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I. POLICY SUMMARY

The Division provides research-based programs to improve specific practices and technologies in the areas of agriculture and natural resources; marine sciences; youth, family, and consumer sciences; and community resource development. These programs are to be conducted in ways that are nondiscriminatory regarding race, color, national origin, religion, sex, physical or mental disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or status as a covered veteran (special disabled veteran, Vietnam-era veteran or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized). All employees engaged in programmatic decision making must act affirmatively in seeking out affected groups, identifying their needs, ensuring that they are aware of available programs, promoting their participation, and reviewing the results of their own efforts in these areas.

Within the decentralized structure of the Division, all line managers are responsible and accountable for meeting programmatic compliance requirements that are consistent with the mission and scope of the programs they manage. In addition, each staff member who is responsible for program implementation and/or program support that is designed to meet the needs of external clientele groups is also responsible for meeting programmatic compliance requirements. This is the responsibility of campus-based Specialists, county-based Advisors, and other staff with clientele-focused assignments. For a more complete discussion of these responsibilities, see Section 602, Appendix II.

CE policies on civil rights compliance and affirmative action in program delivery are issued in accordance with federal laws and regulations as set forth by Extension Service, the USDA, and the University of California. These policies and procedures are set forth to ensure compliance, to guide program planning for equal opportunity and outreach, and to set standards for evaluating progress toward compliance throughout the state.

II. DEFINITIONS

III. POLICY TEXT

A. Potential Clientele

The potential clientele for a given program within a county consists of all those people or organizations who have a need for, and who are eligible to participate in, any existing or potential educational activity that might be conducted under the mission of that program. Their numbers and percentages (categorized by ethnic identity and sex) are developed from the best available source for each potential clientele group. It is essential that all potential clientele groups be accurately defined

for all programs, and that accurate demographic baseline data be established for each group. Data on the ethnic identity and sex of all actual program participants (categorized by potential clientele group) must also be systematically collected and documented for each program.

B. Parity Of Program Service

All programs that serve the educational needs of external clientele groups are to be provided in such a way that the number of Black, Asian, Hispanic, Native American, and Female participants is in parity with the percentage of each of these categories in the potential clientele group. Programs are considered to be in parity when the percentage of each of these categories in the actual clientele group is within 20 percent of the percentage of that category in the potential clientele group.

C. All Reasonable Effort

Where parity has not been achieved in program participation, CE must demonstrate that it has used All Reasonable Effort (ARE) to achieve parity.

Because participation in Division programs is voluntary, it is possible to be in compliance with affirmative action requirements in instances when parity has not been achieved by demonstrating that ARE has been used.

It is important to recognize that ARE is not merely an incidental effort to increase participation by underserved clientele. To meet the ARE standard, an objective analysis must support the conclusion that the efforts in question could reasonably be expected to achieve parity of participation. This generally requires demonstrating that efforts were focused on, and appropriate to, eliminating underservice and were not merely incidental to that goal. In most cases it is necessary to design such efforts to fit the specific situation, and to redesign them until parity is achieved.

The minimum reasonable effort required includes:

1. Using all appropriate available mass media, including radio, newspaper, and television, to inform potential clientele of the program and of the opportunity to participate.
2. Distributing announcements, flyers, and posters, as appropriate.
3. Sending circulars and personal letters to individuals who are members of the underserved clientele group, including the dates and places of meetings or other planned activities, and inviting them to participate.
4. Making personal visits to a representative number of these potential clientele in a geographically defined area to encourage them to participate.

While volunteer leaders may be asked to assist in these efforts, ultimate responsibility for compliance rests with employees.

In cases where parity has not been achieved for programs that serve external

clientele, responsible staff are required to bring those programs into compliance by meeting the ARE standard. This includes developing and implementing specific actions designed to achieve parity and maintaining appropriate documentation of those actions.

D. Documentation

Data are to be maintained on actual CE program clientele and are to be coded according to sex and ethnic identity and the program area in which the contact was made. The ethnic and gender percentage distributions of actual clientele contacts must be compared to the ethnic and gender percentage distribution of the potential clientele. The number of participants with disabilities who self-identify, and any requested accommodations made for their participation, must also be documented.

E. Corrective Action

Plans must be developed and implemented to remedy a situation where the percentage of women or minorities among actual clientele is less than the percentage of women or minorities among potential clientele. Such plans must include steps to provide appropriate representation of the group in question on any operating, planning, and advisory committees for the program.

