



Civil Rights Plan

Cooperative Extension Program



CIVIL RIGHTS COMPLIANCE

**For Federally Funded Programs
United States Department of Agriculture (USDA)**

Kentucky State University partners and receives federal funding through the United States Department of Agriculture (USDA). The USDA is a federal agency and is obligated to comply with civil rights federal laws. This obligation is extended to all its recipients and sub-recipients of funds.

As an institution administering USDA programs, Kentucky State University must comply with USDA regulations and applicable federal laws. These laws and regulations protect individuals, groups of people (sometimes entire communities) from discrimination and practices that may result in unfair and unequal treatment of people.

Civil rights compliance is applicable to all faculty, staff, and volunteers.

Our goal and standard must always be to treat everyone with fairness, dignity, respect. Knowledge and compliance of the civil rights compliance laws and regulations, along with the fundamental principles of access and opportunity for all, are integral to our shared values and actions which allows us to fulfill our mission and goals.

ASSURANCE OF NONDISCRIMINATION

Commitment to Comply with Non-discriminatory Regulations

The College of Agriculture, Health, and Natural Resources (CAHN) & Land Grant Program believes and embraces its responsibility to USDA civil rights compliance mandate and to fostering an environment that provides access, equal opportunity, and program delivery in compliance with civil rights laws. The CAHN is equally committed to promoting the growth of diversity, equity, inclusive, and accessibility practices. The Dean of the College will confirm this commitment in writing on an annual basis to all faculty and staff. Department heads, program leaders, research directors, Extension administrators, and county directors will affirm this commitment by virtue of their leadership responsibilities and assure civil rights compliance of faculty, staff, and volunteers at the state, region, and county levels.

Guidance

- Distribute Assurance of Nondiscrimination to volunteers and partners and request signature of acknowledgment.
- Collect the signed Assurance of Nondiscrimination form and file in civil rights folder.

LEGISLATION AND REGULATIONS

USDA's National Institute of Food and Agriculture (NIFA) monitors, provides resources and support, and ensures civil rights compliance of land grant universities. Applicable federal laws and USDA regulations are listed below. Updates are made in the website as needed.

Age Discrimination Act of 1975

Age Discrimination in Employment Act of 1967

Americans with Disabilities Amendments Act of 2008

Americans with Disabilities Act of 1990, Title I, II and V

Civil Rights Act of 1964 Title VI

Civil Rights Act of 1964 Title VII

Civil Rights Act of 1991

Rehabilitation Act of 1973

Title IX, Education Amendments of 1972

USDA Office of the Assistant Secretary for Civil Rights - Departmental Directives and Regulations

USDA DR 4330-002: Nondiscrimination in Programs and Activities Receiving Federal Financial Assistance from USDA

Faculty, staff, and volunteers must be aware of applicable laws and regulations.

TRAINING

Faculty, staff, and volunteers are expected to be knowledgeable of USDA civil rights compliance obligations to ensure equal opportunity requirements are met in all programs, activities, teaching, and employment. To meet this goal, faculty/staff will engage in training to gain knowledge and skills in compliance policies and processes aligned with USDA/NIFA civil rights requirements and build competencies in areas of inclusion and accessibility practices.

Faculty/staff working with volunteers are responsible for ensuring their volunteers receive required training information and maintain records of the training.

Supervisors are encouraged to include the mandatory annual civil rights training in employee's annual professional development goals.

The civil rights training topics covered in the annual mandatory training includes but are not limited to:

- Applicable Federal Laws/USDA Regulations and Policies
- Limited English Proficiency (LEP)
- Accessibility for Individuals with Disabilities
- Civil Rights Files / Reasonable Efforts
- Public Notifications
- Program Complaint Procedures
- Title IX

Guidance

- Look out for mandatory annual civil rights training announcements and save the date in your calendar.
- Attend the training(s).
- Sign the attestation of training provided and return as directed. Keep a record in your civil rights folder.
- Implement knowledge and skills acquired.

Guidance for Faculty/Staff Working with Volunteers

- Ensure your volunteers receive required annual civil rights training information. Use the slides or video provided.
- Have volunteer sign attestation of training and file in the civil rights folder.
- Repeat training annually.



PUBLIC NOTIFICATION POLICY

The College of Agriculture, Health, and Natural Resources and Land Grant Program follow core practices of public notification for equal opportunity. The core of the public notification policy is that individuals **must be notified** that programs, services, and activities do not discriminate in access and service. If individuals feel that they have been denied access to programs and services, they must be informed how to file a program discrimination complaint. To achieve this, faculty, staff, and volunteers must adhere to the equal opportunity public notification guidance which includes:

- the use of the USDA nondiscrimination statement,
- “And Justice for All” poster,
- reasonable accommodation notices for individuals with disabilities and limited English proficiency,
- and distributing any and all equal opportunity notices to beneficiaries as requested by USDA/NIFA.

