAES cannot provide
instruction or assistance to any club which fails to comply with this policy.
(2) Annually, no later than April 1, each Home Demonstration Club will be required to submit to the appropriate County Extension Agent a letter assuring that that club complies with UTAES' nondiscrimination policy. UTAES will promptly terminate service to any club refusing to submit such a letter of assurance.

(3) Each Home Demonstration Club whose membership disproportionately consists of one race or sex (in applying the 80% rule heretofore referred to above) will take affirmative action to promote and encourage membership by individuals of the race or sex which is underrepresented. Appropriate affirmative action activities will include those efforts referred to above in Section III. UTAES will discontinue assistance to any Home Demonstration Club evidencing a refusal to comply with this affirmative action policy. Immediate responsibility for assuring compliance with this provision will rest with the Extension Agent in charge of the adult Home Economics program. The County Extension Leader will be responsible for conducting an annual review of Home Demonstration Club compliance with this provision, with a report of results of such review to be completed on or before May 1 of each year and a copy of said report forwarded to the Dean.

(4) As a prerequisite to the commencing service to a newly organized Home Demonstration Club, the following steps will be taken:

1. The county staff will determine whether the initial or proposed club membership is disproportionately composed of members of one sex or race. If such is the case, a further determination shall be made as to whether reasonable efforts (including the affirmative action activities listed in Section III above) have been made to encourage membership by persons of the race or sex which is underrepresented.

2. Once the County Extension Leader is satisfied that such reasonable efforts have been made, the Extension Leader will advise the District Supervisor in writing of the efforts made.

3. The District Supervisor, in consultation with the County Extension Leader and Associate District Supervisor for Home Economics, shall determine whether the applicant organization is eligible to become affiliated with UTAES as a Home Demonstration Club.

V. EFFORTS TO ENSURE THAT ALL 4-H CLUBS OPERATE ON A NONDISCRIMINATORY BASIS. The 4-H program at the unit level in Tennessee is conducted in the school system on a grade level, classrooms basis, during school hours. Some schools have one-race classes in schools having enrollments predominately of one race. Based on the use of the classroom structure for the club, systematically no intentional discrimination can be implied. However, in keeping with the spirit of the law, Extension personnel should apply, on a continuing basis, the "All Reasonable Efforts" requirement to integrate and achieve a balanced membership participation in the clubs and related activities.
(1) The Director of TAES, within 30 days of the adoption of this plan, shall provide written notification to TAES personnel advising that they shall make all reasonable efforts to establish 4-H Clubs in predominately black schools proportional to those established in predominately white schools within the school systems in which TAES operates.

(2) By 30 days of the adoption of this plan, the Director of TAES shall advise all TAES personnel that the following steps will be taken to develop 4-H Clubs with an integrated membership characterized by participation of all racial groups in the school:

1. TAES personnel and volunteer leaders will make all reasonable efforts (to be documented) to assure participation and membership in 4-H Clubs reflect the racial/sexual composition of the schools in which these clubs are established.

2. TAES will offer projects and activities designed to contact clientele groups not adequately represented in the present membership. This may include such efforts as joint activities by clubs which presently do not have balanced memberships. Conduct an annual 4-H membership promotion week with emphasis upon underrepresented groups.

3. During the school year TAES personnel shall conduct planning sessions involving 4-H leaders and/or prospective leaders representing the race/sex groups in the population - for the purpose of attaining a comprehensive program and balanced participation in school clubs.

4. During the school year, TAES personnel and volunteer leaders will make all reasonable efforts to recruit leaders representative of the sex/race group(s) not adequately represented in the present leadership.

5. During the school year and continuing thereafter, TAES will announce 4-H program activities stating that the programs are open to all individuals regardless of race, color, sex, or national origin. All staff with 4-H program responsibilities will be informed of this policy in writing by the Director within one month of the adoption of this plan.

6. The TAES personnel and volunteer leaders will:
   - Make announcements in schools over public address systems or as agreed by Extension agents and school administrators.
   - Place announcements in local papers.
   - Make announcements over radio stations.
   - Place fliers and posters in public locations frequented by all potential clientele.

7. Within 30 days of the adoption of this plan, TAES will take action on a continuing basis to ensure that all people, especially minorities, are aware of the program's existence, time of meetings, and meeting places by use of the following methods:
1. Write personal letters to individuals of the minority race. Exhaust all reasonable efforts to involve all potential youth within the delineated community or school.

2. Contact community groups for assistance in informing potential minority clientele of available programs.

3. Contact school personnel for assistance in informing potential minority clientele of available programs.

(3) Prior to and/or during the fall enrollment of each year the County Extension Agent(s) in charge of the 4-H Program will make reasonable efforts to encourage participation by members of an underrepresented race or sex (those affirmation action activities listed in Section III) in any community where such underrepresentation has previously existed (utilizing the aforementioned 80% rule).

(4) The County Extension Agent(s) in charge of the 4-H Program will, on a continuing basis, make every reasonable effort to assure that 4-H Club activities are conducted on a nondiscriminatory basis, and that all 4-H Club projects and activities are made available without regard to race, color, national origin or sex. Club competitions will not be conducted separately on the basis of race, color, national origin or sex nor will Agriculture, Home Economics or other courses be conducted in a manner which discriminates on the basis of race, color, national origin or sex.

(5) Annually, no later than February 1, the Dean, through appropriate UTAES channels, shall notify each public or private school system in which a 4-H Club operates that club membership practices and activities should be conducted in a nondiscriminatory manner and that UTAES cannot provide instruction or assistance to any organization which fails to follow this policy.

(6) Any public or private school system in which a 4-H Club operates shall be required to provide to the appropriate County Extension Agent, on or before April 1 annually, a letter of assurance that the school system complies with the foregoing equal opportunity policy.

(7) UTAES will terminate services to any school system refusing to provide the requested letter of assurance or which refuses to comply with the underlying policy of nondiscrimination.

(8) Each 4-H Club whose membership disproportionately consists of one race or sex (in applying the 80% rule heretofore referred to above) will take affirmative action to promote and encourage membership by individuals of the race or sex which is underrepresented. Appropriate affirmative action activities will include those efforts referred to above in Section III. UTAES will discontinue assistance to any 4-H Club evidencing a refusal to comply with this affirmative action policy. Immediate responsibility for assuring compliance with this provision will rest with the Extension Agent in charge of the 4-H Club program. The County Extension Leader will be responsible for
conducting an annual review of 4-H Club compliance with this provision, with a report of results of such review to be completed on or before May 1 of each year and a copy of said report forwarded through channels to the Dean.

(9) For those clubs identified as having made all reasonable efforts to achieve an integrated and balanced membership, yet not attaining such a membership, TAES shall continue to provide full Extension sponsorship and assistance. However, continued sponsorship and assistance are expressly conditioned upon Extension personnel and leaders agreement to continue to use all reasonable efforts to recruit underrepresented racial group members for membership in the clubs, and continued compliance with all of the requirements of this plan. TAES personnel shall maintain records of the names of each club, its membership, and racial and sexual composition of the clubs.

(10) The Director of TAES, within 30 days of this agreement, shall provide written notification to Extension personnel working with 4-H school clubs which advises them of their responsibility to ensure that any new clubs organized in schools make all reasonable efforts prior to their formation as an Extension sponsored and assisted club to have a racially integrated and balanced membership. All groups in schools which seek to become sponsored by TAES should have a racially integrated membership. Thus it is the responsibility of county personnel to establish that all reasonable efforts are made to interest nonminority individuals to join the clubs.

(11) TAES personnel, before any new club may be sponsored, shall inform the District Supervisor and County Extension Leader in writing, what efforts were made to recruit racial minorities and nonminorities to join the school 4-H Club. The District Supervisor and County Extension Leader shall determine under the all reasonable efforts criteria (set forth herein) whether the club is eligible to receive TAES sponsorship and assistance. The County Extension Leader shall maintain and retain all records of the all reasonable efforts documented by the county agent. Once a school club is established, it will be under a continuing obligation to use all reasonable efforts to recruit underrepresented racial group members for membership in the club.

VI. 4-H CAMPING PROGRAM. With the adoption of this agreement, 60 days prior to the beginning of the next 4-H camping program, TAES will implement a public notification and recruitment program designed to achieve a more balanced minority participation in the 4-H camping program. These efforts will include, but not be limited to, the following steps:

(1) The policies, practices and efforts mentioned above for 4-H Club activities will also apply to the 4-H camping program.

(2) Also, the appropriate County Extension Agent will assure that cabin assignments are not made on the basis of race. However, separate cabin assignments will be made on the basis of sex. Within 30 days of the adoption of this plan, the Director of TAES shall
again provide written notification to TAES personnel reminding them of the requirements pursuant to Title IX USDA regulations to assure that 4-H camps and related activities are implemented without regard to sex.

(3) Within 30 days of the adoption of this plan, the Director of TAES shall provide written notification to TAES personnel again reminding them of the requirement of TAES to house 4-H camping participants in a manner that does not support, encourage, or condone the practice of segregation.

VII. EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION IN EMPLOYMENT.

(1) Annually, on or before November 1, the Dean will notify all UTAES administrative personnel and Extension Leaders in each county of UTAES' commitment to equal opportunity and affirmative action in employment consistent with the policy described in Section I.

(2) Where underrepresentation of any race or sex exists in any EEO category (utilizing the aforementioned 80% rule), UTAES will make reasonable effort (utilizing the following affirmative action activities) with a view to eliminating disproportionate underrepresentation of any race or sex:

1. The Personnel Assistant will send all job vacancy announcements to the State Department of Employment Security and, where appropriate, to the Departments of Employment Security of adjacent states.

2. Periodically, as appropriate, the Dean will ask UTAES employees to refer to UTAES, applicants who may be qualified for UTAES positions in areas where underrepresentation exist.

3. To the extent feasible and appropriate, the Dean will issue to such potential applicants invitations to apply for available positions in areas where underrepresentation exists.

4. Annually, no later than January 1, the Dean will provide written requests to 1890 Deans of Colleges of Agriculture and Home Economics located in Tennessee and adjacent states requesting that the names of graduating seniors in Agriculture and Home Economics be forwarded to the UTAES Personnel Assistant. The Personnel Assistant will contact and invite each student so identified to apply for employment with UTAES.

5. On a continuing basis, section leaders will be required, when recruiting to fill a specialist's vacancy, to write to land grant colleges and universities in the United States requesting the names of blacks who might be qualified to fill that vacancy. All such potential candidates will be invited to apply for the vacancy in question.
(3) The following steps will be taken to assure that, in the case of a vacancy in an area in which underrepresentation exists, that proper consideration has been given to candidates or potential candidates of the underrepresented race or sex:

1. The Equal Employment Opportunity Coordinator will assure that the position vacancy has been widely announced in a manner appropriate for the position being filled for a sufficient period of time to enable potential applicants to respond, and qualified applicants in the underrepresented group, of which UTAES has knowledge, have been contacted and given an opportunity to apply.

2. The Equal Employment Opportunity Coordinator shall, in a case where a non-underrepresented individual is proposed for employment, review the affirmative action forms completed by the hiring supervisor1 and determine whether the preferred candidate appears to be best qualified for the position vacancy. In the event the Equal Employment Opportunity Coordinator determines that there does not appear to be adequate justification for rejecting a qualified candidate of an underrepresented race or sex, he or she shall notify the Dean. The Dean shall take such action as is appropriate in accordance with the UTAES equal opportunity/affirmative action policy.

(4) All job descriptions and job assignments shall be made without regard to the race or sex of the UTAES employee or the race or sex of the program participant or beneficiary with whom the employee will be working. It is expected that the composition of contacts made by an UTAES Extension Agent will approximate the composition, by race and sex, of potential recipients of services to be provided by that employee. Where records of client contacts indicate that such does not occur, the Dean will investigate the circumstances surrounding such deviation in order to assure that such discrepancy does not result from any discriminatory bias.

(5) Annually, no later than November 1, the Dean will notify all professional staff and other UTAES employees of available opportunities for continuing education and financial support or other credit available for assisting in such effort.

(6) Annually, no later than May 1, the Dean will review the UTAES budget and assure that any salary differences among individuals having comparable job responsibilities are based on legitimate nondiscriminator: job factors and not race, or sex. In the event of a salary analysis showing disparity based on race, sex or any other illegally impermissible basis, the Dean will initiate a salary recommendation proceeding to overcome significant salary differences.

1. Each hiring supervisor must complete an affirmative action form indicating the reason(s) for selecting the proposed applicant and rejecting the unsuccessful applicant(s).
VIII. MEMBERSHIP OF AGRICULTURAL EXTENSION COMMITTEES.

(1) Annually, no later than May 1, the District Supervisors shall notify the chief county government officer of UTAES' equal opportunity/affirmative action policy and that it cannot assist any organization which fails to follow this policy.

(2) In the event it is determined by the Dean that a county appoints members of its Agricultural Extension Committee in an illegally discriminatory manner UTAES shall not provide any further services or cooperate with any such Extension Committee until such discriminatory action ceases and the results of that action are remedied.

IX. CIVIL RIGHTS COMPLIANCE REVIEW. Annually, no later that September 30, the Dean will complete a compliance review of approximately one-fourth of the counties on a rotational basis throughout the state, in which UTAES operates. A representative sampling of counties in all geographic areas of the state will be included in this review. After review he will evaluate UTAES' compliance with policies and procedures and progress in those areas mentioned above. A report outlining the results of the annual compliance review will be prepared by the Dean no later than November 1. Any necessary corrective action will be taken promptly.
The following is a brief summary evaluative report reflecting progress made in the implementation of Provisions of the Stipulation of Settlement through the expenditure of special and general funds appropriated by the Legislature to The University of Tennessee for the 1986-87 fiscal year ending June 30, 1987.

1. **Other Race Incentive Program** (undergraduate student recruitment and retention) Funds in this category are designed to help meet the demonstrated unmet need for financial aid to minority students. The UT campuses which received 86-87 funding utilized these monies to (1) provide scholarships to outstanding first-time freshmen students, (2) provide grants to help retain currently enrolled students, and (3) where possible, reduce large loan burdens carried by some students. A total of $335,000 was expended in this category on four UT campuses enrolling undergraduate students. The average award was $674 per student. Total number of students served was 497.

The extent to which funds expended under this provision were effective in increasing black undergraduate enrollment cannot and will not immediately be determined. This is due to the fact that the monies were utilized primarily to help retain students with financial need already in attendance, and to provide incentives for potential high achievers to enroll. There were small increases in first-time freshmen enrollments for 86-87 over 85-86. The overall impact,
however, is not likely to be known until after a four year history of the implementa-
tion of this program. Should greater retention of black undergraduates be observed four years from now, then that increase may, in part, be attributed to the utilization of these funds. However, regarding the effectiveness of these funds, it should be noted that a significant increase in first-time freshmen enrollment must occur if the disparity rate between black and white college-going freshmen is to be eliminated. The latter suggests that we may need to allocate more of these funds to first-time freshmen. Even so, we should note that if the disparity in the college-going rate between black and white students were eliminated, the disproportionate high dropout rate of blacks prior to high school graduation would still cause an imbalanced college-going rate between blacks and whites.

2. **Minority Graduate Scholarships**. Funds to support thirty-five Minority Graduate Fellowships were expended by UT Knoxville, UT at Chattanooga, and the UT Space Institute. Grants ($6,000 to $9,500) were made for minority student enrollment in those graduate fields of study with most serious black underrepre-
sentation. In most cases, students enrolled for doctoral study, where upon successful completion of the first year, the admitting campus will award these students graduate assistantships, or graduate research grants. Following five years of funding of this program and by 1995, the effort could result in approximately 150 additional black doctorates, many of whom will be eligible for college and university positions in Tennessee. All of the students who were admitted through the expenditure of these funds, except one, completed the first year of study in good standing. However, contrary to an earlier report,
3. **The Tennessee Preprofessional Program** The major use of funds appropriated for this program will be for the support of Law and Health Science Summer Institutes during the summers of 1987 and 1988. These institutes will provide instruction and pre-professionally related experiences for sophomore and junior students who, upon graduation, plan to enter law, medicine, dentistry, pharmacy, or vet medicine. The first summer institutes have just started at UT, Memphis (Health Sciences) and Memphis State University (Law). Program planners and developers have experienced great difficulty in getting this program underway. The first year, 1984-85, the special funds required for this program were not appropriated by the Legislature. Planning during 1985-86 for program implementation in 1987, was hampered by uncertainty — concerning a Justice Department suit regarding the legality of the program — on the part of program planners as to the court suit as well as funding prospects — and some leery prospective students since the program had once been started and then held in abeyance. These, along with myriad other problems, will cause for under enrollment in the 1987 summer institutes.

4. **Other Race Faculty and Staff Incentives** Funds appropriated for this provision were designed to enable Tennessee public institutions to better meet the
competition in hiring black faculty and staff. Four UT campuses were allocated funds for this program. These institutions and awards were UTC, 24,000; UTK, 25,000; UTM, 24,000; and UT, Memphis, 24,000. A net gain of fourteen additional black faculty and staff members within UT was noted resulting from the use of these funds. The total allocated to UT for 1986-87 amounted to $97,400.

5. "The Grow Your Own Program" Funds appropriated for this provision were designed to assist institutions in increasing the number of black faculty, especially in highly specialized fields and at institutions whose locations make it more difficult to recruit blacks. This program helps an institution to "grow" its own talent by (1) identifying outstanding black undergraduates, or (2) recent graduates, and providing these individuals with the opportunity for advanced study. Each UT campus or unit, except UTK, utilized its Grow your Own funds during 1986-87. UTK, however, will expend its 1986-87 funds during 87-88. Two individuals have been identified and will be provided funds to pursue advanced study at out of state institutions. The UT Vet College employed a D.V.M. graduate as a resident. An additional D.V.M. graduate will join the staff as a resident during 1987-88. The UT Space Institute expended its allotment to fund a student for advanced study in aeronautical engineering. Both UTC and UTM funded recent graduates for advanced study. Grow your Own funds are especially helpful to UTM in the recruitment and retention of black faculty.

A great deal of lead time is required to initiate this program. All UT campuses and units except UT, Memphis, received some (though limited) funds for this
activity. UTC has 1 participant; UTM, 2; UT Institute of Agriculture, 2; and UT Vet Medicine, 1, for a total of 6. It will be 3 to 5 years before results are seen from this program. UTK has now identified and approved two students who will pursue advanced study during 1987-88.

6. **Black Staff Development** Funds to implement this provision are designed to assist black staff members in enhancing their employment performance and promotion opportunities. UTC, UTK, UT, Memphis, and the UT Space Institute all were allocated funds for this activity. The total awarded for the four campuses was $140,000. UTK identified and funded from an allocation of $38,000, three black staff members who are now engaged in full-time study, 2 for M.S. degrees and 1 for the 1st professional degree. The UT Space Institute identified four black staff members to participate in its program. Two now holding B.S. degrees are enrolled in M.S. degree programs. Two M.S. degree holders are pursuing advanced study in engineering. A total of seven black staff members within UT are now participants in this program. This program has not been in operation long enough to yield useful evaluative data.

7. **Black Faculty Development** Activities related to this provision are designed to enhance the academic training of black faculty enabling them to become more proficient in their teaching and research and increase their eligibility for possible promotion to higher rank. For fiscal 1986-87, UTC received $18,400 and is providing for one black faculty member to study toward the Ph.D. degree. UTK received $21,000 and has one individual enrolled in its College of
Law. The UT Institute of Agriculture received $20,000 which provided for one black faculty member to attend Purdue University studying toward a Ph.D. in Forestry. The individuals now pursuing further study will continue during 1987-88.

8. **UTK College of Law Minority Scholarship Program** For fiscal 1986-87, UTK received a $178,000 allocation to continue its highly successful Minority Law School Program. This program provides scholarship support for students, special funds for recruitment, and $5,000 to allow a few students to participate in the CLEO Summer Institute. Twenty-eight law school students received support through this program. A like number will receive support during 1987-88. This program has been helpful in UTK's meeting its minority law school student goal.

9. **UT, Memphis Summer Program** UT, Memphis received $125,000 in state funds to hold a 6 1/2 week summer program to increase the number of black high school students preparing to enter the health science professions. This program has been in effect for three years, and some black students are now enrolled in undergraduate colleges, (principally from the Memphis area) studying in pre-health profession programs. The program has not been in existence long enough for students to have graduated from college and be now enrolled in graduate health profession fields.
10. **UT Institute of Agriculture, The College of Veterinary Medicine**  The UT College of Vet Medicine was approved to spend up to $5,000 for a minority conference of pre-vet medicine advisors to assist the College in attracting black students. The conference was held on April 9, 1987.

11. **Administrative Appointments**  The University of Tennessee made significant progress during 1986-87 in the employment of blacks in substantive administrative roles. At UT at Chattanooga, Mr. John Rudley, now at Texas Southern University, who received a MBA from Michigan State University, has been appointed Vice Chancellor for Finance and Administration. Rudley is the highest black administrator at UTC, who, up until now, was Dr. Irvin Reid, Wharton School graduate who serves as Dean of the UTC College of Business. At UT Knoxville, along with Marilyn Yarbrough, recently appointed Dean of the College of Law, Dr. Harold Black, Professor of Economics at American University has accepted appointment as Head of the Department of Finance in the College of Business Administration. Dr. Lenneal J. Henderson, Jr., presently Professor of Business and Public Administration at Howard University, has accepted the post of Head of the Political Science Department, and a black professor at a major university will next week be offered the position of Head, Physical Education and Dance Department. These appointments, along with the recent naming of Dr. John Morrow as Head of the History Department, and the elevation of Hardy Liston, Jr. to Vice Provost for Academic Affairs, places the University of Tennessee at the level of other major universities in the country that have a significant number of blacks in high administrative positions.
Tennessee Agricultural Extension Service
Plan of Action in Response to
United States Department of Agriculture
1987 Civil Rights Compliance Review Report
Recommendations

Recommendation I: Develop goals for minority hiring

TAES Action: The Tennessee Agricultural Extension Service (TAES) is a part
of and subject administratively to the University of Tennessee Institute
of Agriculture (UTIA). UTIA has an Affirmative Action Plan (AAP) which
is revised annually. Prescribed guidelines are followed in the development
and revision of the AAP. Each division of UTIA, including TAES, annually
does an Availability Factor Computation and Utilization Analysis for each
of seven EEO-6 Categories. The ultimate percent goals for minorities
by EEO-6 Categories are as follows:

<table>
<thead>
<tr>
<th>EEO-6 Category</th>
<th>Minority Goal</th>
<th>Current TAES Employment</th>
<th>Underutilized</th>
</tr>
</thead>
<tbody>
<tr>
<td>01 (Executive/Adm.)</td>
<td>6.1%</td>
<td>4.2%</td>
<td>No*</td>
</tr>
<tr>
<td>02 (Faculty)</td>
<td>9.0%</td>
<td>5.3%</td>
<td>Yes</td>
</tr>
<tr>
<td>03 (Professional)</td>
<td>8.5%</td>
<td>0</td>
<td>Yes</td>
</tr>
<tr>
<td>04 (Sec./Clerical)</td>
<td>8.5%</td>
<td>8.3%</td>
<td>No</td>
</tr>
<tr>
<td>05 (Tech./Paraprofessional)</td>
<td>13.2%</td>
<td>30.8%</td>
<td>No</td>
</tr>
<tr>
<td>06 (Skilled Craft)</td>
<td>7.6%</td>
<td>0</td>
<td>No*</td>
</tr>
<tr>
<td>07 (Service Maint.)</td>
<td>15.6%</td>
<td>3.7%</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Not by at least one additional person

TAES is committed to this AAP. It is further obligated to achieve by
1990 goals established by the University in "Stipulation of Settlement"
under Geier vs. McWherter which is a desegregation action involving institutions
of higher education in Tennessee. The 1990 goals for UTIA in EEO-6 Categories
01, 02 and 03 are: 5.0%, 3.4% and 7.4% respectively.