F. Service To External Organizations

CE must withhold or severely limit cooperation with, interaction with, or services to, external organizations that discriminate on the basis of race or sex. No significant educational services or assistance may be provided to such groups. Significant service is generally considered to be anything more than a description of the services provided by CE.

CE may not provide significant educational programs to private groups that discriminate in their membership on the basis of race, color, sex, disability, religion, age, or national origin. Staff are responsible for:

1. Notifying clientele groups of this policy.
2. Verifying with the group that it does not discriminate in its membership.
3. Being aware of current events that may publicize or bear upon a group's membership policies.

Private clientele groups must be notified annually that CE cannot work with groups that discriminate in their membership. Notification can be made formally or informally, using either of the following methods:

1. The group's contact person may be sent a statement to sign and return. For example: "By signing and returning this letter, you are certifying that your group does not discriminate in its membership."
2. During discussions about working with CE, the group may be notified of the

policy. If a letter is sent to the contact person, add a sentence stating, for example, "As we discussed on the phone, we cannot work with groups that discriminate in their membership, and we understand that your group does not do so."

After discussing the policy with the group and receiving their assurance that they do not discriminate in their membership, document the fact by a memo to file.

B. Accessibility Of Programs

All aspects of every CE program must be designed to meet the needs of, and to be accessible to all participants, without discrimination. Reasonable accommodations must be made to allow individuals with disabilities to participate. Staff must review and, if appropriate, adjust program teaching methods, subject matter content, and meeting places and times.

C. Staffing Patterns

Staffing and volunteer patterns must not reflect discrimination; for example, minority employees must not serve only minority clientele. Staffing and volunteer patterns must be examined to determine whether provider-recipient contacts are based exclusively upon race or national origin. If such a pattern exists, a plan to remedy it must be adopted and implemented.

D. Public Notification

CE is required to notify minorities of its educational programs, and to inform them that these programs are available to all segments of the state's diverse population. Public notification is designed to assure minorities and other underserved groups that they have equal access to all CE programs. Public notification includes the following:

1. Advising minorities of program availability and nondiscrimination requirements by:
 - a. Preparing program announcements, promotional literature, and other educational materials that meet the level of comprehension of target audiences. When appropriate, these materials should be bilingual.
 - b. Identifying and utilizing mass media outlets that disseminate information to minorities and other underserved clientele.
 - c. Directing information programs to sources of business and social contacts for minorities and other underserved clientele.
 - d. Developing procedures for handling information on new programs and changes in current programs for dissemination to minorities and other underserved clientele.
 - e. Designing systems for including minorities and other underserved clientele on

mailing lists.

- f. Mailing information to grass roots organizations.
 - g. Including a comprehensive nondiscrimination statement on publications, program announcements, promotional literature and other printed materials. Both English and Spanish versions of this statement are available (see Appendix 601-III).
2. Prominently displaying the nondiscrimination poster, And Justice for All, in all offices and other facilities used by Extension in serving the public, including County CE Office reception areas, public conference rooms, and 4-H camps.
 3. Notifying the USDA Office of Information of any new programs or program changes.
 4. Submitting Civil Rights success stories to Administrator, ES/USDA, for submission to the Office of Information.

The above steps must be taken to ensure that CE programs are accessible to all segments of the state's diverse population. County Directors have the responsibility to ensure, and to certify to the Regional Directors annually, that all mailing lists for programs in their county are appropriately coded for race and sex.

E. 4-H Youth Development Program

Because of its unique nature, special compliance requirements apply to the 4-H Youth Development Program.

1. A positive action plan is required to ensure balanced expansion of this program on a nondiscriminatory basis. The plan requires that:
 - a. Each county must have a 4-H expansion and review function. This function may be vested in an existing group, such as the Leaders Council, or in an Expansion and Review Committee. Members should include representatives of minority groups, youth from various geographic areas of the county, and persons who know the county and its communities well. The composition of the group should reflect the diversity of gender, ethnicity, and ability/disability within the county. The group should also represent the membership of the 4-H Leaders Council or the Volunteer Management Organization. Approximately one-third of the members should be teenage youth.
 - b. The county 4-H expansion and review function is a permanent part of each county 4-H organizational system, interfacing with other planning and advisory committees.
2. To ensure that the 4-H Youth Development Program operates on a nondiscriminatory basis, the following actions shall be taken:
 - a. Identify each 4-H unit by the ethnic composition of its actual membership, the