The USDA Non-Discrimination Statement

Guidance

Faculty, staff, and volunteers must include the USDA non-discrimination statement in publications and notices to the public. Guidance on use of USDA non-discrimination statement:

- Publications over two pages must include the USDA non-discrimination statement in its entirety. *See full statement below.*
- Publication 2 pages or less or materials that are too small to include the full USDA non-discrimination statement should include the following statement or short version:

“Kentucky State University is an equal opportunity provider.”

USDA Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

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PUBLIC NOTIFICATION POLICY

And Justice For All Poster

The “And Justice For All” civil rights poster is the primary method used to inform the public of their rights. It displays information relevant to federally assisted programs (green poster) and food and nutrition programs (blue).

AD-475A



AD-475A



AD-475A

Guidance

- Display the “And Justice for All” poster in all public areas, meeting rooms, mobile learning units or spaces where programs and activities are being conducted.
- The poster should be visible to the public and program participants.
- Inform the public of the equal opportunity notification included in the poster.
- If needed, use the poster as a tool to inform and guide individuals of how to file a program discrimination complaint with the USDA.
- Do not distort the size of the poster. The image shared in this publication is for **purpose of reference**.

This required poster should be displayed in the specific size of 11" width x 17" height. This size requirement relates to a problem where the poster's text becomes small and almost unreadable when printed in a typical printer's print size of 8.5" x 11". The image shared here is for the purpose of reference rather than printing and display.

Reasonable Accommodation Notices

Reasonable accommodation (RA) notices comply with the mandate that recipients of federal funds are required to inform individuals of their right to access services and the process to obtain reasonable accommodations free of charge.

Guidance

Include an “RA” in **all** announcements of activities, programs, or events. Sample language for reasonable accommodation notices include:

If you need a reasonable accommodation to participate in this event, please contact (name of faculty or staff) at (email contact) or (telephone contact) no later than (include date). Language access services, such as interpretation or translation of vital information, will be provided free of charge to limited English proficient individuals upon request. In compliance with the Americans with Disabilities Act, we will honor requests for reasonable accommodations made by individuals with disabilities at no cost to the participant.

Notices for reasonable accommodations for individuals with disabilities and who are limited English proficient ensure that they have **equal and effective opportunity** to participate in and benefit from programs, activities, and resources in the most integrated setting possible.

REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

Services and benefits should be provided in the most integrated setting possible, and efforts should be made to ensure that alternative methods of providing program access do not result in unnecessary segregation.

Separate or special programs for individuals with disabilities may be offered when they are specifically designed to meet the needs of individuals with disabilities. Even when separate programs are offered, individuals with disabilities cannot be excluded from the program or required to accept special services.

Guidance on Handling Reasonable Accommodation Requests

- Don't dictate to an individual with a disability what type of accommodation will meet their needs.
- Don't ask invasive questions about the nature of an individual's disability, or for private medical information or records.
- Don't deny a reasonable accommodation request until you have explored all possible alternatives.
- Engage in an interactive process with the individual making the request.
- Make suggestions of alternative accommodation or ask for clarification on an individual's needs.
- Respond to all reasonable accommodation requests in a timely fashion.
- Treat accessibility or modification-related requests as reasonable accommodation requests, regardless of whether the words "reasonable accommodation" are used.

A reasonable accommodation/modification is a change or modification that affords a qualified individual with a disability full enjoyment of an entity's programs or activities. Accommodations do not need to be granted if such modifications of policies, practices, and procedures would fundamentally alter the nature of the program, service, or activity, or result in undue financial and administrative burdens to the entity; however, the College and Land Grant Programs will do all it can to ensure reasonable accommodations are granted. Faculty, staff, and volunteers **must seek guidance** from the civil rights officer or coordinator to ensure that all reasonable steps have been taken.



REASONABLE ACCOMMODATIONS FOR LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS

Services and benefits should be provided in the **most integrated setting possible**, and efforts should be made to ensure that alternative methods of providing program access do not result in unnecessary segregation.

Faculty staff working in extension or outreach programs must be prepared to work with LEP individuals. Preparation includes steps below.

- Assess the language(s) most likely to be encountered.
- Translate flyers and announcements to target languages to ensure that individuals you are trying to reach receive the notification.
- Post signs in target areas.
- Work with community-based organizations and other stakeholders to ensure audiences receive notices.
- Have vital documents translated to target language(s).

A reasonable language access request does not need to be granted if service, or activity, would result in undue financial and administrative burdens to the entity; however, the College and Land Grant Programs will do all it can to ensure reasonable language access requests are granted. Faculty, staff, and volunteers **must seek guidance** from the civil rights officer or coordinator to ensure that all reasonable steps have been taken.

Guidance on Handling Reasonable Language Access Requests

- Engage in an interactive process with individual(s) making request.
- Request clarification on the individual's need.
- Respond to the request in a timely manner.
- Follow the College's fiscal procedure to pay for language access services.
- Prepare the learning environment as applicable including signage, speakers, presentations, all individuals interacting with the public.

The civil rights compliance office monitors agencies providing language services. Updates will be sent to all faculty/staff.



