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MEMORANDUM

DATE: October 30, 1998  
TO: County/Area Directors  
Regional Directors  
Extension Specialists  
FROM: Judith Ann Barth, Coordinator *Judith Barth*  
Human Resources  
SUBJECT: Civil Rights and Outreach Materials

Included with this memo is a recent message from Colien Hefferan regarding Civil Rights and Outreach Material. Please circulate this information to all staff in your office and then file it permanently in your Civil Rights files. These documents will be added to the list of materials which must be on file in each county office. Verification of the files takes place during county affirmative action/civil rights reviews.

Please also note that the statement of non-discrimination has changed. The correct wording for this statement, to be included on all Cooperative Extension publications and materials funded with Federal dollars can be found on pg. 3 of the **EQUAL OPPORTUNITY PUBLIC NOTIFICATION POLICY**. If space prohibits use of the entire statement, Extension material will at minimum include the statement (in print size no smaller than the text) "The USDA is an equal opportunity provider and employer." For us in Colorado, this statement must be included on materials which are printed with Federal dollars so programs like EFNEP, FSNEP, etc. need to look closely at this new statement.

If you have questions regarding this material, please call me at 491-6281.

cc: Milan Rewerts  
Mary Gray



United States  
Department of  
Agriculture



Cooperative State  
Research, Education,  
and Extension Service

Washington, DC  
20250

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JUL 27 1998

TO: State Extension Directors/Administrators  
Directors, State Agricultural Experiment Stations  
A-TRs, McIntire-Stennis Program  
Research Directors, Evans-Allen Program  
Deans, Schools of Veterinary Medicine  
Deans/Directors, Academic Programs  
Presidents, 1994 Institutions

FROM:

Colien Hefferan  
Acting Administrator

SUBJECT: Civil Rights and Outreach Material

Recently, the Department of Agriculture (USDA) developed several important civil rights, diversity, and outreach documents. These documents were developed to support staff in achieving USDA's goals to treat all customers and fellow employees fairly and equitably, with dignity and respect, and to make USDA programs and services fully accessible to all potential customers.

The materials are valuable resources to help and support your staff as they work to carry out their program goals and objectives. These documents, as well as other civil rights and outreach materials your organization is currently using, should be understood by, and readily available to, all present employees and new hires as they come onboard. Cooperators, committee members, and volunteers also should understand the content of the materials.

Recently developed materials that all staff should have access to and study include:

- Civil Rights Policy for the Department of Agriculture (Departmental Regulation 4300-6, March 16, 1998).
- Equal Opportunity Public Notification Policy (Departmental Regulation 4300-3, February 25, 1998).
- Actions to Foster Improved Outreach to Customers (Secretary's Memorandum 4360-1, March 24, 1998).
- "Unlocking the Barriers--Keys to Communicating with Under-Served Customers," (March 1998).
- "Civil Rights at the United States Department of Agriculture--One Year of Change" (March 1998) summarizes progress made toward implementing each of the 92 recommendations in the February 1997 Civil Rights Action Team Report.

Thank you for your continued efforts to assure that all customers and employees are treated fairly and equitably, and with dignity and respect. If you and/or members of your staff have any questions regarding the documents provided, please feel free to contact Curt Deville, Director Equal Opportunity Staff at 202-720-2700.

Attachments

|  |                                 |                   |
|--|---------------------------------|-------------------|
| <b>DEPARTMENTAL REGULATION</b>   |                                 | NUMBER:<br>4300-6 |
| SUBJECT:<br><br>Civil Rights Policy for the<br>Department of Agriculture | DATE:<br>March 16, 1998         |                   |
|  | OPI:<br>Office of the Secretary |                   |

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.

-END-

|   |                                   |                   |
|---|-----------------------------------|-------------------|
| <b>DEPARTMENTAL REGULATION</b>                              |                                   | NUMBER:<br>4300-3 |
| SUBJECT:<br>EQUAL OPPORTUNITY<br>PUBLIC NOTIFICATION POLICY | DATE:<br>February 25, 1998        |                   |
|   | OFFICE:<br>OFFICE OF CIVIL RIGHTS |                   |

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.

- c 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.
- d 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

- a Titles VI and VII of the Civil Rights Act of 1964, as Amended (42 U.S.C. 2000d, 2000e-16).
- 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.
- d Section 501, 504, and 505 of the Rehabilitation Act of 1973 (29 U.S.C. 701, 794)
- e Age Discrimination in Employment Act (29 U.S.C. 633a)
- f Section 403 of the Vietnam Era Veterans Readjustment Assistance Act of 1974 (38 U.S.C. 2014)
- 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
- j Americans With Disabilities Act of 1990 (Pub.L. 101-336)

## 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-

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).

- (1) 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.
- (2) The incoming NFAC chairperson shall serve as the chairperson of the NOC.
- (3) The NOC 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 agendas 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 NOC chairperson and copies forwarded to the NFAC executive officer, the State Outreach Council chairs, and the director of the Office of Outreach.

b 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.

- (1) 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.
- (2) 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