- demographics of its potential membership, and its location on a county map.
- b. Identify each unit that is located in an area with a multiracial potential clientele, but that has members of only one race. Take steps to ensure that the membership of each of these units becomes multiracial in composition. Assistance to those 4-H units that remain all-of-one-race must be discontinued, unless it is established that ARE has been made to recruit individuals of racial groups that are not represented. In such a case, documentation of the efforts made must be certified by the Advisor most directly involved and forwarded by the County Director to the Regional Director for determination as to compliance. Such documentation shall be retained for review purposes.
 - c. Develop and implement policies and procedures that ensure that all new 4-H units reflect the racial and gender composition of the potential clientele.
 - d. Review the by-laws and constitutions of 4-H Clubs and other units to ensure that membership is open to all youth, irrespective of race, gender, color, national origin, or disability.
3. The DAA shall review the following elements of county programs for compliance:
- a. The composition and activities of the group to which the expansion and review function is assigned.
 - b. The geographic boundaries established for 4-H unit organizations.
 - c. The operation of current 4-H units for nondiscriminatory procedures.
 - d. The operation of the 4-H Youth Development Program for compliance in the following areas:
 - i. Minority involvement in program determination, implementation, and evaluation at local, area, county, and state levels.
 - ii. Minority involvement in 4-H camps, Achievement Meetings, Leadership Conferences, State and National Conferences and Congresses, etc.
 - iii. Service across racial and ethnic lines by staff who are working with 4-H Youth Development Programs.
 - iv. Services to, and accommodation for, youth with disabilities in all aspects of all program activities.
 - v. Nondiscrimination with regard to race, color, national origin, and disability in all units that are open to youth.

F. Affirmative Action Plan And Reports

The county must design an Affirmative Action Plan for each year, based upon the Division's Affirmative Action Plan. This plan must be described in the County

Director's annual Self- Assessment Report. Periodic updates on the Division's Annual Civil Rights Report and Plan of Work must be submitted to the USDA. The first section of the Annual Civil Rights Report and Plan of Work deals with standards and requirements to ensure that all programs and activities are provided to all potential clientele on a nondiscriminatory basis.

To ensure that educational benefits are provided to the citizens of the State of California on a nondiscriminatory basis, benchmark data on potential recipients, broken down by ethnic and gender designations, are used for program planning and evaluation. These data are computed and updated at the county level. Data from all the counties are then aggregated to reflect the ethnic and gender designations of the state's total potential recipients. Statewide data are included in the annual Plan of Work submitted to USDA.

IV. COMPLIANCE / RESPONSIBILITIES

Civil rights compliance reviews are required for each program in every county. These consist of (1) on-site reviews, (2) analysis of data collected by the clientele contact reporting system and the 4-H Youth Development Program enrollment system, and (3) the County Director's annual Self-Assessment Report. All of these data are subsequently reviewed by the Regional Directors and the Office of Affirmative Action and Staff Personnel Services. They provide the basis for developing and implementing actions that are needed to correct deficiencies and achieve compliance with civil rights legislation and affirmative action/outreach/diversity mandates. Programmatic compliance can be achieved by documenting parity of participation (see section II above) or by meeting the ARE standard (see section III above).

- A.** Each year, the statewide On-Site Education and Review Team must conduct on-site reviews in two counties in each Region. The team must provide written reports on the findings of these reviews to the appropriate administrators, including the Vice President.
- B.** Each County Director must conduct an annual review and Self- Assessment Report of affirmative action in the programs in his or her county. This report covers the preceding twelve-month period July 1 through June 30. Each Regional Director must forward copies of the individual Self-Assessment reports to the DAA by October 15 of each year.
- C.** Using data from the county on-site reviews, the clientele contact reporting system, the 4-H Program enrollment system, and the annual Self- Assessment Reports, the DAA must prepare a State Compliance Status Report for the Vice President and USDA by April 15 of each year.

V. PROCEDURES

With the exception of the 4-H Youth Development Program, which is required to have

an expansion and review function in each county, no program that services external clientele is required to use an advisory group. However, when a program does use such a group, its membership must include representatives of underserved groups whenever possible.

VI. RELATED INFORMATION

VII. FREQUENTLY ASKED QUESTIONS

VIII. REVISION HISTORY

November 2017:

Format updated.