Recommendation II: Continue to accelerate the employment of women in nontraditional
roles

TAES Action: TAES agrees.

Recommendation III: Require a recruiting plan to visit schools within and
outside of Tennessee where there are more potential minority applicants.

TAES Action: A plan is in the process of being developed which will allow
TAES to inventory potential minority applicants within and outside of
Tennessee. A recruitment strategy will be employed following the inventory. On campus visits to Institutions offering the B.S. Degree in Agriculture and/or Home Economics within and outside of Tennessee where there are more potential minority applicants will become a part of the recruitment plan.

Recommendation IV: Monitor the results of recruiting efforts on a quarterly basis in order to adjust the recruiting plan if it is not producing the desired results.

TAES Action: TAES agrees. The Dean will require a quarterly report to monitor recruiting results. The recruiting plan will be altered if desired results are not achieved provided feasible alternatives can be identified.

Recommendation V: Study the length of time it takes to have an applicant approved to see if this process cannot be shortened in order to acquire superior candidates before they accept another job offer.

TAES Action: TAES agrees. The employment process will be studied and it will be shortened if at all possible. Legal concerns as a result of Geier vs. McWherter may prohibit significant time reduction. Since 1987, Affirmative Action Officers are being required to examine documentation to ensure black applicants have been included in the recruitment process prior to any job offer. This will add some time to the already lengthy process.

Recommendation VI: Determine if family and personal farm background in addition to previous Extension experience is essential for becoming an Extension Agent. Include an analysis of additional barriers the foreign born candidates may experience.

TAES Action: TAES is committed to a policy of employing the best qualified applicant for Extension agent positions. Family and personal farm background are not job requirements for Extension agents. A thorough understanding of chemistry, genetics, engineering, biology, statistics, etc. and the relevance and relationship of these disciplines to production agriculture is critical to an agent's success in providing instruction. A farm background and previous Extension experience are but two additional qualifications used as factors in the evaluation of candidates.

Each agent must work directly with clientele. The ability to communicate is absolutely essential. To the extent that foreign born candidates demonstrate to the County Agricultural Committee a major flaw in their communication skills, these individuals will have difficulty competing for jobs. Any candidate who cannot communicate effectively will have difficulty competing for a position. No applicant is excluded because he or she is foreign born.
TAES agrees to make a determination if there are additional barriers resulting from TAES requirements that impact in an illegal manner on foreign born candidates.

Recommendation VII: Develop and implement goals to accelerate the promotion of minorities

TAES Action: Promotions generally occur when a position becomes vacant and an internal candidate with the required qualifications applies for the position and is the best candidate. Vacancy lists are posted in all offices and are equally accessible to all employees.

TAES agrees that it is desirable to accelerate the promotion of minorities in areas of under utilization. As the University moves closer to accomplishing its goals under the agreed settlement in Geier v. McWherter, this is expected to be resolved. TAES will continue to be aware and to use every opportunity to accelerate the promotion of minorities.

Recommendation VIII: Assure that minorities within the TAES-UT system achieve fair consideration for awards

TAES Action: TAES agrees. Mr. Andrew Winston, a black agent located in Hardeman County, is the recipient of the E. J. Chapman Travel Scholarship Award for 1988. This is a $1200 award with permission to travel for one month while receiving full salary.

Recommendation IX: Require District Supervisors to be part of the civil rights employment goal setting process and hold them accountable

TAES Action: UTIA is following federal guidelines in the establishment of goals in its AAP. The District Supervisors will continue to be made aware of TAES' employment goals. They will be made aware of the relationship of these goals to employment decisions within the district. Affirmative Action results and achievements will be a part of the annual District Supervisors performance review.

TAES will monitor the recruitment process for each position in an underutilized category. The Affirmative Action Officer will review the District Supervisors and Section Leaders recruitment efforts to include black candidates in the final group for interviews. Extra efforts to include black candidates will be required where documentation reveals an adequate attempt to recruit black candidates is lacking.

Recommendation X: Hold the District Supervisors accountable for instructing the Agricultural Extension Committee (AEC) in their respective districts on the precise meaning of Affirmative Action and how the AEC's have a responsibility to cooperate.
TAES Action: TAES will annually require District Supervisors to notify each Agricultural Extension Committee of TAES' equal opportunity/affirmative action policy and of TAES' expectations of full AEC commitment to cooperate in the fulfillment of the policy.

Recommendation XI: Revise the Affirmative Action Plan to include freedom from reprisals and harassment for complaints.

TAES Action: The University of Tennessee recently revised its Equal Employment Opportunity and Affirmative Action Personnel Policy to include the following: "The University prohibits any retaliatory action against an employee for opposing a practice which he/she believes to be discriminatory, including the filing of an internal grievance or a charge with a state or federal civil rights enforcement agency". Reference to this policy or a copy of it will be recommended to the UTIA Affirmative Action Officer for future editions of the AAP.

Recommendation XII: Establish and implement guidelines to process and document the closure of complaint files

TAES Action: Each complaint file maintained by TAES will contain a log to record official action. The log will specify closure particulars.

Recommendation XIII: Develop and implement a program to increase staff knowledge of implementation of laws, rules, and regulations relating to nondiscrimination on the basis of handicap.

TAES Action: Newly hired staff in EE0-6 Categories 01, 02 and 03 will receive training related to their obligations of nondiscrimination on the basis of handicap. District Supervisors and Section Leaders will receive training with respect to TAES' obligations in the implementation of nondiscrimination on the basis of handicap. County staff and specialists will receive instruction from the supervisors and section leaders in regularly scheduled staff meetings. Moreover, staff in counties scheduled for civil rights compliance reviews will receive similar training approximately one year prior to the reviews. This will be done annually. Thus, all staff will be trained at the end of four years. Personnel from the Dean's Office will provide the training.

Recommendation XIV: Develop and implement a program to increase staff familiarity with civil rights program complaint procedures.

TAES Action: TAES will revise and reprint its civil rights program complaint procedures. This pamphlet will be distributed to all TAES personnel. Training outlined under Recommendation XIII will also include information on civil rights program complaint procedures.
Recommendation XV: Develop a Public Notification Plan and a strategy to communicate its requirements to all segments of TAES.

TAES Action: TAES in 1981 adopted the model "Public Notification Plan of Action to Insure All Potential Recipients Equal Access to Programs in State Extension Services" as contained in Plans and Procedures for Administration and Implementation of Title IX of the Education Amendments of 1972 in the Cooperative Extension Service published by USDA, Extension Service. This plan was presented to each Section Leader, District Supervisor and County Extension Leader in inservice training conducted by the Associate Dean in 1981. Further, TAES has a "Public Notification Plan" (TN54CR) in its FY 1988-1991 Plan of Work.

These documents will be reproduced and given to all personnel in EEO-6 Categories 01, 02 and 03. Each TAES office will be required to continue implementing the required action.

Recommendation XVI: Develop and implement procedures to increase the accessibility of Extension programs to the handicapped

TAES Action: TAES will encourage the adoption of creative and innovative methods to achieve accessibility of county programs or activities. Where existing Extension office facilities are inaccessible, program services normally provided at those sites will be made available to qualified handicapped persons through other methods which are equally effective. These methods may include meetings in accessible locations, home visits, written or telephone communications, or some other equally effective means.

TAES will select accessible facilities where possible at public (or privately owned) facilities. If accessible facilities cannot be selected due to unavailability or infeasibility due to the nature of event or activity, TAES will use other methods to deliver program benefits to qualified handicapped persons.

Recommendation XVII: Develop and implement a plan to review committee representativeness by race and sex and assure corrective action where committees are not representative of potential clientele by race and/or sex.

TAES Action: TAES does not require committee involvement in program evaluation and/or program development. Where there is committee input into program evaluation and/or development, it is TAES policy requiring balanced clientele representation by race and sex. TAES has a document entitled "Civil Rights Compliance Review and Compliance Report". This document is completed annually by each county in Tennessee. The current version of this document requires county staff in each program area to list the name, racial-ethnic and sex composition of each committee or advisory group that advises with
the agents or has some input in planning programs. TAES will require the District Supervisors to review the committee representativeness by race and sex. In the event it is determined that a committee is not representative of potential clientele by race and/or sex, corrective action by county staff will be required.

Recommendation XVIII: Develop and implement a plan to improve the operation of the targeting of benefits and contact participation system.

TAES Action: TAES will devise a plan to implement a policy of targeting of benefits which will not raise civil rights concerns. Potential recipient data bases in each program area will reflect the racial-gender composition of clientele. Contact participation data reported by staff will be monitored so that corrective action may be taken in those cases where contacts are not representative of potential clientele by race and gender.

Recommendation XIX: In counties where participation is below parity, develop and implement a program to increase minority involvement in district and state events and 4-H Camp.

TAES Action: TAES agrees. The district offices with input from the State 4-H Office will be required to analyze 1987-1988 participation data and where minority participation in 4-H Camps and other district, state and national events is below parity, to develop and implement a program to increase minority participation.

Recommendation XX: Develop and implement a plan to more extensively publicize the availability and competencies of 1890 Extension staff.

TAES Action: TAES will develop data sheets for each 1890 specialist. These data sheets will specify training, competencies, interests and state program responsibilities of these specialists. The Dean, UTAES and Administrator-1890 Extension Programs will transmit this information through channels to the county staff. The 1890 specialists will continue to be involved in inservice training which is an excellent forum for agents, to view and evaluate specialists' talents and competencies.

Recommendation XXI: Develop and implement a plan to improve the leadership and supervision of the 1890 program in Lauderdale County, and any other counties not included in the review having similar problems

TAES Action: The Dean will ask the District Supervisor to consult with the Lauderdale County staff including the agent payrolled through Tennessee State University to determine the nature of problems that may exist there. He and the Administrator 1890 Extension Programs will meet with the Lauderdale County staff and any other staff similarly situated to resolve leadership and supervision conflicts.
Recommendation XXII: Develop and implement a program to strengthen the quality and documentation of onsite civil rights compliance reviews conducted by the district level

TAES Action: TAES will provide more direction from the Dean's Office to the conduct of county civil rights compliance reviews at the district level by:

(1) continuing the conduct of one (1) review by the Dean's Office in cooperation with the District Office,
(2) providing inservice training for the district staffs and requiring finding reports to be submitted to the Dean before corrective action is taken,
(3) providing additional staff from outside the district if necessary to conduct quality reviews,
(4) designating one person to be in charge of each review and holding that person responsible for a quality review and documentation, and
(5) maintaining a civil rights compliance review file on each county complete with findings, required action, results and closures as appropriate.
Recommendation I:

Appoint a permanent TSU-1890 Extension Administrator.

TAES Action:

A permanent Extension Administrator was appointed by Tennessee State University (TSU) administration June 1, 1992.

Recommendation II:

Initiate and maintain dialogue between appropriate TSU and UT representatives to assure congruence between methods of operations and the Memorandum of Understanding implementing the Food and Agriculture Act of 1977 requirement for a comprehensive state program in Extension.

TAES Action:

The Tennessee Agricultural Extension Service (TAES) agrees. Discussions have already begun between the new Extension Administrator of TSU and the Dean of the University of Tennessee Agricultural Extension Service (UTAES). A new Memorandum of Understanding will be developed and implemented in the 1993 program year. New procedures will be developed during the 1993 program year which will clarify: 1) how TSU-1890 specialists interact with UTAES Extension Leaders; 2) how UTAES District Supervisors and county Extension Leaders interact with TSU-1890 funded county staff; and 3) the extent to which the TSU-1890 Extension Administrator deems it important to participate in program coordination meetings.

Recommendation III:

Develop and implement policies concerning mutual use of TSU and UT logos in Extension programming.
TAES Action:

Procedures concerning the use of TSU and UT logos will be developed and implemented during the 1993 program year. These policies and procedures will be disseminated to district and county staff members by the administration of TSU Extension program and the Dean of the University of Tennessee Agricultural Extension Service.

Recommendation IV:

Develop and implement a monitoring and evaluation system to assess the effectiveness of the overall EEO/AA Program activities as it relates to recruitment and hiring practices.

TAES Action:

The recruitment strategy now utilized includes out-of-state visits to 1890 institutions as well as Tennessee colleges and universities which grant the Bachelor of Science degree in Agriculture and Home Economics. To more closely monitor the recruitment and hiring practices the Dean will require a quarterly report on recruiting results and hiring practices. The recruiting plan and hiring practices will be altered if desired results are not achieved provided possible alternatives can be identified.

Recommendation V:

Integrate into your commendable training program diversity training that includes managing diversity and service to diverse clientele. TSU-1890 should insure the inclusion of EEO/AA criteria in staff development programs.

TAES Action:

TAES is developing a plan for diversity within the organization which includes managing diversity and service to diverse clientele. The 1992 Statewide Extension Conference planned for December 13-16 will emphasize the importance of diversity within the organization. The plan for diversity will be disseminated to all faculty members following a keynote address on the importance of diversity. In addition, several workshops are planned for faculty members on diversity. TAES will also incorporate diversity training in its ongoing Civil Rights EEO/AA training program for new employees.

The TSU/1890 Extension Administrator will work closely with the Assistant Dean at the University of Tennessee on EEO/AA training programs that are developed for faculty members. In addition, TSU agrees to include EEO/AA criteria in staff development
programs on a continuing basis.

Recommendation VI:

Encourage completion and dissemination of the Affirmative Action Plan for TSU-1890.

TAES Action:

TSU operates under a Stipulation of Settlement in the statewide desegregation case, Geier v. McWherter. The Stipulation establishes the following University-wide other-race employment goals for administrators, faculty, and professional staff.

- Administrators: 50 percent
- Faculty: 51 percent
- Professional Staff: 39 percent

For TSU, other-race is defined as white. The same Stipulation of Settlement requires that the state-wide Desegregation Committee establish other-race goals for all other higher education institutions in the State of Tennessee; except for Shelby State Community College, other-race is Black at other Tennessee institutions.

As TSU nears the accomplishment of these University-wide, federal court goals, individual units are being studied and consideration is being given to establishing other-race goals for specific units according to job group. The Cooperative Extension Program will be included in these desegregation activities.

Recommendation VII:

Consider the establishment of an award that is designed to recognize faculty who make outstanding contributions to the EEO Program overall. Also consider those who make specific contributions in the recruitment, advancement and retention of racial ethnic minorities and females. A major criteria in the award should be documented efforts or results that increase minority representation in the TCES workforce.

TAES Action:

TAES will consider the establishment of an award to recognize faculty who make outstanding contributions to the EEO program overall. During the next six months the Dean and Administrator will talk with other state Extension Services to determine the types of awards programs which are presently in place and assess the feasibility of establishing
such awards in Tennessee. In addition, the Dean will look into the possibility of including work with diverse audiences and outstanding contributions to the EEO program as part of the criteria for selection in existing award programs offered by TAES.

**Recommendation VIII:**

Consider reassessing the current list of EEO Counselors to determine the benefit to TAES of utilizing Counselors who are not supervisors.

**TAES Action:**

During the 1993 program year, new EEO Counselors will be appointed by the Dean who do not have supervisory responsibilities. Further, the publication "Program for Equal Employment Opportunity in Tennessee Agricultural Extension Service," which lists EEO counselors will be revised and disseminated to all faculty member during the 1993 program year.

**Recommendation IX:**

Develop and implement a process to assure racial/ethnic minority group members serve on the TCES Awards Committee.

The Dean of the TAES will continually monitor membership on state awards committees to insure that racial/ethnic minority groups are represented. The District Supervisor will be responsible for insuring that racial/ethnic minority groups are represented on district awards committees. The district awards committee will be monitored by the Dean to insure racial/ethnic groups are represented.

**Recommendation X:**

Develop and implement a program to strengthen the visibility of civil rights accomplishments in the staff evaluation system.

**TAES Action:**

TAES agrees that it is desirable to strengthen the visibility of civil rights accomplishments in the staff evaluation system. Civil Rights is already a part of the evaluation system for faculty members in leadership roles. In addition, it is a topic of discussion during evaluation sessions conducted by the District Supervisors, Assistant Deans, Dean, and Administrators.
TAES is planning to revise its present staff evaluation system during the 1994 program year. When the system is revised civil rights accomplishments will be included in the staff evaluation system.

**Recommendation XI:**

Develop and implement a plan to fine tune the targeting of benefits and contact participation data system implementation relative to gender.

**TAES Action:**

TAES will devise a plan to implement a policy of targeting of benefits and contact participation which will not raise civil rights concerns. Potential recipient data bases in each program area will reflect the racial-gender composition of clientele. Contact participation data reported by staff will be monitored so that corrective action may be taken in those cases where contacts are not representative of potential clientele by gender.

**Recommendation XII:**

Add age as one of the listed items in the nondiscrimination statement used as part of the public notification effort.

**TAES Action:**

TAES agrees. Age will be one of the items listed in the nondiscrimination statement used as part of the public notification effort. All county and district staff will be informed to include age in their public notification efforts in the next 60 days. The statement has already been corrected and reads as follows:

"The University of Tennessee, The U.S. Department of Agriculture, and County Governments Cooperating. The Agricultural Extension Service offers its programs to all eligible persons regardless of race, color, national origin, sex, age, or handicap, and is an Equal Opportunity Employer."

**Recommendation XIII:**

Develop and implement a program to more consistently document the nondiscrimination status of organizations receiving substantial assistance from Extension.
TAES Action:

TAES is committed to the policy of nondiscrimination on the basis of race, color, national origin, sex, age, or handicap. TAES cannot provide assistance to any organization that illegally discriminates. A plan is in place which requires county Extension staff to obtain documentation yearly about groups or organizations to whom they provide significant assistance certifying that discriminatory practices are not followed. The documentation will continue to be checked during county compliance reviews by the District Supervisors and the Assistant Dean. Further, the Dean will ask the District Supervisors to consult with the Lincoln and Franklin County staff concerning the lack of documentation on the nondiscrimination status of organizations and work with them to correct this problem.

Recommendation XIV:

Develop and implement a program to monitor the status of persons with disabilities access to Extension offices and work with counties to achieve increased accessibility.

TAES Action:

TAES has and will continue to encourage county governments to make county offices accessible to the handicapped. County Extension Leaders and District Supervisors will be ask to continue to work closely with local governments when there is a change in office location to find facilities which are handicap accessible and to avoid if at all possible accepting facilities which are not handicap accessible.

TAES will encourage the adoption of creative and innovative methods to achieve accessibility of county programs and activities. Where existing Extension office facilities are inaccessible, program services normally provided at those sites will be made available to qualified handicapped persons through other methods which are equally effective. These methods may include meetings in accessible locations, home visits, written or telephone communications, or some other equally effective means.

TAES will select accessible facilities where possible at public (or privately owned) facilities. If accessible facilities cannot be selected due to unavailability or infeasibility due to the nature of event or activity. TAES will use other methods to deliver program benefits to qualified handicapped persons.

In an effort to monitor the number of Extension offices which have accessibility for the handicapped a question will be included in the updated county compliance review document. This document will be updated during the 1993 program year. Finally facilities and program accessibility will continue to be a topic of discussion during county compliance reviews conducted by the District Supervisors and Assistant Dean.
Recommendation XV:

Develop and maintain a more effective plan to review committee representativeness by race and sex and assure corrective action where committees are not representative of potential clientele by race and/or sex.

TAES Action:

TAES does not require committee involvement in program evaluation and/or program development. However, it is encouraged and where there is committee input into program evaluation and/or development, it is TAES policy requiring balanced clientele representation by race and sex. TAES utilizes a document entitled "Civil Rights Compliance Review and Compliance Report." This document is completed annually by each county in Tennessee. The current version of this document requires county staff in each program area to list the name, racial-ethnic and sex composition of each committee or advisory group that advises with the agents or has some input in planning programs. TAES will require the District Supervisor to review committee representativeness by race and sex. In the event it is determined that a committee is not representative of potential clientele by race and/or sex, corrective action by county staff will be required.

Recommendation XVI:

Improve the implementation of and develop statewide consistency in the program to carry out and document "all reasonable efforts" and other programs to improve the minority participation and integration in the Extension Homemakers Clubs.

TAES Action:

TAES agrees. A plan will be developed during the 1993 program years which provides more direction from the Dean’s office. The plan for "All Reasonable Efforts" will include information on the following points:

A. Purpose  F. Visits and direct mail contacts
B. Definitions  G. Procedures
C. When required  H. Documentation
D. Responsibility  I. Analysis
E. Interview records

The plan will be discussed with district supervisors and a copy of the plan will be shared with all county staff. The success of the "All Reasonable Efforts" plan will be monitored by
the District Supervisors and Assistant Dean during the county compliance review process and through the "Civil Right's Compliance Review and Compliance Report."

**Recommendation XVII:**

Develop and implement a program to assist counties with below parity, minority camp participation. Assure a systematic review of camp housing integration by race and integration of camp housing to the extent possible.

**TAES Action:**

The District Supervisors and Associate Supervisors, with input from the State 4-H office, will be asked to analyze 1991-92 camp participation data and where minority participation in 4-H camps is below parity, to develop and implement a program to increase minority participation. The District or Associate Supervisor will be required to work with the camp directors to assure camp housing integration by race to the extent possible during each week of the summer camping session.