EXTENSION PROGRAM PARTICIPANTS

Parity

Participants in clubs, activities, and programs should be reflective of the demographics of the potential service population (parity). A program is considered to have a balanced participation rate if the number of clientele is within 80% of parity.

The goal of Extension programs is to ensure success in increasing and/or maintaining parity in program participation by underrepresented groups.

Reasonable Efforts

Document and maintain examples of efforts to increase participation of underrepresented groups in an all-reasonable efforts file. Examples of efforts may include flyers, emails, personal invitations, personal letters, any outreach correspondence, photographs with notations of participation in special events, and notes from meetings or conversations that demonstrate outreach efforts to underrepresented audiences.

Guidance

Extension faculty/staff will ensure that demographic data is collected to determine potential service audience at the time of program development. Source for demographic data include:

- the most recent Census of Agriculture (www.agcensus.usda.gov)
- U.S. Census (www.census.gov/quickfacts)
- Community level data
- Kentucky Department of Education (local data for youth)

Extension faculty/staff must ensure race, ethnicity, and gender (REG) data is collected when conducting programs and activities.

Extension faculty/staff must analyze REG data periodically against census data to ensure parity. If parity is not reached, document all the reasonable efforts taken to reach parity. *(Use the “all reasonable efforts” form provided by the civil rights compliance office.)*

ADVISORY BOARDS AND COMMITTEES

Internal and external advisory boards and committees must be reflective of the local/service population in terms of race, ethnicity, gender (REG).

Faculty and staff creating advisory boards and committees must:

- Ensure selection process encourages diversity and/or adequate representation of the service/local population.
- Implement efforts to increase or maintain diversity on boards/committees.
- Implement efforts to address barriers (if applicable) for adequate representation.

Guidance for faculty/staff working with advisory boards or committees.

- Have each member sign an assurance of nondiscrimination.
- Ensure each member attends an annual civil rights training and sign attestation.
- Maintain records of bylaws (if applicable).
- Maintain records of selection process.
- Maintain records of REG data.
- Maintain records of barrier analyses (if applicable) to reach adequate representation.

VOLUNTEERS

Volunteers are vital to ensure that we fulfill our mission and create impact through our research and Extension programs throughout the commonwealth of Kentucky. Just like faculty and staff, volunteers must understand and abide by our civil rights compliance obligation and nondiscriminatory practices and policies.

All volunteers will be expected to attend an annual mandatory civil rights training. Program leaders, faculty, or staff working with volunteers are responsible for ensuring that this training is fulfilled prior to any engagement with the public. Volunteers will be able to fulfill this requirement by either 1) completing a training video; or 2) attending an annual in-person training. Documentation of this annual training is required. Faculty and staff working with volunteers are responsible for maintaining files of trainings.

Guidance

- Have each volunteer sign an assurance of nondiscrimination.
- Ensure each volunteer attends an annual civil rights training and sign attestation.
- Maintain records of training.



COMPLAINTS

Any individual who believes that they have been denied access to services or programs has the right to file a complaint. The process to file a program discrimination complaint with the USDA is listed in the USDA non-discrimination statement and the “And Justice for All” civil rights poster. Procedures for filing a complaint are available on the Kentucky State University's Land Grant program website under the USDA civil rights information. Faculty, staff, and volunteers must inform the public of the procedures.

IMPORTANT: Civil rights laws prohibit adverse action or retaliation against individuals who exercise their rights under these laws. This means that individuals who file a complaint or raise a concern under a civil rights law cannot endure negative consequences as a result of doing so.

Guidance

- Let individual know that you take the complaint seriously.
- Document what is being reported.
- Ask individual what they would like to see happen differently AND inform how they are able to file a complaint with USDA.
- Report the complaint to supervisor and civil rights officer.

- Do not debate or minimize a complaint.
- Do not attempt to investigate a complaint.
- Report complaint immediately.
- Do not retaliate against individual reporting the complaint.
- Handle complaints in confidential manner.

For questions regarding the USDA Civil Rights compliance program at KSU, contact:

Nancy Cálix
Civil Rights Compliance Officer, USDA Programs
College of Agriculture, Health, and Natural Resources
& Land Grant Program
Cooperative Extension Building, Room 208
Nancy.calix@kysu.edu
(502) 597-5233

For questions regarding the University's employment policies including employee's ADA accommodations, contact:

Kendra Herve
Acting Human Resources Director
Academic Services Building, Suite 243
Kendra.herve@kysu.edu
(502) 597-5379

For questions regarding the language access services, civil rights trainings, and filing records contact:

Ashlie Smoot-Baker
Civil Rights Compliance Coordinator, USDA Programs
College of Agriculture, Health, and Natural Resources
& Land Grant Program
Cooperative Extension Building, Room 125
Ashlie.smootbaker@kysu.edu
(502) 597-6073

For questions or reports regarding Title IX contact:

Michael R. DeCourcy
Interim Title IX Coordinator
safereport@kysu.edu
(502) 597-5500

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