

REFRESHER TRAINING

Annual Civil Rights Training



OFFICE OF RESEARCH COMPLIANCE

Make sure you complete the Quiz at the end of the presentation to receive your completion certificate!



What are Civil Rights?

- **Definition:** *The nonpolitical rights of a citizen;*
“the rights of personal liberty” guaranteed by the 13th and 14th Amendments to the U.S. Constitution and by Acts of Congress and to their fair and equitable treatment of all customers and employees.

There are numerous Civil Rights Acts and Laws that were enacted over the course of the last 50 years . . .



Civil Rights Laws

Examples:

Title IX of the Education Amendments of 1972 addressed the issue of **sex discrimination** while Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibited discrimination based on a disability.

It began with **Title VI of Civil Rights Act of 1964**. This act led the way and addressed **discrimination in relation to race, color and national origin** in programs and activities that received federal financial assistance.

In 1975, Congress enacted the Age Discrimination Act which prohibited **discrimination based on age**.

The Civil Rights Restoration Act of 1987 clarified the intent of Congress as it related to the scope of Title VI of the Civil Rights Act of 1964, again prohibiting **discrimination based on race, color and national origin**.

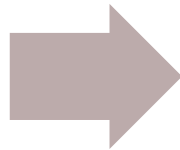
The Americans with Disabilities Act of 1990: Non-discrimination on the basis of Disability.



Civil Rights Key Terms

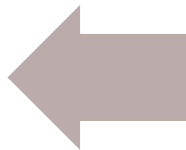
Discrimination

The act of distinguishing one person from others, either intentionally, by neglect, or by the effect of actions or lack of actions based on their protected class.



Protected Class

Any person or group of people who have a characteristic for which discrimination is prohibited based on a law, regulation or an executive order.



Protected Classes

Race

Color

National Origin

Sex

Age

Disability



Purpose of Civil Rights Training

- To ensure that all individuals involved in all levels of administration of programs that receive federal financial assistance understand *federal laws, regulations, instructions, policies, and other federal guidance* related to Civil Rights.

Focus: Preventing Discrimination

Administer programs so that they are accessible to eligible participant regardless of their race, color, national origin, sex, age, or disability .



Civil Rights: AAMU-Responsibility

AAMU is expected to provide annual training to all faculty, staff and student workers to be in compliance with Civil Rights Laws. All employees must have an understanding of their responsibilities to ensure that the civil rights of all program/project participants are protected. These responsibilities include:

1. The collection and use of racial/ethnic/gender (REG) data.
2. The development of an effective public notification system.
3. A plan for equal access to programs.
4. The requirements for reasonable accommodation (RA) of persons with disabilities.
5. A reasonable accommodation for language assistance (LEP).
6. A plan for conflict resolution which includes the development of a complaint procedure.



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COLLECTION/USE OF REG DATA



Collection/Use of Racial & Ethnic Data

Racial Categories:

1. American Indian or Alaskan Native
2. Native Hawaiian or Other Pacific Islander
3. Asian
4. Black or African American
5. White
6. Two or More Races

Ethnic Categories:

1. Hispanic or Latino
2. Non Hispanic or Latino

Gender Categories:

1. Male
2. Female
3. Other



Collection/Use of Racial & Ethnic Data

- ✓ Annually Program/Project Director must compare the racial, ethnic & gender makeup of the participants to the racial, ethnic & gender makeup of the area from which participants are drawn.
- ✓ If necessary, the Program/Project Director takes action to eliminate barriers to program/project participation or to outreach to un-served/underserved or underrepresented populations.

PIs must have a system to collect the racial, ethnic and gender data of program participants in accordance with USDA-NIFA policy. The data are used to determine how effectively programs are at reaching potential eligible participants and to help identify areas where additional outreach is needed.



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PUBLIC NOTIFICATION

& REPORTING DISCRIMINATION



Public Notification

- ✓ All project directors who operate a Federal funded project/program, like USDA, NSF, DOD, DOE, DoEd, NIH programs, must notify the public of their participation in the program.
- ✓ In addition, notification to applicants and participants must include information regarding program availability, program rights and responsibilities, the policy of nondiscrimination, and the procedure for filing a complaint.



Public Notification

The public notification system must include:

- 1. Public Release:** Sponsors must take specific actions to inform the public of their program rights and responsibilities and the steps necessary for participation.
- 2. Display the “And Justice for All” poster:** The poster provides the agency's address and phone numbers that the public can use to file a complaint if they think their civil rights have been violated. Applicants and participants must be advised of their right to file a discrimination complaint, how to file a complaint and the complaint procedures.
- 3. Nondiscrimination Statement:** All informational materials including websites used by PIs to inform the public about Federal funded programs, like the USDA, NSF, DOD, DOE, DoEd, NIH projects/programs, must contain the nondiscrimination statement.



Complaints of Discrimination

May be written,
verbal, or
anonymous

Discrimination
Complaint Form

Any person or representative alleging discrimination based on a protected class has the right to file a complaint within 180 days of the alleged discriminatory action.