**Recommendation XVIII:**

Strengthen the program to encourage county level parity of participation by race in regional and State 4-H events.

**TAES Action:**

The district offices with input from the State 4-H office will be required to analyze the 1991-1992 participation data by race in regional and State 4-H events and where minority participation is below parity develop and implement a program to increase minority participation.

**Recommendation XIX:**

Implement changes to resolve Title IX sex discrimination concerns relative to the line of supervision for TSU-1890 funded Associate Extension Agent Mary Wakefield.

**TAES Action:**

Response will be provided by TSU administration.
Tennessee Agricultural Extension Service

Plan of Action in Response to
United States Department of Agriculture
1999 Civil Rights Compliance Review Recommendations

Extension Program

Recommendation 1

*Develop and implement procedures to conduct comprehensive training to ensure all staff are familiar with civil rights requirements, i.e., complaint procedures.*

TAES Action

Intensive Civil Rights training will be conducted in the Fall of '99 and Spring of 2000 for Extension Leaders in each District. This training will be an expanded version of the 2-hour orientation. Extension Leaders will be expected to relate this information to their county staff. EEO counselors in each district will be included on the program.

In addition, UTAES and TSU will cooperate in developing methods and materials which will be effective in training staff statewide. Some of these training materials are already on a web site and this site will be expanded to increase its effectiveness as a reference and training tool.

The USDA booklet “Unlocking the Barriers” will be distributed to all staff members.

Recommendation 2

*Implement steps that will strengthen and improve the program participation data system for setting targets for the delivery of program benefits. The system should insure that all audiences are included, both traditional and new (Hispanic and Asian) minority groups.*

TAES Action

TAES has a working committee currently in place to evaluate our current data collection and reporting system and to formulate future needs. This recommendation will be communicated to this group for inclusion in their planning process. It will be expected that the new system will adequately measure participation of these groups and give adequate feedback to regularly monitor participation and also to set participation goals.
Recommendation 3
Continue efforts to ensure that all Tennessee Cooperative Extension facilities and programs are accessible to the disabled.

TAES Action
TAES will encourage county governments in the 10 offices which are currently inaccessible to consider renovations to improve accessibility. When new facilities are available or considered, handicap accessibility must be incorporated in that plan.

As a part of New Employees Orientation, agents will continue to be trained in making educational programs available to the disabled. Training will include using accessible facilities when at all possible and offering public announcements of alternative delivery when inaccessible. Uses of printed materials, listening aids, interpreters, caregivers and other methods of accommodation will be discussed. Training will also include discussion of alternative delivery methods including holding meetings in other accessible locations, making home visits, using written or telephone communications or other effective means.

Handicap accessibility will be evaluated and monitored through the annual Civil Rights Compliance Review Report and through on-site reviews. District Supervisors, Program Leaders and State level Administrators are to be involved in the evaluation, education and monitoring process.

Recommendation 4
Develop a system to address the low level of minority participation on committees. The system should include the comprehensive consideration of new populations in the State.

TAES Action
Tennessee has established a statewide Extension Advisory Council which is demographically representative of the state. This council of 14 males, 8 females, and 7 minorities is a model for each TAES unit.

County committee make-up will be monitored in the annual Civil Rights Compliance Review and in Annual Employee Performance Reviews. Written advisory committee guidelines are in place and set forth guidelines for including the diversity on committees which is present in current county demographics. County personnel will therefore be advised a minimum of two times per year of their need for inclusion of diversity on committees, once as a part of the compliance review process and again as this is considered in their performance rating. When any new committee members are added or changes made, agents will be expected to include minority representation on committees. These efforts will be monitored by the Dean’s office.
**Recommendation 5**

*Develop and implement procedures to insure increased levels of minority and gender diversity in the Agriculture and Family and Consumer Education Programs.*

**TAES Action**

TAES is committed to reaching a diverse audience with educational programs. In agriculture, TAES will change the way we target potential audiences to more accurately plan and measure contacts. Commercial agriculture potentials will continue to be compared to the latest Census of Agriculture data. Agriculture programs which are delivered to the general non-farm public will be monitored against the county household data from the last available county census.

To increase minority and male participation in family and consumer sciences programs the process of ARE, All Reasonable Efforts, will be continued with a renewed emphasis. Programs which target minorities and males will be expected. In fact, in family and consumer sciences programs, TAES is continuing a major change in emphasis and restructuring which was begun in 1990. Family and Consumer Education Clubs are becoming a very minor part of our programming. The highest priority is now given to Workshops, Priority programs, Named programs and other means of delivery which are offered across entire county demographics and not in club settings.

**Recommendation 6**

*Develop and implement procedures to insure increased levels of overall participation with emphasis on minorities in camp and 4-H activities.*

**TAES Action**

TAES is committed to increasing diversity of participation in District, State, Regional and National 4-H events and activities. District supervisors and program leaders will continue to be actively involved in planning with county staff to develop strategies for improvement where participation is low. Greater emphasis in the 1999 County Compliance Review has been added. In particular, camp attendance and other attendance figures are now listed. Participation will be discussed with agents and strategies for improvement will be agreed upon where improvement is needed. Emphasis will be increased in the area of using more minority judges, volunteer leaders and in placing minorities in other high visibility roles. We will continue to use scholarships and other incentives to increase minority participation in 4-H activities and events. Increased efforts will be made to monitor county participation in camping and other 4-H events by district and other supervisory staff. Where minority participation is low, the District staff will work with county staff to develop strategies to increase minority participation. These strategies will be outlined in the Civil Rights Compliance Review form.
Recommendation 7

Develop and implement procedures to increase participation of White potential clientele in the Expanded Food and Nutrition Education Programs (EFNEP).

TAES Action

To increase participation of white clientele in EFNEP programs TAES District supervisors will work with county, area and state staff members to target areas which will meet the educational goals and clientele criteria of the program where more whites will be reached. In addition, staff (EFNEP agents and program assistants) will be advised of the need to look at each situation individually with a goal to reach a more diverse clientele base.
Equal Employment Opportunity Program

Recommendation 1
Integrate the 2 hour civil rights training component to reach all Extension employees who have yet to receive this comprehensive training. This ensures that all of Extension has the most current information and training in EEO/Civil Rights.

TAES Action
Intensive Civil Rights training will be conducted in the Fall of '99 and Spring of 2000 for Extension Leaders in each District. This training will be an expanded version of the 2-hour orientation. Extension Leaders will be expected to relate this information to their county staff. EEO counselors in each district will be included on the program.

In addition, UTAES and TSU will cooperate in developing methods and materials which will be effective in training staff statewide. Some of these training materials are already on a web site and this site will be expanded to increase its effectiveness as a reference and training tool.

The USDA booklet “Unlocking the Barriers” will be distributed to all staff members.

Recommendation 2
Advance affirmative action efforts to fill vacancies in District/Counties which have never employed racial/ethnic minority extension agents.

TAES Action
TAES has shared hiring goals for minorities or under-represented groups with District Supervisors and will continue this practice annually. District Supervisors and selection committees will be made aware of current demographics when positions are advertised. In turn, District Supervisors will be asked by the Dean to establish hiring goals and target counties in their respective districts based upon these hiring goals. Areas of particular need will be communicated by the Director of UTAES and the Administrator of TSU to District Supervisors, Section Leaders, and County Extension Leaders where changes are particularly needed.

Recommendation 3
Reassess the UTAES recruitment program to improve the efforts to recruit and hire minority professionals for State and county positions. Target those Extension categories of major professional occupations where under-representation and underutilization has existed for the last four reporting years. The TSU should also review the areas whereby racial/ethnic group members are conspicuously absent or under-represented.

TAES Action
The UTAES Recruitment Program will continue to evaluate progress through recruitment contacts and the racial/ethnic group make-up of approved applicants. In
addition, recruitment methods will be expanded by developing “Recruitment Teams” in each district. Teams will consist of District Staff and agents selected for their potential effectiveness in reaching specific groups, particularly minority employees. Training in recruitment goals and methods will be conducted with these teams. Teams will target assigned colleges and universities which offer degree programs required for county positions. Specifically, annual visits to 1890 schools will continue, including establishing stronger ties with 1890 Program Administrators.

**Recommendation 4**

*Issue a written statement over the signature of the Administrator of 1890 programs which sets forth the legal obligation and policy for EEO as well as a visible commitment to nondiscrimination.*

**TAES Action**

Dr. Clyde E. Chesney, Administrator, TSU Cooperative Extension Program will issue a written statement setting forth EEO policy and legal obligation and a statement of commitment to a policy of non-discrimination.

**Recommendation 5**

*Review and improve the accessibility of restrooms for disabled individuals in Morgan Hall on the UT campus.*

**TAES Action**

All Morgan Hall doorknobs will be changed in 1999 to improve accessibility to disabled individuals. A strobe light system will also be installed to accommodate individuals with a hearing-impairment. Mike Keel, Director of Services for the Institute of Agriculture has been advised of needed renovations to Morgan Hall restrooms not corrected by the change in doorknobs and strobe light system. In addition, it is expected that Morgan Hall will be renovated as soon as funds are available. The University of Tennessee is well aware of the problem and is making efforts to correct the problem.

**Recommendation 6**

*Consider showcasing the award that recognized efforts and accomplishments in enhancing workforce diversity in Extension. Publicly recognize Extension managers, supervisors, and employees who make outstanding contributions to promoting the recruitment, advancement, and retention of a diverse workforce.*

**TAES Action**

Beginning in 1999, TAES staff members who receive EEO awards will be recognized in Section Leader and District Supervisor meetings in the presence of their peers. Current practice using letters of commendation and recognition in “Third Thursday,” the newsletter of the Institute of Agriculture, will be continued. Annual recipients of the State EEO Awards will be encouraged to submit an entry in the USDA Diversity Awards Program.
FACTS ABOUT
SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual’s work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

* The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
* The harasser can be the victim’s supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
* The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
* Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
* The harasser’s conduct must be unwelcome.

It is helpful for the victim to directly inform the harasser that the conduct is unwelcome and must stop. The victim should use any employer complaint mechanism or grievance system available.

When investigating allegations of sexual harassment, EEOC looks at the whole record: the circumstances, such as the nature of the sexual advances, and the context in which the alleged incidents occurred. A determination on the allegations is made from the facts on a case-by-case basis.

Prevention is the best tool to eliminate sexual harassment in the workplace. Employers are encouraged to take steps necessary to prevent sexual harassment from occurring. They should clearly communicate to employees that sexual harassment will not be tolerated. They can do so by establishing an effective complaint or grievance process and taking immediate and appropriate action when an employee complains.
Harassment?

- Examine the totality of the circumstances
- Evaluate the record as a whole
- Case-by-case basis

Relevant factors include:

- the nature of the conduct (verbal? physical?)
- the context in which it occurred
- its frequency, severity, and pervasiveness
- whether it was physically threatening or humiliating
- whether it was unwelcome
- whether it unreasonably interfered with employee’s/ student’s performance
SEXUAL HARASSMENT

The University of Tennessee, Knoxville is committed to providing an environment free of sexual harassment. Sexual harassment by any member (faculty, staff, students, applicants) of the University community is a violation of Federal and State laws and University policy. Sexual harassment will not be tolerated. Sexual harassment is an issue which may affect any member of the University community and will be dealt with promptly by the University Administration.

Sexual Harassment Definition

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or status in a course, program, or activity;

2. submission to or rejection of such conduct by an individual is used as a basis for employment or academic (grades, academic progress, internships, etc.) decisions affecting the individual; or

3. such conduct has the purpose or effect of substantially interfering with an individual's work performance, academic performance, or creating an intimidating, hostile, or offensive work environment.

(Section 703, Title VII Civil Rights Act of 1964; Title IX, Educational Amendments of 1972)

What to do if you are sexually harassed

- **Know your rights**: Sexual harassment is illegal and University policy prohibits University employees and students from engaging in sexual harassment.

- **Speak up at the time**: Say "NO" clearly, firmly, and without smiling. This is not the time to be polite or vague.

- **Don't blame yourself**: Sexual harassment is an unwanted action that the harasser decides to take. It is not your fault.

- **Don't delay**: If you delay an action, the harassment is likely to continue. An employee or student may obtain information and assistance by contacting the Office of Diversity Resources (DRES), the Dean of Students, a Department Head, or Dean.

Where to go for help

Diversity Resources and Educational Services (DRES)
2110 Terrace Avenue
974-2498
http://web.utk.edu/~wwwdres

Dean of Students
413 Student Services Building
974-3179

Office of Human Resources Management (OHRM)
600 Henley Street, Suite 224
974-5151
Any UT employee, student, applicant for admission or employment, or other participant in UT's programs or activities, who believes that he or she has been discriminated against on the basis of race, color, sex (including sexual harassment), religion, national origin, age, disability or veteran status is encouraged to use the procedures outlined below for the resolution of his or her complaint. University policy prohibits retaliation against any person who in good faith opposes a practice which he/she believes to be discriminatory. Complaints of discrimination should be directed to the Office of Diversity Resources and Educational Services (DRES), 2110 Terrace Avenue, Knoxville, Tennessee 37996-3560 (telephone: 974-2498, TTY available). Complaints must be put in writing and filed within 300 calendar days of the alleged discriminatory action. In certain circumstances, at the discretion of DRES, complaints filed outside of this time limit or that are not put in writing may be investigated.

1. Employees and students are encouraged to attempt to resolve a complaint through the administrative structure of the employment unit or academic department. DRES will provide assistance to the complainant, employment unit, and/or academic department in order to resolve the complaint.

2. Complaints received directly by DRES will be reported by the Director (hereinafter to include the Director's designee) to the appropriate administrator(s) who will attempt to resolve the matter working in conjunction with DRES. Confidentiality will be maintained to the extent possible.

3. If the complaint is not resolved through the methods described above, DRES may use the following:
   a. Complaints should be submitted in writing to DRES. The complaint must include (a) the name of the complainant; (b) an explanation of the action or conduct complained of and the person or department responsible for the action should include the resolution sought by the complainant; (c) the head of the responding unit or academic department and the party against whom the complaint has been lodged (respondent) will be notified of the complaint.
   b. DRES will conduct an investigation, the nature and scope of which will be determined by DRES on a case-by-case basis. The investigation may include any or all of the following, as well as such other action as DRES deems appropriate: interviewing the complainant; interviewing the respondent; interviewing witnesses; submitting questions to or taking statements from parties or witnesses; reviewing documents; and/or setting up an investigative committee.
   c. If an investigative committee is deemed appropriate, the relevant Vice Chancellor or the Chancellor (in the event that the complaint is made against a Vice Chancellor) will be asked by DRES to appoint the members of such a committee. DRES may assist the Vice Chancellor or Chancellor in appointing committee members. Members of the committee shall be UTK employees or students. DRES shall be the non-voting chair of that committee.
   d. The investigative committee or DRES if there is no investigative committee, will make findings of fact and will determine whether sufficient evidence exists to support a charge of discrimination. Those findings, together with a statement outlining the basis for them, will be transmitted by DRES to the appropriate administrator.
   e. The appropriate administrator(s) will review DRES's findings, make a determination and notify the complainant of the decision in writing. Within fifteen workdays after receipt of that decision, complainants who are in staff non-exempt positions may pursue a grievance under UT Personnel Policy and Procedure 640, contained in the UT Policies and Procedures Manual if they are not satisfied with the determination.
   f. If the complainant is not satisfied with the determination and is not eligible to or has not elected to file a grievance, the complainant may appeal in writing within fifteen workdays after receipt of the decision to the next higher administrative level. The decision on the appeal will be provided in writing to the complainant. Decisions by the Chancellor may be appealed to the President.

(Revised July 1998)
COMMON ATTITUDES ABOUT SEXUAL HARASSMENT

Research on attitudes about sexual harassment has shown that many individuals simply do not recognize sexual harassment as a real issue they need to be concerned about. How would you handle attitudes like these?

“I don’t want to talk about it.”
Ignoring the issue won’t make it go away. Doing nothing about sexual harassment can only increase the likelihood that your organization could be involved in legal action. Increasingly, victims of sexual harassment who feel they have nowhere to turn within their organizations take their complaints to outside agencies and legal representatives.

“It only happens to women.”
Perhaps more often than you may think, sexual harassment does affect men, as well as women. Studies show that the number of non-traditional sexual harassment complaints is increasing. Sexual harassment can also negatively affect coworkers. Everyone in your organization can be harmed by sexual harassment if it is allowed to occur.

“Sex doesn’t belong in the workplace.”
Many people confuse the issue of sexual harassment with sex or sexual attitudes and behavior. Sexual harassment isn’t about sex or healthy personal relationships. Sexual harassment is an expression of power by one individual over another, and it can be personally devastating to the victim and others.

“We can’t even enjoy a good joke anymore.”
Sexually harassing behavior isn’t funny. It is no laughing matter when a person’s self-worth and job performance suffer because of harassment. What may seem like harmless behavior to one person can be totally offensive to another. It is important to understand that this type of behavior, when unwelcome, is a form of illegal discrimination.

“It’s just not that big a problem.”
Studies show that less than half of the incidents of sexual harassment are actually reported. Many victims of harassment simply quit their jobs rather than confront employers with their complaints. Problems with sexual harassment affect all employees, disrupting the working environment and negatively impacting worker productivity.

“It’s not a management problem.”
The law puts liability for sexual harassment squarely on the shoulders of the employer, which includes its agents and supervisory workers, as well as non-supervisory employees. Statistics show that nearly half of all sexual harassment complaints are the result of an employee being harassed by their direct supervisor. This sobering fact points out the importance of recognizing sexual harassment as a serious problem that management must be concerned about.

“If we start talking about this, we’ll get a lot of complaints...we don’t need that.”
Sometimes opening discussions about sexual harassment may encourage employees with complaints to come forward, but dealing with those complaints effectively - and immediately - can save your organization the expensive consequences of ignoring the issue. Not talking about it or taking no action to stop sexual harassment in the workplace may leave your company open to legal action.

“We already have a policy on that, and we don’t need training.”
A written statement included in your organization’s policy manual is not enough to prevent sexual harassment from occurring. Your company must back up any policy with strong sanctions against such behavior and develop appropriate procedures for employees to follow in reporting complaints. Training is vital, so that employees on all

Is will know and understand your organization’s position on sexual harassment in the workplace. Your best defense against sexual harassment complaints is compliance with the law and active programs of training to enforce your organization’s policy.
MEMORANDUM

DATE: July 1, 1995

TO: District Supervisors

FROM: Charles L. Norman

SUBJECT: Public Notification and All Reasonable Efforts

Attached is updated information concerning Public Notification and "All Reasonable Efforts." Age has been added as one of the listed items in the nondiscrimination statement and should be included in both our Public Notification and "All Reasonable Efforts" documentation.

Please review these documents with Associate District Supervisors and Extension Leaders and provide Extension Leaders with copies of the information to share with members of their staff. Extension leaders should also review these documents with members of their staff during office conference.

During the 1995 county compliance reviews District Supervisors should check documentation to be sure age is included in the nondiscrimination statement as part of the public notification efforts. Supervisors should also check to be sure "All Reasonable Efforts" are being conducted consistently according to the information provided in the attached plan for "All Reasonable Efforts."

The two attached documents replace Public Notification of Nondiscrimination (September 1, 1992) and All Reasonable Efforts (September 1, 1992). Please ask county Extension Leaders to dispose of these earlier documents.

The above outlined requests are in keeping with the 1992 ES/USDA Civil Rights Compliance Review Report Recommendations.

If you have any questions, please give me a call at 974-7108.

c Dr. Billy G. Hicks
Dr. Ivory W. Lyles
Dr. D. Ray Humberd
Dr. Patricia M. Ganter
TO: All District Staff Members  
All County Extension Leaders and Agents

FROM: Billy G. Hicks  
Dean

DATE: July 1, 1995

SUBJECT: INSTRUCTIONS FOR PUBLIC NOTIFICATION OF NONDISCRIMINATION PROCEDURES

In an effort to comply fully with the American’s With Disabilities Act, you are encouraged to make every effort to hold educational programs in locations that are accessible to persons with disabilities. If it is not possible to hold an educational program in a facility that is accessible to persons with disabilities the following statement should be included following the meeting announcement:

"The (name of facility) is not accessible to persons with disabilities. Persons who would like to receive this educational information should contact the county Extension office at (telephone number )."

You will note also in the Instructions for Public Notification of Nondiscrimination, we should use the word disability rather than handicap in our public notification efforts. In order to accommodate the needs of individuals with disabilities a statement following the meeting announcement should be included requesting that persons with disabilities make you aware so their needs can be accommodated (assuming the facility is accessible to persons with disabilities). If the agent is informed in advance this will allow time to make reasonable accommodations prior to the educational program. An example of how this information can be stated is included in the Instructions for Public Notification of Nondiscrimination, Item 3.

Your help in this matter is certainly appreciated.

Administration

A State Partner in the Cooperative Extension System
THE UNIVERSITY OF TENNESSEE, THE U.S. DEPARTMENT OF AGRICULTURE AND COUNTY GOVERNMENTS COOPERATING
The Agricultural Extension Service offers its programs to all eligible persons regardless of race, color, national origin, age, sex or disability and is an Equal Opportunity Employer.
PUBLIC NOTIFICATION OF NONDISCRIMINATION

The Public Notification Plan includes the following requirements:

1. Advise minorities of program availability and requirements of nondiscrimination.

   This includes notifying minorities through promotional literature and mass media, including minorities on mailing lists, and display of the following printed statements of nondiscrimination on letterhead, publications, and other printed materials:

   "The University of Tennessee, The U. S. Department of Agriculture, and County Governments Cooperating. The Agricultural Extension Service offers its programs to all eligible persons regardless of race, color, national origin, sex, age, or disability and is an Equal Opportunity Employer."

   It may also include telephone calls, personal letters and visits to inform minorities of programs available to them.

2. Prominent display of nondiscrimination poster "And Justice for All" in office locations, conference rooms, and at 4-H camps operated by the Agricultural Extension Service.

3. All informational materials released to the public should, as appropriate, contain a statement that the program or activity will be conducted on a nondiscriminatory basis.

   The printed statement in 1. above is not sufficient to serve as public notification of nondiscrimination in relation to a specific activity. Material released to the media or directly to the public announcing a meeting or activity should contain a statement that the particular meeting or activity is open to all interested persons without regard to race, color, national origin, sex, age, or disability.

