

## Definitions of Civil Rights Laws and Terms Relative to Program Activities

### **Civil Rights Laws**

1. Title VI of the Civil Rights Act of 1964  
Specifies that no person in the U.S. shall, on the grounds of race, color, religion, sex, 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. Affirmative action measures should be taken to assure equal opportunity and make up for historic and continuing discrimination.
  
2. Title VII of the Civil Rights Act of 1964.  
States that the policy of the U.S. Government is to provide equal opportunity in employment for all persons; to prohibit discrimination in employment because of race, color, religion, sex, or national origin; and to promote equal opportunity through affirmative action in each Federal department and agency. Equal opportunity must be an integral part of personnel policy and practice including employment selection, training, advancement and treatment.
  
3. Title IX of the Education Amendments of 1972.  
The specific purposes of Title IX are to prohibit discrimination against individuals in federally-funded programs or activities, and in every aspect of employment because of their gender. Title IX provisions include prohibitions against male/female job-related stereotyping, sexual harassment, unequal opportunities for training, advancement and other benefits of employment.
  
4. Americans with Disabilities Act of 1990.  
Title I states that no entity shall discriminate against a qualified individual with a disability because of the individual's disability in regard to job application procedures, hiring, advancement, discharge, compensation, training and other terms, conditions and privileges of employment.  
  
Title II of the Act states that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any such entity.  
  
A "qualified individual with a disability" is any individual with a disability who, with or without reasonable modifications to rules, policies or practices; the removal of architectural, communication or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements of employment, receipt of services or participation in programs or activities provided by a public entity.
  
5. The Civil Rights Act of 1991 (CRA)  
Effective November 21, 1991, the Civil Rights Act of 1991 reverses in whole or part several Supreme Court decisions interpreting Title VII. The 1991 CRA includes the following provisions: Requires the employer to demonstrate that a challenged employment practice is job-related for the position in question and consistent with business necessity. Stipulates that a violation is established when discrimination is a motivating factor, even though other factors also motivated the challenged actions. Allows employees to challenge a seniority system allegedly adopted with a discriminatory purpose when that system adversely affects them, or when they become covered by it.

Extends Title VII and ADA coverage to U.S. citizens employed by U.S. companies abroad. Permits charging parties to secure jury trials in Title VII and ADA disparate treatment actions. Provides for compensatory and punitive damages for victims of intentional discrimination under Title VII and ADA. Includes expert witness fees in the definition of recoverable attorney's fees under Title VII and the ADA.

6. Affirmative Action.

Proactive measures to assure equal opportunity, mandated in Title VI of the Civil Rights Act of 1964. Affirmative action activities are undertaken to make up for historic and continuing discrimination and the continuing impact of historical discrimination.

7. Racial/ethnic categories:

Black, not of Hispanic origin - a person having origins in any of the black racial groups of Africa.

White, not of Hispanic origin - a person having origins in any of the original people of Europe, North Africa or the Middle East.

Hispanic - a person of Mexican, Puerto Rican, Cuban, Central American, South American or other Spanish culture or origin, regardless of race.

Asian or Pacific Islander - a person having origins in any of the original peoples of the Far East: Southeast Asia, the Indian subcontinent, specific Islands (China, Japan, Korea, Philippine Islands, Samoa)

American Indian or Alaskan Native - a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

Additional sub-categories based on national origin or primary language spoken may be used where appropriate, on either a national or regional basis.

Racial-ethnic designations do not denote scientific definitions of anthropological origins. A program participant may be included in the group to which he/she appears to belong, identifies with, or is regarded in the community as belonging to. No person should be counted in more than one racial-ethnic category.

## Civil Rights Terms

1. Parity

An Extension program is in parity when the participation of individuals of minority groups reflects the proportionate representation in the population of potential recipients. A program will be considered in compliance when its participation has reached 80% of parity.

2. Potential Audience/Recipients

Potential recipients are persons or groups within your defined geographic area who might be interested in or benefit from the educational program.

Potential recipients should be estimated for each program carried out in the county Extension office. For instance, county Extension educators may conduct family living programs in nutrition, family financial finances and parenting. Potential recipients should be estimated for each of these three efforts. Potential recipients are estimated by using a combination of county

demographic data and the Extension educator's knowledge and information about the population of the county. When a target audience is defined during program planning, it should be inclusive of the entire potential recipients as defined by demographic data.

3. All Reasonable Effort

Extension must be able to demonstrate that federally funded programs or activities have been made available to the maximum possible potential audience of a given locale or area. Three steps are required to demonstrate that all reasonable efforts have been made: (a) the use of all available mass media; (b) the use of personal letters and/or flyers or publications; and (c) the use of personal contacts (invitations to participate) by Extension staff.

The minimum reasonable effort required by county Extension staff members includes the following items:

1. Use of all available mass media, including radio, newspaper and television, to inform potential recipients of the program and of opportunity to participate.
2. Personal letters and flyers/publications addressed to potential recipients inviting them to participate, including dates and places of meetings or other planned activities.
3. Personal visits by the county Extension staff to a representative number of defined potential recipients in the geographically defined area to encourage participation.

4. Adequate Public Notification

Public notification plans are a part of the delivery mode in the affirmative action goals related to the Civil Rights Act of 1964. Extension program outreach should use the most diversified possible communications to attract persons of all races, colors, religions, genders, and national origins to participate. Examples include posters, flyers, minority organization bulletin board notices, stuffers in utility, or other public mailings.