USDA-Examples

USDA Complaint Form English:

<https://www.usda.gov/sites/default/files/documents/usda-program-discrimination-complaint-form.pdf>

USDA Complaint Form Spanish:

https://www.ocio.usda.gov/sites/default/files/docs/2012/Spanish_Form_508_Compliant_6_8_12_0.pdf






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REASONABLE ACCOMMODATION (RA)



Overview of Applicable Laws & Protections

- Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA)
- Prohibit discrimination
- Ensure equal access to programs
 - ✓ Integration mandate
 - ✓ Effective communication
 - ✓ Reasonable accommodation (RA)
-  Protect from retaliation





How to create an inclusive environment for individuals with disabilities

- Program planning with an inclusive lens.
- Establish an inclusive environment.
- Create accessible materials.
- Include RA statement on all materials.
- How to respond to RA requests.





Program planning with an inclusive lens

- Embedding accessibility considerations throughout the program planning process reduces the need for individuals to request accommodations.

Establish an
inclusive
environment

Create
accessible
materials

Include RA
statement in
outreach
materials

Provide
reasonable
accommodations





Establish an inclusive environment

Accessibility is more than physical access to get in the door; look at program delivery in context of major life activities:

- Most integrated setting possible
- Honor their identity
- Accessible facilities & transportation
- Clear signage
- Consider possibility of reserved space
- Share information ahead of time
- Recognize different ways to learn.





Include RA Statement on All Materials

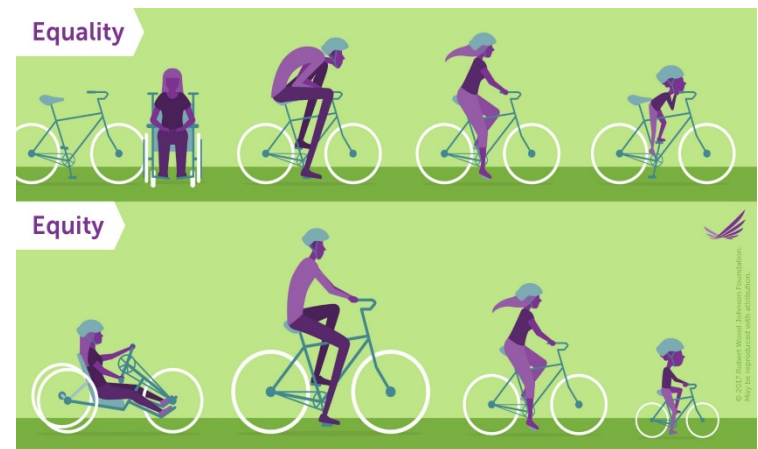
“We value inclusion and access for all participants. If you need a reasonable accommodation to attend this event, please contact (*name, event host/coordinator*) at (*phone number/email*). All reasonable accommodation requests should be made no less than (*insert number here*) weeks before the event.”





How to Recognize & Respond to RA Requests

- Treat modification-related requests as RA requests whether or not the words "reasonable accommodation" are used
- Respond timely
- Use interactive process to find an effective and reasonable solution
- Focus on the individual's needs, not their diagnosis or disability.



Credit: Robert Wood Johnson Foundation





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LEP Awareness

English as a Second Language



Limited English Proficiency (LEP)

Organizations participating in Federal Funded Programs such as USDA, NSF, DOD, DOE, DoEd, NIH funded programs have a responsibility to take “reasonable steps” to ensure access to their programs and activities by those with LEP.

- ✓ Persons with Limited English Proficiency (LEP) are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.





Limited English Proficiency (LEP)

Utilize the following when determining the need for LEP services:

- The number and proportion of LEP persons served or encountered by the program;
- The frequency with which LEP individuals come into contact with program;
- Determine the importance to LEP persons of your program activities and services;
- Determine the resources available to the recipient and costs



For more information see Memorandum SP 37-2016.



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TITTLE IX

Sex Harassment



Title IX and AAMU Commitment

Title IX (1972): Federal law prohibits sex discrimination in educational institutions.

AAMU's policies prohibit sexual harassment and sexual violence of any kind.

- Committed to promoting a safe and secure academic environment for all members of AAMU campus community.
- All students, faculty, staff, and visitors are expected to maintain a working and learning environment free from harassment and discrimination.
- Sexual harassment, a form of sex discrimination, is illegal under federal, and state laws and not tolerated at AAMU.





Scope of Title IX Coverage

Title IX applies to:

- Any person registered, accepted or enrolled in any course, or program offered by AAMU, as well as faculty, staff and 3rd party providers.
- To all of CALNS' programs and activities, events, or circumstances over which the college exercised substantial control over the respondent including all locations on-campus or off-campus.



Title IX Reporting

The purpose of reporting is to:

- Provide support and options to the individual
- Limit the effects of harassment on the educational environment.

Who can report?

- Any one with knowledge of an alleged violation of our Sexual Harassment policy can make a report.
- A report can be made at any time. There is no statute of limitations on allegations of a Title IX violation made through the University.





Where Can Someone Make a Reporting

- Title IX Coordinator
- Campus Safety
- Any AAMU employee, including RAs and Coaches
 - ✓ Faculty and staff who receive complaints of sexual harassment or sexual violence are **REQUIRED** to report complaints to the **Title IX Coordinator**.

The employee must report the name of the parties involved and all pertinent information.



Thank You !

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[**Click here to take the Quiz to get your completion certificate**](#)