   Program announcements to a specific, racially identifiable audience such as 4-H members, 4-H leaders, FCE members, FCE officers or Extension planning committee members are not required to contain the statement of nondiscrimination because the individuals addressed are already enrolled in an Extension program. Consequently, all members of the intended audiences would receive the announcement.
Program announcements to a general audience such as "all youth" or "all homemakers" or "all beef cattle producers" should contain the statement. Likewise, program announcements to a subject-matter mailing list should contain the statement because a mailing list might not contain the names of everyone who would be interested in the meeting or activity.

4. Inform minorities of new programs and program changes by mailing information to "grass roots" organizations.

This requirement is often confused with the requirement of notification of nondiscrimination sent to certain organizations and groups. "Grass roots" organizations would not receive the notification letter unless the Extension Service is also working with the organization in one or more of the program areas. "Grass roots" organizations are to be notified of new programs and program changes on an "as needed" basis, which might be several times a year or less than once a year.

All organizations and groups with which Extension works regularly and on a continuing basis (except governmental agencies) are to be notified of Extension’s nondiscrimination policy, and we are to seek assurance from them that they abide by Extension’s nondiscrimination policy. This requirement, however, is not be confused as being a part of the Public Notification Plan. It is not a necessary part of the Public Notification Plan for Extension to notify "grass roots" organizations of our nondiscrimination policy. They are to be notified of new programs and program changes as necessary to keep them and their clientele informed.
TENNESSEE AGRICULTURAL EXTENSION SERVICE
Plan for All Reasonable Efforts

I. Purpose: Re-state policy relating to “all reasonable efforts” to integrate FCE clubs and 4-H units in interracial membership areas.

II. Definitions: “All reasonable efforts;” -- The minimum efforts required of county Extension personnel to integrate FCE clubs and 4-H units located in interracial membership areas. "All reasonable efforts" include the following:

1. Use of all available mass media, including radio, newspaper, and television to inform potential recipients of the programs and of the opportunity to participate.

2. Personal letters and circular letters addressed to defined potential recipients inviting them to participate. Letters must include dates and places of meetings or other planned activities.

3. Personal visits to encourage participation by a representative number of defined potential recipients in the geographically defined area.

Membership area -- Specific area served by a club/unit from which it might reasonably be expected to draw members.

Interracial membership area -- A membership area inhabited by potential recipients of more than one race. County-wide clubs/units are considered in an interracial area if the potential recipient population of the county includes members of more than one race.

III. When Required

When the membership of a FCE club or 4-H unit located in an interracial membership area does not reflect the racial composition of the membership area, all reasonable efforts must be made to integrate the club/unit, and continue to be conducted annually until the membership reflects the racial composition of the membership area. When new clubs/units are formed, "all reasonable efforts" must be conducted and documented before the club/unit is officially recognized.

IV. Responsibility

Conduct of “all reasonable efforts” is the responsibility of county Extension personnel. Lay leaders may volunteer to assist, but may not be required to do so.
V. Interview Records

The interview record forms are to be used in recording information gained from personal (face-to-face) interviews with potential FCE (form Adm. F-121) and 4-H members (form Adm. F-122). Results of the personal interview must be maintained for analysis and audit.

VI. Number of Required Visits and Direct Mail Contacts

The minimum number of personal visits and direct mail contacts required is determined by the number of under-represented in the population in the membership area and the number of under-represented in the FCE club/4-H unit.

Personal visits and direct mail contacts are to be made with at least the number of individuals necessary to bring membership into parity (Example: If a club has 20 members and the under-represented race comprises 20% of the potential recipient population and there are zero of the under-represented race presently in the club; then the required number of visits and direct mail contacts would be not less than four (4) each for this club.)

VII. Procedures

1. Mass Media -- Use all available mass media to advise potential recipients of the programs and of the opportunity to participate. Include the names and locations of all clubs and the statement that membership is open to all without regard to race, color, national origin, sex, age, or disability.

2. Direct Mail -- Send personal letters and circular letters to a representative number of defined potential recipients inviting them to join specific clubs and to participate. Letters must include dates and places of meetings or other planned activities. Include information concerning available county-wide clubs in letters to potential members of community clubs.

3. Personal contacts -- Make personal visits to a representative number of defined potential recipients to encourage participation. Persons contacted in connection with community clubs should be advised of available county-wide clubs.

VIII. Documentation

If at the end of the fiscal year (September 30) membership in a FCE club or 4-H unit does not reflect the racial composition of the membership area, the County Extension Leader will submit the Certification of All Reasonable Efforts form -- one for FCE and one for 4-H -- together with the following documentation to the District Supervisor.

1. A copy of newspaper articles published by newspapers in the county during the fiscal year which advise potential members of the opportunities to participate in a FCE club or 4-H unit. The article should include the statement that membership is open to all without regard to race, color,
national origin, sex, age, or disability.

Also, the club/unit name, location, meeting times and dates, along with other pertinent information should be given in the published articles. Of course, an invitation to become a member of a FCE or 4-H unit should be in the articles.

2. A record of Extension broadcasts from radio stations or public address statements informing potential recipients of the on-going FCE club or 4-H unit activities and the opportunity to become a member.

3. A sample copy of personal letters and circular letters addressed to a member of the under-represented race. There must be an invitation to join a specific club or unit to qualify as a part of A.R.E.

4. A list of recipients of these personal letters.

5. Copies of interview records completed for each personal visit made to potential members of the under-represented race.

IX. Analysis

The county Extension Leader* will evaluate the "all reasonable efforts" made in each membership area and recommend to the District Supervisor to continue or withdraw service to the FCE club or 4-H unit the following year. The analysis will include the following:

1. Did mass media communications clearly indicate that the FCE club or 4-H unit membership and program benefits are available to all eligible persons regardless of race, color, national origin, sex, age, or handicap?

2. Were contacts made (personal and mail) with persons who would most likely be interested in participating?

3. Did letters clearly state the time and place of meetings?

4. Did the group meet in the most available facility where persons of all races would feel welcome to attend?

5. Was a reference given (i.e., county Extension office, office location, and telephone number) for further information about meetings, membership, and program benefits?

*In those counties whereby the county Extension Leader is also responsible for the conduct of the home economics and/or 4-H program, the Associate District Supervisor(s) will perform this function.
UNited States Department of Agriculture
Office of the Secretary
Washington, D.C. 20250

March 24, 1998

Secretary's Memorandum 4360-1

Actions to Foster Improved Outreach to Customers

1. Background and Purpose

On August 22, 1997, I issued Secretary's Memorandum 1020-48 establishing the Office of Outreach within the Department of Agriculture (USDA), which is located in the Office of the Assistant Secretary for Administration. This action implemented recommendation 37 in the Civil Rights Action Team's (CRAT) report. The mission of the Office of Outreach is to ensure that all potential customers have full access to all USDA programs and services. To fulfill its mission, the Office of Outreach's responsibilities are to provide leadership and coordination for program delivery outreach efforts throughout USDA.

To ensure effective outreach efforts at USDA, I have determined the need for additional outreach actions to fulfill the implementation of recommendations 38, 39, and 40 in the CRAT report. The actions ordered below provide for: a) the establishment of a National Outreach Council at USDA headquarters, b) the establishment of a State Outreach Council in each State and Territory, c) the designation of an Outreach Coordinator in each agency, and d) the development of Departmental, agency, and State outreach plans.

2. Actions Ordered

a. In cooperation with the Office of Outreach, the chairperson of the National Food and Agriculture Council (NFAC) will direct the establishment of a National Outreach Council (NOC) at USDA headquarters, to gather information from non-Federal partner agencies and other persons, organizations, and groups in the public, private, nonprofit, and religious arenas about the program and outreach needs of different customer groups (especially under-served groups including women, minorities, and limited-resource clients) and ways to address these needs. In addition, the NOC will work with the Office of Outreach to develop a USDA strategic outreach plan and provide guidance and support to State Outreach Councils (SOC).
Membership shall include one representative from each USDA agency that is active at the State level and should include representatives of Cabinet-level agencies with which USDA collaborates in the delivery of programs.

The incoming NFAC chairperson shall serve as the chairperson of the NOC.

The NOC chairperson shall convene meetings as needed, but not less than once quarterly.

All meetings shall be open and announced via mail and public notices, and agendas shall be circulated to members in advance of meetings, and be available to the public.

Official minutes of all meetings shall be prepared and approved by the NOC chairperson and copies forwarded to the NFAC executive officer, the State Outreach Council chairs, and the director of the Office of Outreach.

In cooperation with the Office of Outreach and NFAC, the chairperson of the Food and Agriculture Council in each state, the Virgin Islands, American Samoa, Guam, Micronesia, Northern Marianas, and the Commonwealth of Puerto Rico (SFAC) will direct the establishment of a State Outreach Council (SOC) to gather information from non-Federal partner agencies and other persons, organizations, and groups in the public, private, nonprofit, and religious arenas about the program and outreach needs of different customer groups (especially under-served groups including women, minorities, and limited-resource clients); ways to address these needs; barriers to participation of under-served customers in USDA programs; and the effective dissemination of information to such groups. In addition, the SOC will develop, coordinate, and monitor a State outreach plan in concert with the SFAC, NOC, and the Office of Outreach.

Membership shall include one representative from each USDA agency operating in the State; relevant State agencies such as the State Departments of Agriculture, Education, Human Resources, and Natural Resources; and State universities and land-grant institutions.

The incoming SFAC chairperson shall serve as the chairperson of the SOC.
(3) The SOC chairperson shall convene meetings as needed, but not less than once quarterly.

(4) All meetings shall be open and announced via mail and public notices, and agenda shall be circulated to members in advance of meetings, and be available to the public.

(5) Official minutes of all meetings shall be prepared and approved by the SOC chairperson and copies forwarded to the SFAC chairperson, the NOC chairperson, and the director of the Office of Outreach.

c Each agency head with significant program delivery efforts shall designate an agency outreach coordinator to plan, lead, and coordinate outreach efforts within the agency; coordinate and communicate agency outreach activities with the Office of Outreach and other agencies; and serve as the agency representative to an Outreach Working Group, to be established by the Office of Outreach.

d Each agency head with significant program delivery efforts shall oversee the development of an agency strategic outreach plan, which reflects the goals and objectives stated in the Departmental Strategic Outreach Plan, and shall oversee the incorporation of the key elements of the agency outreach plan into the outreach component of the agency's Government Performance and Results Act strategic plan.

3 EFFECTIVE DATE

The provisions of this memorandum are effective immediately.

4. TERMINATION

This memorandum shall remain in effect for one year or until such earlier time as published delegations of authority have been revised to incorporate its provisions and all actions ordered herein have been accomplished. Within one year of the date of this memorandum, its provisions shall be incorporated through the Departmental standard operating procedures.

DAN GLICKMAN
Secretary
Unlocking the Barriers

Keys to Communicating With Under-Served Customers
Unlocking the Barriers

Keys to Communicating With Under-Served Customers

March 1998

The United States Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (such as Braille, large print, audiotape) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Jamie L. Whitten Building, 1400 Independence Ave. SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.
Unlocking the Barriers: Keys to Communicating With Under-Served Customers

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Unlocking the Barriers:  
Keys to Communicating  
With Under-Served Customers

Message From the Secretary

One of our most important responsibilities at USDA is to provide our customers with the information they need to make the best use of our programs. That means more than having information available to someone who knows where to look—it means working hard to reach everyone who might benefit from our wide-ranging services.

This reference guide was created to do just that. Written as a response to recommendations in “Civil Rights at the United States Department of Agriculture: A Report by the Civil Rights Action Team,” it gives ways that we can reach people our past efforts may have ignored.

As you know, improving our record on civil rights is a top priority for the Department. A critical part of that commitment is making sure program details and assistance are available to everyone. We can’t do that without effective communication—something for which we are all responsible.

Dan Glickman
Secretary
Introduction

Effective communications to diverse audiences involves learning about their needs as well as enabling them to learn about USDA programs — it's a two-way street.

This guide was created to help you communicate more effectively with limited-resource customers and under-served communities. It provides guidance on writing and implementing communications plans that will help get USDA information to the widest possible audience.

Overview

Limited-resource customers and members of under-served communities have often had a difficult time in the past participating in USDA programs, in large part because they were not receiving basic program information. One reason for that has been our under-use of the media outlets and community organizations to which these customers turn for information.

We must respond to these real and perceived issues. One response is to plan to communicate program information to as many diverse groups as may be affected. We cannot assume diverse and limited-resource customers are getting our information through sources we consider routine. To be an effective communicator, you will need to be creative and "think outside the box" by putting yourself in your audience's shoes. Effective communications to diverse audiences involves learning about their needs as well as enabling them to learn about USDA programs — it's a two-way street. Since traditional efforts have not been successful, you must find new ways to reach your customers. The best way to get started is to talk — and listen — to members of the groups with whom you want to communicate.

This publication will help get you started by providing you with information on getting to know your community, tips on how adults learn, ways to develop communications plans that match your customer's needs, choosing the right outreach methods; sources of information on translation services; information on alternative formats; and information on training.

Who's Responsible

All USDA employees are responsible for communicating with customers about their jobs and the services the Department offers. At the local level, we have a responsibility to make sure that all customers have information communicated to them in the most appropriate, effective way. This sometimes requires extra effort. It requires commitment by all USDA employees, especially those on the front lines, to remove barriers and meet the public at the local level.
Know Your Customers and Their Communities

To better serve your customers, consider their values, environment, social and cultural customs, and language. Many of our customers can be described as limited in resources, socially disadvantaged, or as living in an under-served community. These individuals often reflect undeveloped management skills, less formal education, and perhaps are less willing to take business risks or adopt new technologies. They are often faced with barriers of limited access and limited finances, discrimination, and differences in language and culture that make communication difficult.

Building Trust
Many people today distrust the government because they’ve had negative experiences. Here are some ways to overcome that:

- **Establish a Community Contact**
  Learn as much as you can about your limited-resource customers and under-served communities. The best way to do this is to introduce yourself to the community’s leaders. You can identify leaders by asking community members whom you should contact. Establish rapport by telling them about yourself and USDA’s programs. Ask them about the needs, goals, and operations of their community. Once you establish a relationship with your limited-resource customers or someone from the under-served community, you can solve many of your communication questions simply by asking them for information and assistance.

  These contacts can help you understand the challenges and barriers faced by under-served communities. Identifying a community contact and establishing a relationship of mutual respect and dialogue is one of the single-most-effective ways to improve USDA service to under-served communities and groups.

- **Take to the Field**
  Ask your contacts to accompany you on site visits and demonstrations in the targeted community. Having your contact person with you will increase your credibility among other members of the community.

  Field visits provide opportunities to create good relationships. Make sure that your hosts know that you want to help them establish projects that will benefit everyone involved. Emphasize that USDA technical assistance offers them opportunities to help themselves and their communities.
Tips for Communicating

Identifying a community contact and establishing a relationship of mutual respect and dialogue is one of the single-most-effective ways to improve USDA service to under-served communities and groups.

◆ Keep Your Language Plain and Simple
When speaking with your customers about programs and activities of the USDA, avoid using slang, agency jargon, or acronyms. Keep your language simple and concise. Written information should be translated into clear language, similar to the level at which newspapers are written. Avoid technical terms whenever possible. When you do use them, be sure to provide a definition.

◆ Always Be Ready to Listen
Encourage people to identify their needs in their own language. If there are language difficulties, try visuals, hands-on activities, or other interactive methods. Have an interpreter or translator available.

◆ Be Realistic
It can take time to overcome the effects of many years of under-service. Be patient. If cultural differences are large, recognize that progress will take time. Understanding the knowledge and values of diversity is becoming even more important to life in the United States. Different cultures may have different learning styles.

◆ Eight Points for Effective Communication
1. People learn more effectively when education focuses on problems that they have experienced.

2. People are more willing to learn after they see that a problem exists.

3. People usually draw on their past experiences, knowledge, and beliefs to understand and solve the current problem.

4. Learning is enhanced when new information confirms existing knowledge, experience, or beliefs.

5. When new information conflicts with their existing knowledge, experience, or beliefs, people often resist the new information, or they require more time to learn. When this happens, it is usually more effective to acknowledge their understanding, and then share new information. It is important to have and show respect for people's existing knowledge, even if you do not agree with it.

6. We can learn from our customers, too. Communication with our customers should be two-way whenever possible. Careful listening is one of the keys to communication.
7. People have many demands on their time and budgets. They want to use the fastest and least expensive way to learn. Provide information and opportunities to communicate at times convenient to your customers, and keep any cost as low as possible.

8. Acknowledge and respect people’s existing knowledge and expertise. They are more likely to learn new information in an atmosphere of respect.

**Learn by Doing**
Offer your new customers “hands-on” experiences that demonstrate USDA technical assistance. If this is not possible, provide them with clear and concise “how-to” instructions so that they may learn on their own.

**Learn Through Dialogue**
Encourage two-way communication with your customers by talking with them frequently. Listen carefully to what they tell you. The following are some simple fill-in-the-blank phrases that you can use to keep the conversation going, and avoid misunderstandings:

- “What I understand you to mean is __________. Is that correct?”
- “Help me look at __________ from your point of view.”
- “Tell me more about what concerns you about __________.”
- “How can we work it so that __________?” (Be sure to include mutual concerns.)
- “What will it take to _____?” (Again, include your concerns and theirs.)
Steps to Designing a Communications Plan

Reaching your customers and effectively communicating with them always works better if you take the time to think out and develop a clear method of approach. It also helps to put this plan in writing. There are three critical steps in developing a communications plan:

◆ Step #1. Analysis

A good communications plan begins with teamwork. Talk with your contacts and other partners who are involved in your outreach. Make sure everyone has opportunities to contribute to the plan. Ask for advice. Consider having listening sessions with members of the community you are trying to reach to determine their concerns.

Together, analyze the social and economic conditions of the people and communities to be served. Look at cultural factors. Take into account the needs of people who have disabilities. Write a summary of the situations, set objectives, and establish a strategy for your outreach. When doing so, consider the following:

✓ Who are you trying to reach?
✓ What do you know about your customers?
✓ What do your customers know about you?
✓ What do you want to say?
✓ What are the problems and opportunities?
✓ What do you want to happen?
✓ What kinds of research need to be done?
✓ How will your customers and your partners benefit from your outreach?
✓ How will you know when you’ve done what you set out to do?
✓ Who else can help you (partners)?

◆ Step #2. What To Put Into Your Written Communications Plan

Your communications plan should include:

✓ Background on and reasons for the outreach:
✓ A description of why the outreach is necessary:
✓ A list of your audiences:
✓ Goals and objectives of the outreach:
✓ The messages for your audiences:
✓ The media that you will use to reach your audience:
✓ Partners and cooperators who will help you:
✓ A time line of key events in your outreach:
✓ How you will measure the effectiveness of your outreach; and
✓ How you will get feedback from your audiences.
Step #3. Putting Your Plan on Paper

Keep your plan simple. Create a table that has a column for each of these categories:

- Priority — rate the importance of each item;
- Target audience — identify with whom you will communicate;
- Desired response — what is the response you desire from your target audience;
- Target message — what is the main point you want to communicate;
- Action — what step you or partners will take to help meet the overall strategy;
- Schedule — the date when the action will start; and
- Remarks.

While the table on the next page provides a model, you will need to make your table match your project. Add columns for information such as who is responsible for each aspect of the plan, which partners and cooperators will participate, what additional resources are needed, and evaluations of the effectiveness of your tactics.
## Communications Plan Tactics Table

<table>
<thead>
<tr>
<th>Priority</th>
<th>Target Audience</th>
<th>Desired Response</th>
<th>Targeted Message</th>
<th>Tactic</th>
<th>Schedule</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>USDA employees</td>
<td>Begin working with local customers on what the new program means.</td>
<td>USDA has developed a new program. Here are final rules on what it is and how it will work.</td>
<td>Presentation</td>
<td>August</td>
<td>Deliver at staff meeting.</td>
</tr>
<tr>
<td>3</td>
<td>Local media</td>
<td>Media publish stories on when and how USDA plans to make program available.</td>
<td>USDA is implementing a new program. Here's the impact on your constituents and the schedule for implementation</td>
<td>Press release</td>
<td>August</td>
<td>Hand-deliver release to media.</td>
</tr>
<tr>
<td>2</td>
<td>Potential program participants</td>
<td>Customers understand the impact of the new program so they can make informed decisions.</td>
<td>USDA's new program can benefit you.</td>
<td>Community meeting</td>
<td>Fall</td>
<td>Hold meeting at community center.</td>
</tr>
</tbody>
</table>

Priority is designated 1, 2, 3, or high, medium, low. Everything is not high priority.
Target Audience is, as specifically as possible, whomever we wish to communicate with.
Desired Response is whatever we want to happen as a result of the communication.
Targeted Message is the main point we want to get across.
Tactic is a product or method that will help meet the overall strategy.
Schedule is when the action needs to be put into effect.
Remarks column allows the planner opportunity to include any additional information that would help make the action work.
Choosing the Right Outreach Method

News Media
Many communications plans include the use of news media. To do this effectively, you must find the right media, craft a message especially for it, and persuade people in that media to send out your message. Again, your contacts in the local community will be critical in helping you with these steps.

Begin by creating a list of local media that reach your target audience. Your cooperators and other partners can help you identify them. Ask your contacts if they know people in local media; having this “in” can give you an important edge in getting your message in print or on the air.

USDA’s Office of Communications and your agency’s public affairs staff are other sources of media contacts. They can supply, for example, media lists specializing in the interests of ethnic groups such as Asian and Hispanics, religious groups, senior citizens, and persons with disabilities. You can secure information from the USDA Office of Communications by contacting your agency’s national communications office.

If you’ve never worked with the media, the information that follows will give you some tips. Your contacts can help you identify the best media for your community. One thing to always keep in mind — you must be able to clearly state the benefit the media’s audience will receive from your message.

Television
Television reaches more people than newspapers and magazines. It’s more immediate than print. To persuade a local television station news director to use your story, send him or her a press release or letter that clearly states your story idea. Follow up by telephone to find out whether the station is interested. Be ready to suggest shooting locations, props, and on-camera speakers that will make the story more interesting and appealing to the eye. Please note that you may be asked to supply broadcast quality video footage or to work with the television station’s own camera crews.

Radio
Radio offers a wide variety of formats to reach your target audience — music, all news, public-service, special-event, talk, and call-in shows. Many are also broadcast in a variety of languages and feature programming designed for specific audiences.

When approaching a news director, be prepared to communicate your story idea clearly. Offer articulate and knowledgeable experts who speak the language or come from the audience community to be interviewed on the topic of your story. You can also supply written public-service announcements for broadcasters to read on the air. Be sure to contact the station about its guidelines for submitting a public-service announcement before you start to write it.
Newspapers

Newspapers are lifelines into local communities that provide useful information. Keep in mind that newspapers have varying publishing schedules — daily, weekly, monthly. You must time your information accordingly. Many newspapers are also targeted to a special interest or have specific sections such as lifestyle, food, home and garden, or real estate. If you are aiming for a specific section, shape your message to match the format.

Magazines

Magazines provide highly targeted and specialized, in-depth information. Most magazine editors are interested in receiving story ideas and full-length articles. All stories must be customized to the magazine’s readers. To be accepted, stories need to be well researched and written, and accompanied by high-quality photographs.

Before offering an article to a newspaper or magazine, contact its editor to find out if your message matches the interests of the readers of the publication.

Special Interest Groups

Special interest groups and community-based organizations offer abundant outreach opportunities. These groups include service clubs, women’s groups, environmental groups, farm or woodland groups, trade and professional associations, non-profit groups, educational associations and schools, civic and business organizations, land-grant colleges, and religious organizations. You can probably think of other groups. You can contact these groups through their leaders and members. Make yourself available to attend their meetings, special events, or to make presentations to them. Consider submitting news items for their newsletters and other publications. Special interest groups are also usually willing to share their perspective. They can provide you with an effective way to encourage dialogue and two-way communication, and will help you get to know about the diverse interests and activities in your community.

Special Events

You can hold an event to get attention for USDA assistance to people and communities. Include as many of your contacts, partners, and customers as possible. Include opportunities for “hands-on” learning. For example, give demonstrations on how USDA technical assistance is done and have written information that people can take home or share with neighbors.

Hold a walk-through of a USDA project or a field demonstration. Invite USDA agencies and affected groups in your area to participate, and have USDA personnel on hand to provide on-site assistance.
Also, look for opportunities to participate in special events held by the under-served communities. Make yourself available. Create a display featuring your project, and use it by showing it at farm and trade shows, libraries, and meetings of business persons and civic groups.

**Brochures and Fact Sheets**

Nearly every agency will produce community level brochures, fact sheets, and other types of publications to explain available programs. No matter how technical the subject matter may be, it can be written so that it is easy to understand. Keep your language simple and concise. Readers should have no more trouble understanding our publications than the material they read for pleasure. Apply the following tips to a well-written document:

◆ **Aim Your Writing**

Know your audience. Understand to whom you are directing your message. Think about their experience and level of understanding. Write as if you are speaking to them.

◆ **Study/Outline**

Be sure you fully understand the material before you begin to write. Outline your writing to help organize the document for information flow. It can be changed as the actual writing progresses.

◆ **Think Short**

The usual culprits in poor writing are long words, long sentences, and long paragraphs. Titles and subtitles should be kept short — preferably no longer than six words. Acronyms are not included for thinking short. Spell out those abbreviations or use another word.

◆ **Use Active Verbs**

Don’t avoid making direct statements. You know your subject and your message — so get to the point.

◆ **Give Visual Relief**

Don’t be text heavy. Graphics are an important element in writing and in bridging cultural and language barriers. Words are not the only way to convey a message. Illustrations, tables, charts, and drawings are important tools to a writer. However, use graphics only when they will clarify or replace large blocks of text. Don’t create unnecessary graphics.
Choosing The Right Outreach Method

Empty or white space on a page is not wasted space. Used properly, it will give readers visual relief and aid their grasp of the message. Writers can add white space by writing short paragraphs. Another way to add white space is to convert suitable text to list formats. An illustration or photograph may be another form of visual relief. If a manuscript describes a procedure, use an illustration of the form next to the procedure.

Remember...text size may be a concern for those with visual disabilities. Stay away from type any smaller than 10 or 12 point. Never exceed a line length of 75 characters; eyes lose track if the line is longer. Choice of colors should also be a consideration. Keep text in a high contrast form, preferably black on white. If colors are used, maintain high contrasts of dark on light backgrounds. Text positioned over backgrounds should maintain the same contrast. Stay away from textures or screens that will lose high contrasts. For assistance, follow USDA’s format guides and standards available from the Design Center, Office of Communications, Washington, D.C.

Use the Appropriate Language

Typically, your documents will be produced in English. However, there will be some instances when you should translate the information into languages appropriate to your community.

There are several ways you can make your documents available, in the language of your customers. First, ask someone to translate it for you. Often, members of the community you’re trying to reach will volunteer this service because they know the information may be valuable to their peers. Other community resources such as schools, local governments, and religious and civic organizations may be able to help. You can also work through your agency to engage the services of a professional translator.

In addition, the USDA TARGET Center in Washington, D.C., will provide you with information on translation services. The TARGET Center can put you in touch with the U.S. Department of State’s Office of Language Services, universities and colleges, and private businesses that offer translation and interpreting services.

Future Document Uses

Any document created should be available in other forms. Ask your computer specialist to create computer files in ASCII, HTML, and PDF.

These computer file formats aid in acquiring alternative information mediums by your customers, i.e., Braille or audio conversions. These files are also used for uploading to the Internet sites in USDA.
Using the Internet

Like most other Federal agencies, USDA is making increasing use of the Internet—both for internal and external communications. Internet usage among USDA agencies is at various levels; however, USDA agencies are encouraged to use Internet communications more and more as a means of distributing information. Text, graphics, audio, and video provide multiple opportunities for communicating information and educational resources to any audience. Various related information sites are also easily accessed via the Internet. One key advantage to placing informational resources on the Internet is that people with disabilities will often have the necessary software to be able to read and translate the resources. Software that reads text, displays it in large type, or even translates is available for the computers of the audience you may be trying to reach. If you incorporate graphics into descriptive text, you will improve communication for hearing impaired individuals. Help in getting your information on the Internet is available from your agency.

Special Needs

In your outreach efforts, make sure that you consider the special needs of all your customers — and it is appropriate to ask people their preferences. Providing appropriate auxiliary aids or services to persons with impaired sensory, manual, or speaking skills, where necessary, affords these people an equal opportunity to benefit from the services.

Alternative Formats

Providing your information in other languages is not your only consideration. The needs of the disabled community must also be taken into account. For example, there are several alternative formats available for people who have visual disabilities. These formats include Braille, personal readers, cassette recordings, audio description videos, ASCII computer diskettes of information, and large-print publications.

In addition, there are many resources available that will convert printed information into alternative formats. The U.S. Library of Congress National Library Service for the Blind and Physically Handicapped, Washington, D.C., maintains resources to assist people with visual disabilities.

Individuals with hearing impairments may need sign-language interpreters or certain seating to accommodate lip-reading. Keep in mind that individuals with mobility disabilities need to have physical access to and within a given location.

Again, the TARGET Center has current information on alternative formats and common-sense suggestions. Many of TARGET’s suggested devices are free or available at very low cost. Providing these aids and services to persons with impaired sensory, manual, or speaking skills, where appropriate, affords these people the opportunity to benefit equally.

Providing the right kind of training is an important element of effective communication with diverse USDA customers.
Training

For information on translation services and alternative formats, contact the USDA TARGET Center at (202) 720-2600 (voice and TDD) or http://www.net.usda.gov/oo/accessable.html

USDA Employees
USDA requires all employees to be trained in and aware of policies, practices, and procedures that guarantee effective communications to all of its customers, including under served individuals and communities.

Providing the right kind of training is an important element of effective communication with diverse USDA customers. Like nongovernmental businesses and organizations, government agencies need to address growing cultural diversity through action plans, the recruitment of a diverse work force, and a management program that prepares employees to work and communicate not only with each other but with customers and clients having different racial and cultural backgrounds, sexual orientations, and unique needs.

An effective diversity training program comes in many forms. It is important to design a flexible program tailored to suit a particular agency or office. An effective training program must contain a mix of elements including:

- Clearly defined training goals that will engender cultural awareness and knowledge;
- Provide skills and tools to respond to diverse needs;
- Target and remove unconscious discrimination;
- Provide knowledge and accessibility to a wide range of available resources.

There are a variety of training methods available to employees who work with under-served customers. These include in-house and off-the-shelf classroom and laboratory training, on-the-job training from other employees, and self-study modules.

Training is available in these formats:
- Lectures and discussions;
- Manuals or other printed material;
- Audio-visual;
- Training for small groups;
- Case-studies;
- Practice exercises;
- Computer-based training and other interactive technologies.

The range of training opportunities is significant and information is available through the USDA Graduate School and your agency's employee development program.
1 Purpose

To establish Departmental policy to ensure that educational and technical assistance services and communications materials are available to all customers in languages appropriate to the community being served, and that USDA offices use appropriate media outlets to distribute information to under-served communities.

2 Responsibilities

a. Communicating USDA Programs. Agency heads shall develop and implement communications plans that include an outreach component. Agency heads shall adequately fund these plans to meet all civil rights obligations pertaining to developing publications and documents in alternative formats (i.e., Braille, large print, cassette, open or closed captioning), and in languages other than English, as deemed appropriate for the agency mission.

When developing a communication strategy for the program or service area, the plan must include media outreach to under-served customers such as women, racial and ethnic minorities, and persons with disabilities. Plans should also include providing information in other languages, public service announcements in publications, and outreach to radio and TV stations serving persons in other languages.

b. Employee Training. Managers and supervisors shall ensure that all employees are aware of policies, practices, and procedures guaranteeing effective communication to all customers and others, and that each employee holding a “public contact position” is aware of USDA’s civil rights obligation and commitment to ensuring equal opportunity to access information and services. Managers and supervisors are responsible for effectively implementing this requirement and will be held accountable in their performance standards for their actions.

3 Cross Reference

Further information on communicating with persons with disabilities may be found in the Department’s section 504 Handbook.
4 Interagency Cooperation
To reach limited-resource customers and under-served communities, wherever possible, agencies shall collaborate and cooperate in producing information items and when conducting communication activities.

5 Non-Traditional Outreach
To reach limited-resource customers and under-served communities more effectively, agency heads will ensure that communications plans include informal communication outlets such as community leaders, schools, and associations.

6 Aids and Services
Agencies shall provide appropriate auxiliary aids or services to people with impaired sensory, manual, or speaking skills, where reasonably necessary, such that agencies assure that these persons have an equal opportunity to benefit from the agency’s services.

It is USDA’s intent to meet all such reasonable requests for aids and services. Alternative formats include, but are not limited to, the provision of information in the language of the community being served; formats such as Braille, large print, and cassette tape; use of a sign language interpreter; use of a language translator; room seating arrangements to accommodate lip-reading, visual impairments, and other special needs; verbal descriptions of flipcharts, transparencies, and so forth, for people who have visual impairments; and sites that are fully accessible to people with disabilities.

7 Use of the Internet and Electronic Technologies
All national publications shall be accessible on the Internet or available in other forms of electronic technology. At a minimum, agencies are required to post a notice on their homepage which:

a. States the availability of the publication in other electronic formats (i.e., ASCII);

b. States the availability of the publication in alternative formats (i.e., Braille, large print, cassette, and/or other languages); and

c. Provides ordering information for those requesting documents, which includes an agency mailing address, facsimile, Telecommunications Device for the Deaf, and voice telephone number.
<table>
<thead>
<tr>
<th>Female</th>
<th>Male</th>
<th>Total</th>
<th>Male</th>
<th>Hispanic</th>
<th>Asian</th>
<th>Total</th>
<th>White</th>
<th>Black</th>
<th>Am Ind</th>
<th>PAsa Farm Loan</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Potential Recipients**

Suggested Resource Development Program
<table>
<thead>
<tr>
<th>Year</th>
<th>Hispanic</th>
<th>American Indian of</th>
<th>Black or African-American</th>
<th>White or other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970</td>
<td>111</td>
<td>194</td>
<td>106</td>
<td>0</td>
<td>411</td>
</tr>
<tr>
<td>1980</td>
<td>6,846</td>
<td>119</td>
<td>108</td>
<td>0</td>
<td>9,161</td>
</tr>
<tr>
<td>1990</td>
<td>12,711</td>
<td>194</td>
<td>106</td>
<td>0</td>
<td>24,221</td>
</tr>
<tr>
<td>2000</td>
<td>20,286</td>
<td>194</td>
<td>106</td>
<td>0</td>
<td>42,111</td>
</tr>
<tr>
<td>2010</td>
<td>30,120</td>
<td>194</td>
<td>106</td>
<td>0</td>
<td>61,291</td>
</tr>
</tbody>
</table>

**Potential Audience**

There are several potential audiences for the data presented in the table:

1. Researchers and analysts who study demographic trends and their implications for policy-making.
2. Educators and policymakers interested in the impact of race and ethnicity on education and employment outcomes.
3. Non-profit organizations and community leaders focused on social justice and equal opportunity initiatives.
4. Government agencies and statistical offices responsible for compiling and disseminating demographic data.

**Potential Questions for Further Research**

1. How have the demographics of the Hispanic population changed over time?
2. What factors contribute to the trends observed in the table?
3. How do these trends impact policies and programs aimed at addressing inequality?

**Potential Applications**

1. Educational programs targeting underrepresented minority groups.
2. Employment initiatives to reduce racial and ethnic disparities in the workforce.
3. Health care services that address the specific health needs of Hispanic populations.
4. Urban planning and development strategies that take into account the growing Hispanic population.

**Potential Limitations**

1. The data may not capture the full diversity within the Hispanic population, as different subgroups may experience different trends.
2. The data may not account for intergenerational differences within the Hispanic community.
3. The data may not fully reflect the impact of socioeconomic factors on demographic trends.

---

*Note: The table contains data from the U.S. Census Bureau, which provides detailed information on population demographics.*
Determining 4-H Potentials

If all of your potential audience comes from the school system, school enrollment should be used to determine your potential audience and projections.

When your audience includes non-4-H members and county wide youth, then probably the best estimate of your potential is the latest Census. You would then use the census information for the different age breakdowns from 9-19. Younger ages listed in the census could help you project audiences for later years.

When using Census information for potentials:

“Total White” Audience = Census White Total - (minus) Census Hispanic Total

“Total Asian” Audience = Census Asian Total + (plus) Census Other Race Total
Determining Agriculture Potentials

The following are recommendations on determining potential audiences for Agriculture programs. You should always use the best data possible at any given time in determining your potential.

Agriculture - Farm Audience

- Normally the best source of this information is the latest Census of Agriculture.
- We have historically used the Number of Farms for our Total and then the Operator Race numbers.
- Total Female would be the number of farm operators who are Female.
- This assumes we work with one farmer per farm as a general rule.

Agriculture - Non-Farm Audience

- Normally the best source is the latest census data.
- You may use either the general population or the number of households.
- Normally the number of households is most reasonable since it is likely on homeowner and general public issues we would work with one person per household.
- Since the census does not break households down by female and male, you should use the percentage female and percentage male from the overall county census and multiply these percentages by the total number of households to get the number of females and number of males.
If actual percentage computed is greater than or equal to the minimum, then party has been reached.

To calculate party, multiply the potential percentage by 50 percent (0.50). This gives you the minimum percentage of actual contacts you can have in each race and gender category. Compare this minimum percentage to the actual percentage computed to determine party.

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Potential %</th>
</tr>
</thead>
<tbody>
<tr>
<td>White Non-Hispanic</td>
<td>45.2%</td>
</tr>
<tr>
<td>Black Non-Hispanic</td>
<td>45.2%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>45.2%</td>
</tr>
<tr>
<td>Asian</td>
<td>45.2%</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>45.2%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>4,206,022</td>
</tr>
<tr>
<td>2000</td>
<td>5,583,368</td>
</tr>
</tbody>
</table>

WNR: White Non-Hispanic
NR: Non-Hispanic
H: Hispanic
AI/AN: American Indian or Alaska Native
AS: Asian

**Calculating Party**

<table>
<thead>
<tr>
<th>Election</th>
<th>Potential Party %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>44.9%</td>
</tr>
<tr>
<td>2000</td>
<td>44.9%</td>
</tr>
</tbody>
</table>

WNR: White Non-Hispanic
NR: Non-Hispanic
H: Hispanic
AI/AN: American Indian or Alaska Native
AS: Asian
Civil Rights

Compliance Review
& Compliance Report

Date:
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<th>Page</th>
</tr>
</thead>
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<td>C1</td>
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<td>Extension Personnel Employed in the County</td>
<td>Section 1</td>
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<td>Staff Involvement in Program Management</td>
<td>Section 2</td>
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<td>Overall County Program Action</td>
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</tr>
<tr>
<td>Agricultural Programs</td>
<td>Section 8</td>
</tr>
<tr>
<td>Resource Development Programs</td>
<td>Section 9</td>
</tr>
<tr>
<td>Family and Consumer Sciences Programs</td>
<td></td>
</tr>
<tr>
<td>4-H Youth Programs</td>
<td>Section 10</td>
</tr>
</tbody>
</table>
P1 - PREFACE

It is the policy of the University of Tennessee Extension to offer its programs to all eligible persons without regard to race, color, national origin, sex, age, or disability. To ensure compliance with this policy and applicable civil rights legislation and related regulations, comprehensive reviews are held in each county on a regular basis.

The purpose of this online document is to provide a framework for use by county Extension agents and Regional Directors in determining whether the county Extension program is in compliance with the policy of nondiscrimination. This electronic document is also to be used as an annual compliance report of the various affirmative action activities and accomplishments in the county.

Civil rights compliance reviews are to determine the compliance status of the county Extension program at the time the review is held. However, since the review may be held at any time during the year and statistical data for the year in progress may not be readily available, many questions refer to the most recently completed calendar year. The calendar year for the report is generally January through December of the calendar year last completed. If significant changes have occurred since the end of the program year, these should be noted in written response to the questions and during the on-site review. On-site compliance reviews are conducted in 25 percent of the counties each year. Reviews are to verify the accuracy of the data and the responses to questions.
A review of compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendment of 1972, UT Extension's Equal Employment Opportunity Program and other regulations and instructions related thereto was conducted and the results reported herein.

Additionally, a review of the various activities carried out this year to implement the affirmative action provision of the "Plan of Action of the University of Tennessee Agricultural Extension Service and Department of Agriculture (General Audit Report No. 6605-1-AT)," has been conducted and the results are reported herein.

CERTIFIED BY:

County Extension Director

__________________________

Date

REVIEWED BY:

Regional Director

__________________________

Date

Regional Program Leader, Agriculture

__________________________

Date

Regional Program Leader, Family & Consumer Science

__________________________

Date
Section 1. EXTENSION PERSONNEL EMPLOYED IN THE COUNTY*

<table>
<thead>
<tr>
<th>1.1 Names of Agent(s) or Specialist(s) assigned in the County</th>
<th>Race Code**</th>
<th>Sex</th>
<th>Program Area of Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>1.2 Names of Secretaries assigned in the County</th>
<th>Race Code**</th>
<th>Sex</th>
<th>Program Area of Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

*Include persons employed at any time from January 1 of the last program year through the date of this review. Do not include paraprofessionals.

**Race Code:
- W = White
- B = Black
- H = Hispanic
- AI = American Indian/Alaskan Native
- API = Asian/Pacific Islander
Section 3. OVERALL COUNTY PROGRAM ACTION

3.1. Does the county Extension staff or any of its members sponsor, support, financially assist, or officially participate in any conferences, conventions, or meetings where participants are segregated, excluded, or treated differently based on race, color, national origin, age, sex*, or disability?

   Yes ☐ ☐ No ☐

   If Yes, comment: ____________________________________________

*Sex segregated educational programs and related activities and events which are not exempted from the provisions of Title IX of the Education Amendment Act of 1972.

3.2. List below the associations, organizations, and groups with which the county Extension agents/specialists have been working periodically and/or on a continuing basis. Check the program area(s) of interest and enter the date agents and/or the Dean informed these entities and groups of Extension's policy of nondiscrimination. Dates should be within the program year of the current review.

<table>
<thead>
<tr>
<th>Name of Group</th>
<th>Program Area</th>
<th>How Informed</th>
<th>Date Last Informed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>
**Section 4. PUBLIC NOTIFICATION**

4.1. List one example from each program area of informational materials released to the public, which indicate that all educational programs and/or activities sponsored or assisted by county Extension employees are open to all regardless of race, color, national origin, age, sex, or disability (e.g., newspaper articles, radio scripts, etc.). Dates should fall on or between January 1 and December 31 of the program year of this review.

<table>
<thead>
<tr>
<th>Program Area</th>
<th>PLAYER  (Please list Title, Type of Notification and/or Media Outlet)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resource Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family and Consumer Sciences</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4-H</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.2. List "grass roots" organizations that have been informed by mailing information or by personal visit to inform the leadership of UT Extension's services, to solicit their help in informing their clientele of UT Extension's programs of special interest and of new programs and program changes.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Date Informed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.3. List news outlets and other media that received information of UT Extension program announcements and program developments or program changes. (If space provided is insufficient, more than one media outlet may be listed per line, but each should correspond to the minority orientation at right.)

<table>
<thead>
<tr>
<th>Media?</th>
<th>Minority Oriented</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>1.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
</tr>
</tbody>
</table>

4.4. List specific actions taken other than those listed above to advise minorities and underrepresented of program availability and the requirement for nondiscrimination (e.g., personal contacts).

1.                                             
2.                                             
3.                                             
4.5 (a) Is the nondiscrimination poster, "And Justice for All," posted in the county Extension office where it is readily visible to the visiting public?  

☐ Yes ☐ No

4.5 (b) Is the nondiscrimination poster, "And Justice for All," posted in the Extension conference room?  

☐ Yes ☐ No
Section 5. STAFF HOUSING AND FACILITIES

5.1. Are all Extension employees housed in office space according to function without regard to race, color, age, sex or national origin?  

☐ Yes ☐ No

If no, explain and comment on corrective action to be taken:

5.2. Do people, regardless of race, color, age, sex, or national origin, enter the Extension agents' office from the same reception area?  

☐ Yes ☐ No

If no, explain:

5.3. Does the county Extension office have separate rest rooms, drinking facilities, or building entrances based on race, color, or national origin?  

☐ Yes ☐ No

5.4. Do all agents have equal access and opportunity in accordance with work assignment for use of the following?

(a) Supplies ☐ Yes ☐ No
(b) Equipment ☐ Yes ☐ No
(c) Demonstration kitchen ☐ Yes ☐ No
(d) Secretarial assistance ☐ Yes ☐ No
(e) Auditorium/meeting room ☐ Yes ☐ No
(f) Travel opportunities ☐ Yes ☐ No
(g) Publications ☐ Yes ☐ No
(h) Telephone ☐ Yes ☐ No
(i) Other facilities ☐ Yes ☐ No

Please list "Other:

If no to any of the above, explain:

_____________________________________________________________________________

5.5. Are secretaries assigned to work across racial lines in serving agents/specialists?  

☐ Yes ☐ No

5.6. What methods are used by county Extension agents/specialists to monitor the status of program compliance:

_____________________________________________________________________________

5.7. Is the county Extension office accessible to the disabled?  

☐ Yes ☐ No

Section 6. AGENT ASSIGNMENT AND TRAINING

<table>
<thead>
<tr>
<th>Name of Agent or Specialist</th>
<th>Contacts by Race and Sex</th>
<th>TOTAL</th>
<th>Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
<td>American Indian or Alaskan Native</td>
</tr>
<tr>
<td>#</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6.2.(a) Are agents/specialists assigned and expected to work with clientele in their program area(s) regardless of race, color, age, sex, or national origin?  

6.2.(b) Explain significant variations in the percentage of potential clientele by groups in the program area(s) and contacts made by each agent.

6.3. What procedure, if any, is used in the county office for making referrals for service to the responsible agent(s), irrespective of race, color, age, sex, or national origin? Describe procedure (briefly):

6.4. Do all agents having responsibility in the same program areas receive the same official information regardless of race, color, age, sex, or national origin?  

If no, explain:

6.5. What procedures are used to see that all agents/specialists are notified of administrative actions or other official communications regarding civil rights?

6.6. List civil rights training received by agents/specialists during the past program year. (List office conferences, regional conferences, state conferences, and other occasions where civil rights training was given on or between January 1 and December 31.)

<table>
<thead>
<tr>
<th>Event</th>
<th>Dates (The date data format should be: MM/DD/YYYY, e.g. 04/15/2003)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Conferences</td>
<td></td>
</tr>
<tr>
<td>Regional Conference(s)</td>
<td></td>
</tr>
<tr>
<td>State Conference(s)</td>
<td></td>
</tr>
<tr>
<td>Other:</td>
<td></td>
</tr>
</tbody>
</table>

6.7. Are the county civil rights files reviewed and updated regularly?  

Date of most recent review:

6.8. Does the file contain:
(a) Civil Rights Act of 1964  
(b) Title 7 CFR 15  
(c) Supplemental Instructions  
(d) County Affirmative Action Plan  
(e) Compliance review plans, reports, etc.  
(f) Racial and ethnic data on county  
(g) Secretary's Memorandum No. 1662 and Supplements 3 and 3 Revised  
(h) Title 9, Equal Opportunity, USDA-Administrative Regulations  
(i) Title 7 CFR 15A (Title IX)  
(j) Title 7 CFR 15B (Handicapped)  
(k) Plan of Action of The University of Tennessee Agricultural Extension Service and Response to the Audit Findings of the Office of Equal Opportunity U.S. Department of Agriculture (General Audit Report No. 6605-1 AT)  
(l) Civil Rights policy letters from the Dean  
(m) Civil Rights policy letters from the District Supervisor  
(n) Americans with Disabilities Act (ADA) Information  
(o) Please List Other Items Below:  

☐ Yes ☐ No  

☐ Yes ☐ No  

☐ Yes ☐ No  

☐ Yes ☐ No  

☐ Yes ☐ No  

☐ Yes ☐ No  

☐ Yes ☐ No  

☐ Yes ☐ No  

☐ Yes ☐ No
Section 7. AGRICULTURAL PROGRAM PLANNING AND PROGRAM ACTION

7.1. Indicate total number of potential recipients and actual participation in agricultural programs by sex and racial ethnic composition for farm and agribusiness programming.

<table>
<thead>
<tr>
<th>Recipients and Contact Participation</th>
<th>Racial-Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>Potential Recipients</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Actual Participation Last Year</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Projected Participation Current Year</td>
<td>No.</td>
<td>%</td>
</tr>
</tbody>
</table>

7.2. If participation data reported in 7.1. above indicates underrepresentation of one or more racial-ethnic group(s), what efforts have been made to attract or encourage participation by the underrepresented? If parity has been achieved, including male, female, check here:

__________________________________________________________________________

7.3. What efforts have been made to involve farmers who are women in agricultural programs and activities and what efforts are planned for the future?

__________________________________________________________________________

7.4. Indicate total number of potential recipients and actual participation in programs by sex and racial ethnic composition for agricultural programming for your general public audiences.

<table>
<thead>
<tr>
<th>Recipients and Contact Participation</th>
<th>Racial-Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>Potential Recipients</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Actual Participation Last Year</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Projected Participation Current Year</td>
<td>No.</td>
<td>%</td>
</tr>
</tbody>
</table>

7.5. If participation data reported in 7.4. above indicates underrepresentation of one or more racial-ethnic group(s), what efforts have been made to attract or encourage participation by the underrepresented? If parity has been achieved, including male, female, check here:

__________________________________________________________________________
7.6. What efforts have been made to involve women in agricultural programs and activities geared toward the general public and what efforts are planned for the future?

7.7. Indicate below the name, composition, and membership of each committee (including special interest, study or commodity, farm organization, etc.) that helps the agents to plan or advises them in agricultural program developments.

Committees, by sex and racial-ethnic composition.
Number of Members by Race and Sex

<table>
<thead>
<tr>
<th>Name of Committee(s)</th>
<th>Racial-Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7.8. Have any changes or adjustments been made or are any anticipated for the planning committee(s) with reference to sex and/or racial composition, selection procedures or the way the committee meets and plans?

If yes, comment:

7.9. At any time during the last program year or to date in the current year were new committee members provided with training without regard to race, color, national origin, sex, age, or disability to assist them in assuming their responsibilities on planning committees?

7.10. Indicate the number of clientele on your agricultural mailing list(s). Include established subject matter and general lists only.

<table>
<thead>
<tr>
<th>Title of Mailing List(s)</th>
<th>Racial Ethnic Composition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
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<td></td>
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<td></td>
</tr>
</tbody>
</table>
7.11. Indicate the number of agricultural clientele in attendance at group meetings agents/specialists held this last program year. (Provide total agricultural contacts made through group meetings.)

<table>
<thead>
<tr>
<th>Racial-Ethnic Composition</th>
<th>White, not of Hispanic Origin</th>
<th>Black, not of Hispanic Origin</th>
<th>American Indian or Alaskan Native</th>
<th>Hispanic</th>
<th>Asian or Pacific Islander</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agent Contacts Made Through Group Meetings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100.00</td>
</tr>
<tr>
<td>Percent</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

7.12. Indicate the number of agricultural clientele reached through farm and home visits by agents/specialists during the last program year.

<table>
<thead>
<tr>
<th>Racial-Ethnic Composition</th>
<th>White, not of Hispanic Origin</th>
<th>Black, not of Hispanic Origin</th>
<th>American Indian or Alaskan Native</th>
<th>Hispanic</th>
<th>Asian or Pacific Islander</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agent Contacts Made by Farm and Home Visits</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td>100.00</td>
</tr>
</tbody>
</table>
Section 8. RESOURCE DEVELOPMENT PROGRAM PLANNING AND ACTION

8.1. Indicate total number of potential recipients and actual participation in resource development programs, by sex and racial-ethnic composition.

<table>
<thead>
<tr>
<th>Recipients and Contact Participation</th>
<th>Racial-Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>Potential Recipients</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>Actual Participation Last Year</td>
<td>No.</td>
<td></td>
</tr>
<tr>
<td>Projected Participation Current Year</td>
<td>No.</td>
<td></td>
</tr>
</tbody>
</table>

8.2. If participation data reported in 8.1. above indicates underrepresentation of one or more racial-ethnic group(s), what efforts have been made to attract or encourage participation by the underrepresented? If parity has been achieved, including male, female, check here: ☑️ Yes ☐ No

8.3(a) Are minorities involved in leadership roles in resource development programs or activities? ☑️ Yes ☐ No

8.4. Indicate below the name, composition, and membership of each committee or advisory group that helps the agents to plan or advises them in planning programs in resource development (example: industrial development committee or waste disposal committee, etc.)

**Committees, by sex and racial-ethnic composition.**

**Number of Members by Race and Sex**

<table>
<thead>
<tr>
<th>Name of Committee(s)</th>
<th>Racial-Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>No.</td>
<td>%</td>
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<td>No.</td>
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<td>No.</td>
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<td>No.</td>
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<tr>
<td>No.</td>
<td>%</td>
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</tbody>
</table>

8.5. Have any changes or adjustments been made or are any anticipated for the planning committee(s) with reference to sex and/or racial composition, selection procedures, or the way the committee meets and plans? ☑️ Yes ☐ No
8.6. At any time during the last program year or to date in the current year were new committee members provided with training without regard to race, color, national origin, sex, age, or disability to assist them in assuming their responsibilities on planning committees? 

8.7. Indicate the number of clientele on your resource development program mailing list(s). Include established subject matter and general lists only. Table Length: (Choose from 1 to 25.)

<table>
<thead>
<tr>
<th>Title of Mailing List(s)</th>
<th>Racial Ethnic Composition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
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</tbody>
</table>

8.8. Indicate the number of community resource development clientele in attendance at group meetings agents/specialists held this last program year.

<table>
<thead>
<tr>
<th>Racial-Ethnic Composition</th>
</tr>
</thead>
<tbody>
<tr>
<td>White, not of Hispanic Origin</td>
</tr>
<tr>
<td>Agent Contacts Made Through Group Meetings</td>
</tr>
<tr>
<td>Percent</td>
</tr>
</tbody>
</table>
Section 9. FAMILY AND CONSUMER SCIENCES PROGRAM PLANNING AND ACTION

(NOTE: Include EFNEP, Adult Work, when reporting Family and Consumer Sciences programs.)

9.1. Indicate total number of potential recipients and actual participation in Family and Consumer Sciences programs, by sex and racial-ethnic composition.

<table>
<thead>
<tr>
<th>Recipients and Contact Participation</th>
<th>Racial-Ethnic Composition</th>
<th>TOTAL</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
<td>American Indian or Alaskan Native</td>
</tr>
<tr>
<td>Potential Recipients No.</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual Participation Last Year No.</td>
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<td></td>
<td>%</td>
<td></td>
<td></td>
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<tr>
<td>Projected Participation Current Year</td>
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<td></td>
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<tr>
<td></td>
<td>%</td>
<td></td>
<td></td>
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</tbody>
</table>

9.2. If participation data reported in 1. above indicates underrepresentation of one or more racial-ethnic group(s) what efforts have been made to attract or encourage participation by the underrepresented? If parity has been achieved, including, male and female, check here: □ Yes □ No

9.3. The county Extension Family and Consumer Sciences programs are primarily conducted through: (Check appropriate items below.)

☑ Family Community Education Clubs ☑ Mass Media
☑ Leader Training ☑ Personal Contacts
☑ Special Interest Groups ☑ Newsletters or Direct Mail
☑ Intensive Education Activities

9.4. Expanding Educational Program Activities and Events to Include Nontraditional Clientele.

(a) Are Family Community Education Clubs (FCE) established in all communities? (Use Affirmative Action definition of community.)

(b) Is a committee used to assist in determining where FCE and/or programs should be organized?

□ Yes □ No

(c) Check techniques used to encourage participation by minority or members of underrepresented groups in Family and Consumer Sciences meetings and activities. If none, check here: □ Yes □ No

Other:

(d) Were any programs, activities, events or conferences expanded or modified to attract nontraditional clientele? If yes, indicate racial composition in the table below:

<table>
<thead>
<tr>
<th>Programs, Projects and Activities</th>
<th>Racial-Ethnic Composition</th>
<th>TOTAL</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
<td>American Indian or Alaskan Native</td>
</tr>
</tbody>
</table>
9.5. Adjusting Meeting Schedules, Meeting Location, Program Content, Teaching Methods, Workshops, Conferences, etc., to Accommodate and Meet the Needs and Interest of all Clientele. If no adjustments, check here:

☐ Yes ☐ No

(a) Provide data requested:

[Blank]
Number of meetings, workshop or conference locations changed to eliminate economic barriers or social inhibitions which restricted minority or underrepresented group participation.

[Blank]
Number of FCE clubs that adjusted the schedule (meeting time) to increase minority or underrepresented participation.

(b) Check appropriate statement(s) and cite example(s) if, and only if checked, giving specific dates, names, places, etc.

Special Family and Consumer Sciences activities were held in communities with minority or underrepresented group populations.

Example(s):

Meetings were held at night or on Saturday to give minority or underrepresented clientele opportunities to attend.

Example(s):

Meetings were scheduled with consideration given to church activity nights, school activities, etc.

Example(s):

Meetings were held during factory lunch hours to allow more working people and minorities to attend.

Example(s):

Transportation was arranged for minorities to and from activities.

Example(s):

Sponsorship for transportation cost and/or fees for activities or events were arranged for minorities and/or low income.

Example(s):
Meetings were moved to locations more readily accessible to minorities.

Example(s):

Other - Specify and cite example(s) below:

Example(s):

9.6. Was each FCE Club President notified this program year that UT Extension cannot provide instruction or assistance to any organization which discriminates against any persons because of race, color, national origin or sex?  
☐ Yes ☐ No  
Explain: __________________________

9.7. Is a current FY letter of assurance that each FCE Club complies with this nondiscrimination policy on file in the county Extension office?  
☐ Yes ☐ No

9.8. Was it necessary to terminate service to any FCE Club because of refusal to provide letter of assurance or to comply with the underlying policy of nondiscrimination?  
☐ Yes ☐ No

9.9. Were "all reasonable efforts" made to integrate clubs and/or groups of one race in racially mixed membership area?

9.10. Give the membership, by race, and sex, of new FCE Clubs and/or groups organized during the last program year and to date in the current year. If none, check here:

<table>
<thead>
<tr>
<th>Clubs / Groups</th>
<th>Number of Clubs or Groups</th>
<th>Racial Ethnic Composition</th>
<th>Total</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
<td>American Indian or Alaskan Native</td>
</tr>
<tr>
<td>Clubs (One Race)</td>
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<tr>
<td>Clubs (Interracial)</td>
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<tr>
<td>Groups (One Race)</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Groups (Interracial)</td>
<td></td>
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</tbody>
</table>

9.11(a) Were any new clubs or groups of one race formed in interracial membership areas during the last program year or to date in the current year?  
☐ Yes ☐ No

(b) If yes, were "all reasonable efforts" made to integrate the club or group before it was formed and did the County Extension Director and Regional Director approve?  
☐ Yes ☐ No

If no, explain: __________________________

9.12. Do the constitution and/or by-laws of the County FCE Council and FCE Clubs contain a provision indicating that membership is open to all regardless of race, color, national origin, sex, age, or handicap?  
☐ Yes ☐ No

If no, explain action to be taken:
9.13. To increase or maintain minority Leadership participation in FCE Program of Work, the following methods have been used:

Other:

9.14. Provide the number of FCE Program of Work Leaders this past program year.

<table>
<thead>
<tr>
<th></th>
<th>Black</th>
<th>White</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
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<tr>
<td>Percent</td>
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<td></td>
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<td>100.00</td>
</tr>
</tbody>
</table>

9.15. How many FCE Program of Work Leaders were trained this past program year?

<table>
<thead>
<tr>
<th></th>
<th>Black</th>
<th>White</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent</td>
<td></td>
<td></td>
<td></td>
<td>100.00</td>
</tr>
</tbody>
</table>

9.16. Is a record of the membership by name, race and sex in each FCE Club maintained in the county office?  
☐ Yes  ☐ No

9.17. Is a record of overnight Family and Consumer Sciences conference attendance by name, race and sex maintained in the county office?  
☐ Yes  ☐ No

9.18. List the name and sex and racial-ethnic composition of all committees (including special interest, etc.) or advisory groups that help the agent(s) to plan (or advises with them in planning) programs in Family and Consumer Sciences. Include: study committees, county council, EFNEP and other committees as necessary for full disclosure.

**Committees, by sex and racial-ethnic composition.**

**Number of Members by Race and Sex**

<table>
<thead>
<tr>
<th>Name of Committee(s)</th>
<th>Racial-Ethnic Composition</th>
<th>TOTAL</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td></td>
<td>Male</td>
</tr>
<tr>
<td></td>
<td>Black, not of Hispanic Origin</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>American Indian or Alaskan Native</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Hispanic</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Asian or Pacific Islander</td>
<td></td>
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<tr>
<td>No.</td>
<td>%</td>
<td>100.00</td>
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<td>No.</td>
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<tr>
<td>No.</td>
<td>%</td>
<td>100.00</td>
<td></td>
</tr>
</tbody>
</table>

9.19. Have any changes or adjustments been made or are any anticipated for the planning committee(s) with reference to sex and/or racial composition, selection procedures, or the way the committee meets and plans?  
☐ Yes  ☐ No

If yes, comment:
9.20. To maintain or increase minority membership on Program Planning and Advisory Committees, the following methods were used this last fiscal year. (Check appropriate items).

Other:

9.21. Indicate the number of clientele on your Family and Consumer Sciences mailing list(s). Include established subject matter and general lists only. **Table Length: (Choose from 1 to 12.)**

<table>
<thead>
<tr>
<th>Title of Mailing List(s)</th>
<th>Racial Ethnic Composition</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
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</tbody>
</table>

9.22. Indicate the number by race attending group meetings agents held this last program year. Provide total Family and Consumer Sciences contacts made through meeting(s).

<table>
<thead>
<tr>
<th>Racial-Ethnic Composition</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>White, not of Hispanic Origin</td>
<td></td>
</tr>
<tr>
<td>Black, not of Hispanic Origin</td>
<td></td>
</tr>
<tr>
<td>American Indian or Alaskan Native</td>
<td></td>
</tr>
<tr>
<td>Hispanic</td>
<td></td>
</tr>
<tr>
<td>Asian or Pacific Islander</td>
<td></td>
</tr>
</tbody>
</table>

Agent Contacts Made Through Group Meetings
Percent  100.00

9.23. Indicate the number by race of Family and Consumer Sciences clientele reached through home visits by agents during the last fiscal year.

<table>
<thead>
<tr>
<th>Racial-Ethnic Composition</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>White, not of Hispanic Origin</td>
<td></td>
</tr>
<tr>
<td>Black, not of Hispanic Origin</td>
<td></td>
</tr>
<tr>
<td>American Indian or Alaskan Native</td>
<td></td>
</tr>
<tr>
<td>Hispanic</td>
<td></td>
</tr>
<tr>
<td>Asian or Pacific Islander</td>
<td></td>
</tr>
</tbody>
</table>

Agent Contacts Made by Farm and Home Visits
Percent  100.00

9.24. (a) Are men involved in Family and Consumer Sciences programs and activities?

(b) If yes, describe this involvement:

(c) What efforts have been made to increase male participation and what efforts are planned for the future?

9.25. Check the following activities and events held and/or participated in during the last program year. Give the number from your county in attendance at each (as appropriate), and the racial-ethnic composition of the participants.

<table>
<thead>
<tr>
<th>Activity or Event</th>
<th>Racial Ethnic Composition</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recognition and Awards</td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Educational Tour(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leadership Training</td>
<td></td>
<td></td>
</tr>
<tr>
<td>County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Region</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State</td>
<td></td>
<td></td>
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<tr>
<td>Regional FCE Conference</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State FCE Conference</td>
<td></td>
<td></td>
</tr>
<tr>
<td>County FCE Council Meeting(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family and Consumer Sciences Conference*</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Include only participants who stayed at least one night.

9.26. List all EFNEP program assistants, (including those who work with SPIFFY) employed during the past program year, by name, sex, and race; check if communities are of one race or interracial and give the number of families and youths, by race, worked with by each program assistant. If you had no EFNEP program assistants during the last program year, check here: Table Length: (Choose from 1 to 15.)

<table>
<thead>
<tr>
<th>Name</th>
<th>Sex</th>
<th>Race</th>
<th>Type of Community Served</th>
<th>White, not of Hispanic Origin</th>
<th>Black, not of Hispanic Origin</th>
<th>American Indian or Alaskan Native</th>
<th>Hispanic</th>
<th>Asian or Pacific Islander</th>
<th>TOTAL</th>
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<tbody>
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</tbody>
</table>
Section 10. 4-H YOUTH PROGRAM PLANNING AND ACTION

(NOTE: Include SPIFFY in 4-H Youth Programs.)

10.1. Indicate total number of potential recipients and actual participation in 4-H Youth programs, by sex and racial-ethnic composition.

<table>
<thead>
<tr>
<th>Recipients and Contact Participation</th>
<th>Racial-Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>Potential Recipients</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Actual Participation Last Year</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Projected Participation Current Year</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td></td>
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</tbody>
</table>

10.2. If participation data reported in 10.1. above indicates underrepresentation of one or more racial-ethnic group, including boys or girls, what efforts have been made to attract or encourage participation by the underrepresented? If parity has been achieved, check here:

10.3. Are project groups and/or special interest groups utilized?  

- Yes  
- No

If yes, participants come from: (Check those that apply):

- 4-H Club membership  
- County wide- excluding city and/or private schools  
- 4-H and Non-4-H membership  
- SPIFFY  
- County wide- including city and/or private schools

10.4. Expanding Educational Program Activities and Events to Include Nontraditional Clientele.

(a) Are 4-H Clubs established in all geographic areas?  

- Yes  
- No

(b) Is a committee used to assist in determining where 4-H units should be organized?  

- Yes  
- No

(c) Check technique used to encourage minority or underrepresented group participation in 4-H meetings and activities. If none, check here:

- Other:

(d) Were any programs, activities, events, or camps expanded or modified to attract nontraditional clientele? If yes, indicate racial composition in the table below.

<table>
<thead>
<tr>
<th>Recipients and Contact Participation</th>
<th>Racial-Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
</tbody>
</table>
10.5. Adjusting meeting schedules, meeting location, program content, teaching methods, workshops, conferences, etc., to accommodate and meet the needs and interest of all clientele. If no adjustments, check here: If no adjustments proceed to item 10.6. below.

(a) Provide data requested:

Number of meetings, workshop or conference locations changed to eliminate economic barriers or social inhibitions which restricted minority or underrepresented group participation.

Number of 4-H clubs that adjusted the schedule (meeting time) to increase minority or underrepresented participation.

(b) Check appropriate statement(s) and cite example(s) if, and only if checked, giving specific dates, names, places, etc.

Special 4-H activities were held in communities with minority or underrepresented group populations.
Example(s):

Meetings were held at times (other than "normal" or "usual" meeting times) that gave minority or underrepresented youth greater opportunity to attend.
Example(s):

Meetings were scheduled with consideration given to church activity nights, school activities, etc.
Example(s):

Meetings were held during school hours to allow more youth to participate.
Example(s):

Transportation was arranged for minority youth to and from activities.
Example(s):

Sponsorship for transportation costs and/or fees for activities or events were arranged for minorities and/or low income.
Example(s):

Meetings and activities were moved to location more readily accessible to minorities.
Example(s):

Other - Specify and cite example(s) below.
Example(s):

10.6. Was each public or private school system in which 4-H Clubs are conducted notified this program year that UT Extension cannot provide instruction or assistance to any organization which discriminates against any persons because of race, color,
sex, age, or national origin?

Explain:

10.7. Is a current, FY letter of assurance that the school system(s) complies with this nondiscrimination policy on file in the county Extension office?  

   ☐ Yes ☐ No

10.8. Was it necessary to terminate service to any school system or school because of refusal to provide letter of assurance or to comply with the underlying policy of nondiscrimination?  

   ☐ Yes ☐ No

10.9. Were "all reasonable efforts" made to integrate clubs and/or groups of one race in racially mixed membership areas?  

   ☐ Yes ☐ No

10.10. Affirmative Action Efforts to achieve Participation in 4-H Clubs by Race and Sex so that presence of any such group is not less than 80% of expected participation (skip if all clubs were integrated to 80% of expected).

   (a) List the media source and date of service announcements informing potential participants of the availability of program opportunities on a nondiscriminatory basis.

<table>
<thead>
<tr>
<th>Media Outlet</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<tr>
<td></td>
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</tr>
</tbody>
</table>

   (b) List examples of personal letters and program circulars utilized to advise minorities of program opportunities on a nondiscriminatory basis.

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
</tbody>
</table>

   How many different letters were mailed?  

   Total number of all such letters mailed?  

   (c) List personal visits with minorities by agent(s) to advise of program opportunities. (Use "*" to indicate parent[s]).

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
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</thead>
<tbody>
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</tbody>
</table>

   How many visits?
10.11. Give the membership, by race and sex, of new 4-H clubs and/or groups organized during the last program year and to date in the current year. If none, check here:

<table>
<thead>
<tr>
<th>Clubs / Groups</th>
<th>Number of Clubs or Groups</th>
<th>White, not of Hispanic Origin</th>
<th>Black, not of Hispanic Origin</th>
<th>American Indian or Alaskan Native</th>
<th>Hispanic</th>
<th>Asian or Pacific Islander</th>
<th>TOTAL</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clubs (One Race)</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td>Clubs (Interracial)</td>
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<tr>
<td>Groups (One Race)</td>
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<td></td>
<td></td>
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<tr>
<td>Groups (Interracial)</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

10.12.(a) Were any new clubs or groups of one race formed in interracial membership areas during the last program year or to date in the current year?  
(c) Yes  (c) No

(b) If yes, were "all reasonable efforts" made to integrate each club or group before it was formed and did the County Extension Director and Regional Director approve?  (c) Yes  (c) No

If no, explain:

10.13. To increase or maintain participation of minority or underrepresented group volunteer youth and adult leadership, the following methods have been used:

Other:

10.14. How many 4-H volunteer leaders were trained this last program year?

<table>
<thead>
<tr>
<th></th>
<th>Black</th>
<th>White</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Percent</td>
<td></td>
<td></td>
<td></td>
<td>100.00</td>
</tr>
</tbody>
</table>

10.15. Is a record of 4-H club membership by name, race, sex, and age in each club maintained in the county?  (c) Yes  (c) No

10.16. Is a record of 4-H camp attendance by name, race, sex, and age maintained in the county office?  (c) Yes  (c) No

10.17. Describe any 4-H programs or activities conducted during the last program year which have had a positive effect of promoting greater minority involvement and balanced programs for boys and girls.

Cite examples of efforts through:
(a) Adjustment of programs:
(b) Adjustment of meeting schedules and locations:
(c) Removal of social and economic barriers:
10.18. Provide the name, sex and racial-ethnic composition of all committees and advisory groups that help the agent(s) in planning 4-H youth programs.

<table>
<thead>
<tr>
<th>Name of Committee or Group</th>
<th>Racial-Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>No.</td>
<td></td>
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<td>%</td>
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<td>No.</td>
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<td>No.</td>
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<tr>
<td>%</td>
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</tbody>
</table>

10.19. Have any changes or adjustments been made or are any anticipated for the planning committee(s) with reference to sex, racial, or adult/youth composition, selection procedures, or the way the committee meets and plans? If yes, comment:

10.20. To maintain or increase minority membership on Program Planning and Advisory Committees, the following methods were used. (Check appropriate items).

Other:
10.21. Provide participation data by race for activities and/or events held during the last program year as part of the county 4-H program. When appropriate, indicate the number of persons by race, who served as judges for each event. (Do not include regional activities or events.)

<table>
<thead>
<tr>
<th>Name of Activity or Event</th>
<th>White, not of Hispanic Origin</th>
<th>Black, not of Hispanic Origin</th>
<th>American Indian or Alaskan Native</th>
<th>Hispanic</th>
<th>Asian or Pacific Islander</th>
<th>TOTAL</th>
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</table>

<table>
<thead>
<tr>
<th>Racial-ethnic composition of those who served as Judges</th>
</tr>
</thead>
<tbody>
<tr>
<td>White, not of Hispanic Origin</td>
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<td>--------------------------------</td>
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</table>

10.22. Indicate 4-H Camp attendance for the program year under review:

<table>
<thead>
<tr>
<th>Name of Camp</th>
<th>Racial Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>Junior 4-H Camp</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Junior High 4-H Camp</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Senior 4-H Camp</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>County Camp or Other</td>
<td>No.</td>
<td>%</td>
</tr>
</tbody>
</table>

If only one race participates (or minority participation was too low) in 4-H Youth Camps, explain and describe action planned to involve youth of other races. If no eligible minority youth, check here:

10.23. Are scholarships awarded or waiver of fees allowed to 4-H camp participants to overcome economic barriers? ☐ Yes ☐ No

10.24. Indicate participation by race and sex of each Regional, area, State and National event held during the last program year that involved participants from this county. If none, check here:
<table>
<thead>
<tr>
<th>Name of Event</th>
<th>White, not of Hispanic Origin</th>
<th>Black, not of Hispanic Origin</th>
<th>American Indian or Alaskan Native</th>
<th>Hispanic</th>
<th>Asian or Pacific Islander</th>
<th>TOTAL</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
</table>

10.25. Indicate the total number of contacts made by agents with 4-H Youth through letters and telephone calls during the last program year.

<table>
<thead>
<tr>
<th>Racial-Ethnic Composition</th>
<th>White, not of Hispanic Origin</th>
<th>Black, not of Hispanic Origin</th>
<th>American Indian or Alaskan Native</th>
<th>Hispanic</th>
<th>Asian or Pacific Islander</th>
<th>TOTAL</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agent Contacts Made by Letters and Telephone calls</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent</td>
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<td></td>
<td>100.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

10.26. Indicate the number by race and sex attending all group meetings agents conducted this past program year.

<table>
<thead>
<tr>
<th>Racial-Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Agent Contacts Made Through Group Meetings</td>
<td></td>
</tr>
<tr>
<td>Percent</td>
<td></td>
</tr>
</tbody>
</table>

10.27. Indicate the number by race and sex of 4-H Youth reached through farm and/or home visits by agent(s) during the past fiscal year.

<table>
<thead>
<tr>
<th>Racial Ethnic Composition</th>
<th>Total by Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td>White, not of Hispanic Origin</td>
<td>Black, not of Hispanic Origin</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Agent Contacts Made Through Farm and Home Visits</td>
<td></td>
</tr>
<tr>
<td>Percent</td>
<td></td>
</tr>
</tbody>
</table>
CIVIL RIGHTS/EQUAL OPPORTUNITY
Plan of Work
FY 2005-2009

Anderson County

Civil Rights Narrative for:

- Public Notification Plan (Combined for All Program Areas)
- Program Planning and Participation (One Form for each Program Area)

- ANR
- FCS
- 4-H
- RD

SITUATION

OBJECTIVES

ACTION

EVALUATION

FORM CR-1

Revised 1-2005
TABLE II.
Planned Distribution of Sex and Racial-Ethnic Participation -- Status and Targets
FY 2005-2009

- Professional
- Paraprofessional

**INSTITUTION:**

- Anderson County

**Program Area:**
- ANR-Farm
- ANR-NF
- FCS
- 4-H
- RD

<table>
<thead>
<tr>
<th></th>
<th>White Not of Hispanic Origin</th>
<th>Black Not of Hispanic Origin</th>
<th>American Indian or Alaskan Native</th>
<th>Hispanic</th>
<th>Asian or Pacific Islander</th>
<th>Total</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Potential</strong></td>
<td>No.</td>
<td>%</td>
<td></td>
<td></td>
<td></td>
<td>100.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Recipients</strong></td>
<td>%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td></td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>FY04</strong></td>
<td>Actual Contact Participation</td>
<td>No.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>100.00</td>
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</tr>
<tr>
<td><strong>2005</strong></td>
<td>Contact Participation Projected</td>
<td>No.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td><strong>2006</strong></td>
<td>Contact Participation Projected</td>
<td>No.</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td><strong>2007</strong></td>
<td>Contact Participation Projected</td>
<td>No.</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td><strong>2008</strong></td>
<td>Contact Participation Projected</td>
<td>No.</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td><strong>2009</strong></td>
<td>Contact Participation Projected</td>
<td>No.</td>
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</tr>
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<td>100.00</td>
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</tr>
</tbody>
</table>

**Total Data by Sex**

**Notes:**
*Compare with the Potential Recipient data.
Revised 1-2005
Form CR-2

CIVIL RIGHTS/EQUAL OPPORTUNITY
Annual Accomplishment Report
For FY2005

☒ Anderson County

Civil Rights Narrative for:

☐ Public Notification Plan
   (Combined for All Program Areas)

☒ Program Planning and Participation
   (One Form for each Program Area)

☐ ANR  ☐ FCS  ☐ 4-H  ☐ RD

ACCOMPLISHMENTS

RESOURCES INVOLVED

FUTURE IMPLICATIONS

FORM CR 2

Revised 1 2005
# Table VI. Total Clientele Contacts for Racial-Ethnic Groups by Program Area*

**Anderson County**

Check one: ○ Professional  ○ Paraprofessional

**Institution:** ○ 1862  ○ 1890

For FY2005

<table>
<thead>
<tr>
<th>Program Area</th>
<th>White Not of Hispanic Origin</th>
<th>Black Not of Hispanic Origin</th>
<th>American Indian or Alaskan Native</th>
<th>Hispanic</th>
<th>Asian or Pacific Islander</th>
<th>Total</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANR - Farm</td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
<td>100.00</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contacts</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>100.00</td>
<td>0.00%</td>
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</tr>
<tr>
<td>Potential</td>
<td>%</td>
<td>%</td>
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<td>%</td>
<td>100.00</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>ANR - Nonfarm</td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
<td>100.00</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contacts</td>
<td>%</td>
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<td>%</td>
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<td>%</td>
<td>100.00</td>
<td>0.00%</td>
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<tr>
<td>Potential</td>
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<td>100.00</td>
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<tr>
<td>Resource Dev.</td>
<td>No. %</td>
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<td>No. %</td>
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</tr>
<tr>
<td>Contacts</td>
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<td>100.00</td>
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<tr>
<td>Potential</td>
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*Compare with the Potential Recipient data.

Revised 1-2005
How to put diversity to work for you

When you’re shopping for some high-impact piece of merchandise—a new car, a new computer, or a new suit—you don’t go to only one store or dealer or look at only one brand. You want the widest possible choices as you take advantage of the very best that’s available in the marketplace.

When it comes to “shopping” for employees, organizations have the same options: They can limit their search to one particular segment of the population—or they can embrace diversity and recruit job candidates from a deeper pool.

In the words of one company vice president, “If we don’t have a diverse workforce, then we are only going to effectively hire out of some fraction of the population and, gradually, the quality of our workforce—relative to our competitors—is going to diminish.”

Today, technology no longer is the distinguishing factor between similar companies. What separates sound companies from those that fail are the capabilities of their human resources.

Of course, implementing workplace diversity is not necessarily simple. In fact, incorporating race and gender diversity programs into the preexisting business structure often is a complex task. Many executives asked to create such programs are unsure of how to begin or even of what they hope to accomplish.

Why diversity is crucial
One key point to keep in mind is that diversity should be viewed as a solution, not as a problem. Diversity too often is associated with government-mandated quotas or controversial affirmative action plans. Such programs were created in response to the common corporate view of diversity as a dilemma to be dealt with rather than as a solution to be embraced. Consider that workplace diversity...

1. Provides businesses with a competitive edge unavailable to homogeneously staffed competitors. A diverse workforce possesses the extensive cultural know-how necessary to conduct business in today’s expanding global market.

2. Brings together a collection of individuals with unique experiences, ideas, and opinions. Diverse groups often are more efficient because employees exchange expertise in critical areas that do not overlap.

3. Encompasses a group of employees shaped, in part, by race and gender. This group is capable of invaluable discussion that stimulates new concepts, bolsters creativity, and improves overall quality of the end product.

Learn the language of diversity
“Political correctness” is neither a fad nor a buzzword. The language used in your workforce is a conspicuous indicator of management’s attitudes toward diversity. Even a seemingly harmless job title can land your organization in court. Follow these guidelines to lend credibility and consistency to your diversity program:

- **Avoid gender-specific pronouns.** Most people are aware that it is inappropriate to refer to a mixed-sex group using only the masculine pronouns “him,” “his,” and “he.” A common remedy is to substitute the plural “they.” However, this can get awkward. Consider also using the singular “everyone.” For example, “Everyone should open his or her portfolio.”

- **Stay clear of potentially offensive job descriptions.** Even supposedly gender-neutral job titles may include masculine terms (e.g., chairman). Problems arise because both men and women assume that the company using this language is targeting men. It’s best to avoid sex-specific ambiguities by substituting titles such as “courier” for “deliveryman.”

- **Double-check references to ethnicity.** “Latino” and “Hispanic” aren’t interchangeable. “Latinos” are from countries in Latin America only; “Hispanic” refers to both European and American cultures. When referring to a person’s cultural background, ask a person of that ethnicity what term he or she feels is most appropriate.

- **Understand that people are people first.** Labels that identify an individual by placing an undue emphasis on a physical limitation are inappropriate. “Crippled person” and “AIDS victim” make a physical condition over which the individual has no control a distinguishing trait. Remember, the person you are referring to is a human being first, and the limiting factor should be referred to only as a secondary characteristic. Try “the employee in a wheelchair” or “person with AIDS.”

Creating a diversity program
Implementing diversity will complement current business practices. An actionable diversity program specifies goals and carefully designs methods for attaining them. Some factors to consider:

- **Search for meaning.** Management should ask itself why the company is interested in diversity. For a program to be effective, it’s important that its goals are discussed and agreed upon. Try writing a workplace diversity mission statement. This statement should include perceived problems and specific actions that will rectify these problems should they occur and that will move toward company goals.

- **Avoid myopic hiring practices.** Too often, companies interested in hiring employees from diverse backgrounds go to the other extreme and recruit only from specific underrepresented cultural groups. Instead of narrowing
the hiring focus, expand your search for job candidates. Accept résumés from people whose qualifications fall over a broad range of expertise.

- **Encourage diversity of thoughts and ideas.** Avoid falling victim to any preconceived notions of what kind of experience or degree qualifies a candidate for a position. Many top executives have B.A.s or English or History rather than Administration. Essentially, diversity is about bringing together individuals with different ideas and experiences. Hiring outside of the established norm is one way of ensuring that this diversity of ideas will exist.

- **Shatter the “glass ceiling.”** True workplace diversity takes place at all levels of the organization. Relegating cultural minorities and women to low-status jobs or employing them only in low-opportunity departments will create discontent—the exact opposite of the effect diversity should have. As companies rise to the challenge of making sure that equal opportunities are available to each individual, some are implementing mentor programs to encourage minority advancement. These programs ask a high-level exec to “adopt” a promising manager and work with him or her personally to oversee development.

- **Make diversity training work.** Workshops solely concerned with race and gender equality are relics of the ‘60s and ‘70s. In the ‘90s, diversity training extends beyond the divisive effects of workplace racism and sexism; it seeks to inform employees of the advantages of working in a multicultural business. The difference in these two attitudes lies in the fact that early diversity training was intended to propagate assimilation. Emphasizing the value of equality led to an assumption that differences were bad. However, the ultimate goal of diversity training has changed. It no longer requires an employee to lose his or her cultural identity in the interest of commonality. Current diversity training focuses on recognizing the value of unique cultural backgrounds and learning to work more effectively with those who are dissimilar.

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**Myths about workplace diversity**

Controversy has swirled around workplace diversity in recent years based, at least in part, on some rudimentary misunderstandings about the subject. Here are some common myths on the subject—make sure you don’t fall for them:

**Myth #1**

Diversity is based on a theory of proportional racial and gender representation as an end in itself. The nature of diversity cannot be reduced to simple math. Diversity is fundamentally a multicultural approach to conducting good business, not a system of quotas mandated by government.

**Myth #2**

Diversity requires programs that put the majority at a disadvantage, or programs that give undeserved advantages to minorities. Ultimately, diversity is a business decision made to increase profits as it improves the quality of the end product. The intention in creating a diverse workforce has always been to assemble the most capable group of people available based on their ability to do the work.

**Myth #3**

The purpose of a diversity program is to dispel current discrimination. Workplace diversity programs no longer are intended solely to combat existing racism and sexism. Current multiculturalism training programs focus on helping employees value cultures other than their own, and enhance their ability to cooperate with coworkers from these cultures.

- **Tap into employees’ cultural understanding.** A diverse workforce allows a business to profit from a minority employee’s unique experiences to access a culturally specific and economically viable market niche. For example, a regional sales director for Avon Cosmetics in San Francisco discovered a large influx of Asian immigrants in her area. She adapted to this potential market by hiring sales representatives familiar with Asian cultures. This decision gave her salespeople a competitive advantage that translated into record sales volume over the next year.

- **Start from the inside out.** Avon’s success stems from the regional manager’s recognition of consumer needs. In short, diversity became a simple solution to a problem, rather than being a problem itself. The decision to incorporate diversity was conceived and carried out within the company. Difficulties arise when companies are forced by an outside source to begin a diversity program, or when upper-level executives implement diversity policies and demand employee cooperation—period. Success hinges on management’s ability to inform the workforce about organizational goals for the new policies and about how those policies will affect them personally.

---

**SOURCES**


Training & Development, 1640 King St., Alexandria, VA 22314-2746

### Nichol’s Model

#### The Philosophical Aspects of Cultural Difference

<table>
<thead>
<tr>
<th>Ethnic Groups/World View</th>
<th>Axiology (Values)</th>
<th>Epistemology (Knowledge)</th>
<th>Logic (Reasoning)</th>
<th>Process (Progressive Course)</th>
</tr>
</thead>
</table>
| **European** | Member-Object  
The highest value lies in the object or in the acquisition of object | Cognitive  
One knows through counting and measuring | Dichotomous  
(Either/Or) | Technology  
All sets are repeatable and reproducible. |
| Euro-American | | | | |
| **African** | Member-Member  
The highest value lies in the interpersonal relationship between members. | Affective  
One knows through symbolic imagery and rhythm. | Diunital  
The Union of opposites. | Niuology  
All sets are interrelated through human and spiritual networks |
| Afro-American | | | | |
| Native American | | | | |
| Hispanics | | | | |
| Arabs | | | | |
| **Asian** | Member-Group  
The highest value lies in the cohesiveness of the groups. | Conative  
One knows through striving toward the transcendence. | Nyaya  
The objective world is conceived independent of thought and mind. | Cosmology  
All sets are independently interrelated in the harmony of the universe |
| Asian-American | | | | |
| Native American | | | | |
| Polynesian | | | | |

Edwin J. Nichols, Ph.D., Director, Child’s Clinic, Institute of Education, University of Ibadan, Nigeria. Visiting Professor for Clinical Psychology from the National Institute of Mental Health, U.S.A.
# PERSPECTIVES INFLUENCED BY CULTURE

| MUTUAL RESPECT | • No matter what level or position a person is in an organization  
<table>
<thead>
<tr>
<th></th>
<th>• Values of others taken into consideration when interacting</th>
</tr>
</thead>
</table>
| ACCEPTANCE    | • Regardless of credentials  
|               | • Everyone has an important role  
|               | • Regardless of religious affiliation, gender, age, physical and mental ability, sexual orientation |
| TEAMWORK      | • Understand that differences in aspects does not negate one from being a “team player”  
|               | • Decision making more circular |
| PRODUCTIVITY  | • Not age specific  
|               | • Not gender specific  
<p>|               | • Not considered impossible due to physical or mental ability |</p>
<table>
<thead>
<tr>
<th>WESTERN</th>
<th>MULTI CULTURAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Work Ethic</strong></td>
<td>* Stopping out, flextime, maternity/paternity leaves</td>
</tr>
<tr>
<td>* Working Hard brings success</td>
<td>* Productivity of elderly</td>
</tr>
<tr>
<td>* Retiremen: age specific</td>
<td></td>
</tr>
<tr>
<td><strong>Decision Making</strong></td>
<td></td>
</tr>
<tr>
<td>* Hierarchal</td>
<td>* Collaborative</td>
</tr>
<tr>
<td>* Pyramid structure</td>
<td>* Non-bureaucratic organizational structure</td>
</tr>
<tr>
<td>* Majority rules when Westerners have power</td>
<td></td>
</tr>
<tr>
<td><strong>History</strong></td>
<td></td>
</tr>
<tr>
<td>* European history considered world history</td>
<td>* All American cultures represented</td>
</tr>
<tr>
<td>* Based on European immigrants experiences</td>
<td>* Cultures presented pre-European dominance</td>
</tr>
<tr>
<td>* War romanticized</td>
<td></td>
</tr>
<tr>
<td><strong>Action Orientation</strong></td>
<td></td>
</tr>
<tr>
<td>* Master and control nature</td>
<td>* Co-existence with nature</td>
</tr>
<tr>
<td>* Pragmatic utilitarian view of life</td>
<td>* Lateral changes viewed positively</td>
</tr>
<tr>
<td>* Bigger, better, faster</td>
<td>* Small is valued</td>
</tr>
<tr>
<td><strong>Religion</strong></td>
<td></td>
</tr>
<tr>
<td>* Protocol = spirituality</td>
<td>* Universal truths</td>
</tr>
<tr>
<td>* Religious converts</td>
<td>* Spirituality separate from religion</td>
</tr>
<tr>
<td>* Other religions godless</td>
<td>* Life viewed in many ways other than linear and finite</td>
</tr>
<tr>
<td><strong>Competition</strong></td>
<td></td>
</tr>
<tr>
<td>* Winning is everything</td>
<td>* Win/win situations</td>
</tr>
<tr>
<td>* Win/lose dichotomy</td>
<td>* Winning with consideration for others</td>
</tr>
<tr>
<td><strong>Aesthetics</strong></td>
<td></td>
</tr>
<tr>
<td>* Women’s beauty based on blond, blue-eyed, thin and young</td>
<td>* Value in life transitions</td>
</tr>
<tr>
<td>* Music and art based on European cultures</td>
<td>* Diversity represented in art and architecture</td>
</tr>
<tr>
<td>* Traditional European Music Considered classical</td>
<td>* Classical music from many cultures</td>
</tr>
<tr>
<td><strong>Holiday</strong></td>
<td></td>
</tr>
<tr>
<td>* Celebration of European holidays</td>
<td>* Diversity of religious/activities recognized and celebrated</td>
</tr>
<tr>
<td><strong>Civilization</strong></td>
<td>* Civilized society measured by relations of members</td>
</tr>
<tr>
<td>* Technology = civilized society</td>
<td></td>
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</table>

Adapted from “Student Affairs Initiatives Toward a MULTICULTURAL University” by K. Manning and D. Coleman Boatwright, 1991, Journal of College Student Development
<table>
<thead>
<tr>
<th></th>
<th>WESTERN</th>
<th>MULTICULTURE</th>
</tr>
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<tbody>
<tr>
<td><strong>Values</strong></td>
<td>• Rugged individualism</td>
<td>• Good of group primary consideration</td>
</tr>
<tr>
<td></td>
<td>• Individual primary unit</td>
<td>• Consensus</td>
</tr>
<tr>
<td></td>
<td>• Individual has primary responsibility</td>
<td>• Autonomy vs. Interrelatedness valued</td>
</tr>
<tr>
<td><strong>Communication</strong></td>
<td>• Standard English</td>
<td>• Ability to communicate with more than one culture</td>
</tr>
<tr>
<td></td>
<td>• Written tradition</td>
<td>• Variety of communication modes and styles</td>
</tr>
<tr>
<td></td>
<td>• Direct eye contact</td>
<td>• Language reflecting few military and competitive</td>
</tr>
<tr>
<td></td>
<td>• Control of emotions</td>
<td>• Metaphors</td>
</tr>
<tr>
<td></td>
<td>• Low-context communication style</td>
<td>• High context communication styles</td>
</tr>
<tr>
<td><strong>Power</strong></td>
<td>• Measures by economic possessions</td>
<td>• Power distributed equitably throughout system</td>
</tr>
<tr>
<td></td>
<td>• Credential, titles, and positions oriented</td>
<td>• Belief that shared power enhances everyone’s power</td>
</tr>
<tr>
<td></td>
<td>• Hierarchal decision making</td>
<td>• Advancement and recognition based on diverse perspective one brings to situation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Blurring of gender role boundaries</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Profit motive not sole measure of success</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Less emphasis on aggressiveness</td>
</tr>
<tr>
<td><strong>Family Structure</strong></td>
<td>• Nuclear family is the ideal social unit</td>
<td>• Extended family involved in child rearing</td>
</tr>
<tr>
<td></td>
<td>• Man is breadwinner and head of household</td>
<td>• Single parent homes not viewed as dysfunctional</td>
</tr>
<tr>
<td></td>
<td>• Patriarchal structure</td>
<td></td>
</tr>
<tr>
<td><strong>Time</strong></td>
<td>• Adherence to rigid time schedule</td>
<td>• Flexibility in time schedules (Staggered work day, job sharing)</td>
</tr>
<tr>
<td></td>
<td>• Time viewed as a commodity</td>
<td></td>
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<tr>
<td><strong>Thinking Styles</strong></td>
<td>• Emphasis on scientific method</td>
<td>• Metaphoric</td>
</tr>
<tr>
<td></td>
<td>• Cause and effect relationships</td>
<td>• Overlap of boundaries recognized</td>
</tr>
<tr>
<td></td>
<td>• Quantitative analysis</td>
<td>• Global</td>
</tr>
<tr>
<td></td>
<td>• Dualistic thinking</td>
<td>• Qualitative and quantitative research methods</td>
</tr>
<tr>
<td></td>
<td>• Objective, rational, linear thinking</td>
<td></td>
</tr>
<tr>
<td>EXCLUSION</td>
<td>INCLUSION</td>
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<td>-----------------------------------------------</td>
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<tr>
<td><strong>Age</strong></td>
<td></td>
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<tr>
<td>• Productivity age specific</td>
<td>• Productivity at all ages</td>
<td></td>
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<tr>
<td>• Forced Retirement</td>
<td>• Experience and wisdom seen as commodities</td>
<td></td>
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<tr>
<td></td>
<td>• Retirement based on ability to perform</td>
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<tr>
<td></td>
<td>• Reassignment based on ability</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Not equating old age with inability</td>
<td></td>
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<tr>
<td><strong>Socioeconomic Status</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Credentials, title, positions determine</td>
<td>• Every position regardless of credentials</td>
<td></td>
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<tr>
<td>interaction</td>
<td>valued</td>
<td></td>
</tr>
<tr>
<td>• Credentials determine input</td>
<td>• Decision making not solely based on title</td>
<td></td>
</tr>
<tr>
<td></td>
<td>or position</td>
<td></td>
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<tr>
<td><strong>Gender</strong></td>
<td></td>
<td></td>
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<tr>
<td>• Loss of femininity associated with female</td>
<td>• Understanding of contributions of female</td>
<td></td>
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<tr>
<td>leadership</td>
<td>workers that are “female”</td>
<td></td>
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<tr>
<td>• Negative terms for assertive or aggressive</td>
<td>• Having no traditionally defined female/male</td>
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<tr>
<td>women that are “female” oriented</td>
<td>roles</td>
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<td>• Specific roles for women based on gender</td>
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<tr>
<td>• Lack of appreciation for nurturing aspects</td>
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<tr>
<td>of leadership</td>
<td></td>
<td></td>
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<tr>
<td><strong>Physical and Mental Ability</strong></td>
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<tr>
<td>• Access to buildings available but access to</td>
<td>• Finding viable employment based on ability</td>
<td></td>
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<tr>
<td>positions lacking</td>
<td>• Understanding and working with limitations</td>
<td></td>
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<tr>
<td>• Seeding one disability as total disability</td>
<td>of others</td>
<td></td>
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<tr>
<td></td>
<td>• Creating a climate that includes all</td>
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<tr>
<td><strong>Sexual Orientation</strong></td>
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<tr>
<td>• Homosexuality seen as a hindrance to work</td>
<td>• Acceptance based on job performance, not</td>
<td></td>
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<tr>
<td>performance</td>
<td>sexual orientation</td>
<td></td>
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<tr>
<td></td>
<td>• Sexual orientation does not hinder</td>
<td></td>
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<tr>
<td></td>
<td>promotion</td>
<td></td>
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<tr>
<td><strong>Spiritual Practice</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Work calendar geared around Christian</td>
<td>• Observance of religious holidays,无论</td>
<td></td>
</tr>
<tr>
<td>holidays</td>
<td>religious, allowed</td>
<td></td>
</tr>
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</table>
July 1, 1995

TO: DISTRICT SUPERVISORS

Dear Co-Workers:

My observations are that counties are retaining more information in their Civil Rights files than is necessary. Some of you, as well as some county staff members, have asked for guidelines. The following are suggested:

(1) Documents prepared annually (see attachment 1) - Keep 3 years.

(2) Laws, regulations, policies, etc. (see attachment 2) - Keep until revised.

(3) Documented materials for complaints - Keep 10 years.

Sincerely,

Charles L. Norman
Assistant Dean

Attachments

P. S. See Fiscal Policy Statement No. 05, Section 150, Part 01 for general guidance on retention of records.
REPORTS AND DOCUMENTS NEEDED FOR CIVIL RIGHTS COMPLIANCE REVIEWS

1.) Civil Rights Compliance Review and Compliance Report

2.) Table VI(s) (Formerly Table VII)
   Professional
   Paraprofessional (if applicable)

3.) Civil Rights/Equal Opportunity Progress Reports FY 1994
   a. ANR
   b. HE
   c. 4-H
   d. CRD
   e. Public Notification Plan

4.) Public Notification Plan documentation

5.) Complete documentation of the "all reasonable efforts" for Family and Community Education Clubs

6.) Complete documentation of the "all reasonable efforts" for 4-H Clubs

7.) Letters of assurance that each Family and Community Education Club complies with the TAES non discrimination policy

8.) Letters of assurance that each school system (or School) offering the 4-H program complies with the TAES non discrimination policy

9.) Copies of the last Home Economics Summary Reports and 4-H Enrollment (437) report

10.) Documentation of efforts to recruit minority participation in 4-H camping

11.) Copies of Interview Record - Family and Community Education Clubs - Adm. F-121

12.) Certification of All Reasonable Efforts - Family and Community Education Clubs - Adm. F-119

13.) Record of Family and Community Education Club Membership - Adm. F-115

14.) Summary Record of Family and Community Education Club Membership - Adm. F-116

15.) Record of Family and Community Education Club Camp Attendance - Adm. F-117

16.) Summary Record of Family and Community Education Club Camp Attendance - Adm. F-118

17.) Copies of Interview Record - 4-H - Adm. F-122

18.) Certification of All Reasonable Efforts - 4-H Units - Adm. F-120

19.) Record of 4-H Club Membership - Adm. F-106


21.) Record of 4-H Camp Attendance - Adm. F-108

22.) Summary Record of 4-H Camp Attendance - Adm. F-109

23.) Management Information (MIS) printout showing contacts for each professional and program area
Civil Rights Act of 1964
Title 7 CFR 15
Supplemental Instructions
County Affirmative Action Plan
Compliance review plans, reports, etc.
Racial and ethnic data on county
Secretary’s Memorandum No. 1662 and Supplements 3 and 3 Revised
Title 9, Equal Opportunity, USDA-Administrative Regulations
Title 7 CFR 15a (Title IX)
Title 7 CFR 15b (Handicapped)
Plan of Action of The University of Tennessee Agricultural Extension Service
and Response to the Audit Findings of the Office of Equal Opportunity
U. S. Department of Agriculture (General Audit Report No. 6605-1-AT)
Americans With Disability Act (ADA) Information
Civil Rights policy letters from Dean and/or District Supervisor
Other (specify)  ___________________________________________
Primary and Secondary Dimensions of Diversity
HEART SURGERY

You are a member of an advisory committee of citizens whose purpose is to make recommendations to a local hospital on organ transplants. You have been called to an emergency meeting because there is only 1 heart currently available and all of the following people are equally in need and equally capable of receiving the heart. With only the information below, your committee must decide who gets the heart and everyone on the committee must agree with the decision. You have 10 minutes to decide.

PATIENTS:

1. She is a famous brain surgeon at the height of her career, 31 years old, single, black, and has no children.

2. She is a gifted concert musician, 12 years old, and Japanese-American.

3. He is a public school teacher, 40 years old, white, and has two children and a wife.

4. She is a high school student, 15 years old, white, unmarried, and pregnant with her first child.

5. He is a Roman Catholic priest 35 years old.

6. She is a waitress, 17 years old, white, who dropped out of school to work to help support her parents.

7. She is a scientist close to discovering a cure for AIDS, 38 years old, Chinese-American, no children, and lesbian.
Test Your C.R. I.Q.!

1. Americans With Disabilities Act of 1990
2. All Reasonable Efforts
3. Title Seven
4. Handicap
5. Civil Rights Act of 1866
6. Affirmative Action
7. Title Six
8. Disability
9. Title Nine
10. Public Notification

A. All persons in U.S. have same right to make and enforce contracts, sue, be parties and give evidence....
B. Prohibits discrimination in employment.
C. Action taken to provide equal opportunity for members of previously disadvantaged groups.
D. A condition a person was born with, or has acquired by accident, injury, or disease.
E. Prohibits discrimination on the basis of gender.
F. A term to avoid; derived from “cap in hand”
G. The Agricultural Extension Service offers its programs to all eligible persons regardless of race, color, national origin, sex, age, or disability and is an Equal Opportunity Employer.
H. Prohibits discrimination in participation in programs or activities receiving federal assistance.
I. The minimum efforts required of county Extension personnel to integrate FCE and 4-H units located in interracial membership areas.
J. Federal antidiscrimination statute designed to prohibit discrimination due to disabilities.
Diversity Resources

**Magazines/Periodicals**

*Mosaics: SHRM Focuses on Workplace Diversity* (SHRM Member Benefit)
Society for Human Resource Management (SHRM)
1800 Duke Street, Alexandria, VA 22314
Phone: 800/283-SHRM
Internet: www.shrm.org

*Ability Magazine*
PO Box 10655, Costa Mesa, CA 92627
Phone: 949-854-8700; Fax: 949-548-5966;
Internet: www.abilitymagazine.com

*Cultural Diversity at Work*
The GilDeane Group, 13751 Lake City Way, NE, Suite 106,
Seattle, WA 98125-8612
Phone: 206/362-0336; Fax: 206/363-5028;
Internet: www.diversityhotwire.com

*The Diversity Factor* (quarterly journal)
PO Box 3188, Teaneck, NJ
Phone: 201/833-0011, Fax: 201/833-4184

*Diversity Monitor*
Hunt-Scanlon Publishing Company, 20 Signal Road,
Stamford, CT 06902; 800/477-1199
Internet: www.hunt-scanlon.com

*Managing Diversity* (monthly newsletter)
Jamestown Area Labor Management Committee, Inc., PO Box 819,
Jamestown, NY 14702-8060
Phone: 716/665-3654; Fax: 716/665-8060

*The Multicultural Advantage Staffing Report*
The Multicultural Advantage, at 215/849-0946
Internet: www.tmaonline.net

*WeMedia, a lifestyle magazine for people with disabilities*
Internet: www.wemedia.com

*Workforce Diversity*
Remy Publishing Company, 401 North Franklin Street, 3rd Floor,
Chicago, IL 60610
Phone: 312/464-0300
Videos/CDs

Many companies will let you preview their videos before purchasing. If you are interested in buying several training videos, you may wish to subscribe to Training Media Review, a newsletter that reviews corporate training videos, books, CD-ROMs, and Internet products. For more information, phone: 617/661-1095.

Diversity Management with Dr. R. Roosevelt Thomas. In candid format, Dr. R. Roosevelt Thomas, author of Beyond Race and Gender and Redefining Diversity provides answers to 20 tough questions on diversity: Why does diversity have to be managed? Can you have too much diversity? How do you begin implementing diversity management practices? This video is 30 minutes long and includes a self-study book, Handling Diversity in the Workplace. $89.95 SHRM member price/$99.95 non-member price. Contact the SHRMStore at 800/444-5006 or www.shrm.org/shrmstore to purchase.

Blue-Eyed/Brown-Eyed, a powerful video about discrimination, was originally designed in 1968 by Jane Elliott for her third grade class in Iowa. Jane Elliott's simple racism exercise demonstrates the devastating impact of discrimination and introduces the basic concept of diversity training. This video is an effective training tool for any organization that is grappling with the challenges and opportunities presented by a diverse workforce. Other diversity training videos are also available. Contact: California Newsreel, 149 Ninth Street/420, San Francisco, CA 94103; Phone: 415/621-6196; Fax: 415/621-6522; Internet: http://www.newsreel.org. One of the top 10 choices of Training Media Review newsletter for 1998.

Dialogue on Diversity: Straight White Men Speak Out. Produced by Marilyn Loden in 1996, this video features seven white men and is an unrehearsed, live discussion about diversity. Although these men do not speak for all white men, they value diversity, yet struggle with common issues: how to be inclusive; how to communicate effectively across cultural barriers; how to build trust. Best used as a conversation catalyst, this video is 30 minutes long and includes a 23-page facilitation guide. Contact HRPress at 716/672-4254.

"Diversity: Food for Thought," takes place in a diner, using conversations between the owner and his diverse customers to emphasize the importance of understanding and accepting individual differences. Coastal Videos, 800/285-9107 or www.CoastalHR.com.

Diversity Unplugged: Provocative Insights, Practical Solutions. This video workshop inspires personal responsibility for making diversity work. This dynamic videotape addresses real issues, voiced by real people, not actors, and is guaranteed to motivate passionate and productive discussions. The highly interactive design uses a spirited mix of group discussion and targeted group activities that create relevant awareness. Goals for workshop participants include the following: to understand the value of a diverse workforce as it relates both to themselves and their organization; to identify their own roles in the effectiveness of diverse workplaces; and to develop strategies for their organizations. Includes 33-minute video, 74-page comprehensive Leaders Guide for 6 to 8 hour workshop, plus 10 participant workbooks. Contact Meshell Zwicker at 619/350-0816 or by email at 105204.2277@compuserve.com.
Tale of 'O' and Land of 'O's are classic diversity videos that discuss the problems of being different and how to leverage those differences for everyone's advantage. Contact Goodmeasure, Phone: 800/635-2501.

Village of 100, a video about the need for tolerance and understanding. Contact ConnectCo., Phone: 800/665-5894 or www.connectco-products.com.

A World of Difference. This animated short video communicates the message that living in a world of diversity is a privilege, not a threat. Features the music of Sounds of Blackness, Vanessa Williams, David Koz, and the voice of James Earl Jones as storyteller. 10 minutes. Free preview available. Contact Corvision Media at www.corvision.com.

We Are One. This CD provides several versions of the song We Are One, whose lyrics send an inspirational message for unity of all people. Contact Tate Music Group, Phone: 801-272-7773 or www.tatemusicgroup.com

**DIVERSITY CATALOGS**

**SHRMStore:** SHRM offers a comprehensive selection of diversity-related books and other resources—and SHRM members get a discount! Also included are the best-selling, official SHRM Diversity Pin and other diversity emblems for use in your own workplace. Call 800/444-5006 or visit the website at www.shrm.org/shrmstore.

**ConnectCo. Diversity Catalog:** This resource includes training tools, videos, books and custom products. Phone: 800/665-5894. 43 Main Street, SE, Suite 508, Minneapolis, MN 55414; Fax: 612/617-7706.

**Cultural Diversity At Work**
Phone: 202/362-0336

**Diversity and Cross Cultural Communications Resources**
Phone: 800/858-4478

**Diversity Library Online** (An online diversity bookstore)

**The Workforce Diversity Training Catalog, HR Press,**
PO Box 28, Fredonia, NY 14063
Phone: 716/672-4254; Fax: 716/679-3177

**Intercultural Press, Inc.** (Cross cultural and multicultural resources) Phone: 207/846-5168

**Riverbend Press,** PO Box 1555, Burnsville, MN 55337
Phone: 800/650-4747; Fax: 612/895-3770
www.diversityonline.com
Diversity Calendars

Honoring Differences Calendar, ConnectCo., Phone: 800/665-5894.

The University of Kansas Medical Center website contains an online diversity calendar www3.kumc.edu/diversity/

TRAINING MATERIALS

Visit the SHRMStore at www.shrm.org/shrmstore to purchase the following diversity resources.
The Diversity Tool Kit by Lee Gardenswartz, PhD & Anita Rowe, PhD contains sample agendas, activity cards, skill-building exercises, questionnaires and other structured training tools to organize a comprehensive diversity training program. (Available at the SHRMStore at 800/444-5006)

Visit the SHRM Diversity Webpage at www.shrm.org/diversity (SHRM exclusive member benefit) to access the following toolkits:
SHRM® DISABILITY Toolkit
SHRM® HIV/AIDS Web Toolkit (member number not needed)
SHRM® Religion Toolkit
SHRM® Sexual Orientation In the Workplace Issue Brief
SHRM® Workplace Diversity Toolkit contains answers to several commonly asked diversity questions. Hard copies of this toolkit are available for purchase from the SHRMStore at 800/444-5006.

Other training materials:

Diversophy is a board game designed to help players understand the human race and to comprehend the varieties of people in the workplace. Phone: 800/868-8640.

Diversity Food for Thought Trainer's Toolkit is a training program that includes a video, a reader's guide, handbooks and transparencies. Contact Coastal Human Resources at 800/285-9107 or www.coastalhr.com.

Organizations

The following websites contain information on diversity in the workplace and are included as general information:

Affirmative Action and Diversity Project
http://aad.english.ucsb.edu/aa.html

AFL-CIO Working Women's Department
http://www.aflcio.org/home.htm

American Association of Affirmative Action
http://www.affirmativeaction.org/

American Association of Retired Persons (AARP)
http://www.aarp.org

American Institute for Managing Diversity
http://www.aiimd.org

Department of Justice ADA Home Page
http://www.usdoj.gov/crt/ada/adahom1.htm

Equal Employment Opportunity Commission
www.eeoc.gov

Institute for Corporate Diversity
http://www.diversityonline.com

National Multicultural Institute
http://www.nmci.org

Workplace Solutions
http://www.workplacesolutions.org

DiversityCentral
www.diversitycentral.com

DiversityInc
http://www.diversityinc.com

Catalyst
Get the latest research and best practices on women's advancement in business and the profession.
www.catalystwomen.org.

The Disability Forum
www.employease.com/disability.
Goodwill Industries
Employment and training for persons with disabilities
www.goodwill.org

Institute for Corporate Diversity
Provides access to diversity news and resources.

Job Accommodation Network
Useful information about working effectively with employees with disabilities.

National Association for the Advancement of Colored People (NAACP)
www.naACP.org

National Association for Diversity Management
Provides a forum for worldwide networking on the topic of diversity.
www.nadm.org.

National Association of Gender Diversity Training
www.gendertraining.com

The National Forum on People's Differences maintains an interactive website that allows visitors to pose diversity-related questions that are answered by experts.

National Multicultural Institute
www.nmci.org

Office of Disability
www.dol.gov/dol/odcp/

University of Maryland Diversity Web Page
www.inform.umd.edu/diversity

Welfare To Work Partnership
www.welfaretowork.org

Source: Society for Human Resource Management