

CIVIL RIGHTS POLICIES AND PROCEDURES

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*******Under Revision*******

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WASHINGTON STATE UNIVERSITY EXTENSION CIVIL RIGHTS POLICIES AND PROCEDURES

WSU Extension is morally and legally responsible to make our programs available to all residents of Washington. To ensure that we facilitate the widest possible participation, the following guidance has been developed.

NON-DISCRIMINATION POLICY

It is the nondiscrimination policy of the WSU Extension that no person shall be discriminated against on the grounds of race, sex, religion, age, color, creed, national or ethnic origin; physical, mental, or sensory disability; marital status, sexual orientation, or status as a Vietnam-era or disabled veteran in employment or in any program or activity. This policy will be communicated to the public through all appropriate WSU Extension public information channels, in mediums that reach persons hearing–or sight–impaired, when necessary to ensure total understanding.

WSU Extension will take specific action to reach out in positive ways to persons who are underrepresented in Extension programs and activities, and to increase diversity in employment. This policy will be demonstrated to persons through all reasonable efforts.

It is also the policy of WSU Extension not to participate in any public meeting, nor to provide services, nor to use the facilities of organizations in which persons are excluded because of their race, color, religion, sex, national origin, age, or handicap. WSU Extension professionals will use positive examples of employment and program participation by minority, women, and other clientele groups in pictures and other visual and sound public information materials.

How We Ensure Non-discrimination

- We provide access to programs and employment opportunities to all persons, regardless of human differences.
- Diversity enhances knowledge. In order that we stimulate creative thinking, multiple perspectives, and unique solutions, it is our expressed goal to recruit diverse audiences to our educational programs and events, as well as to our workplace.
- We are morally, intellectually, and legally compelled to provide access to all persons. Our policies and practices are designed to achieve our goal of unrestricted access.
- We strive to make our policies and practices known to all, in order that people do not misunderstand our purposes. When people view us as discriminatory, or even as mono-

cultural or single-purposed, they also may perceive that Extension programs are not intended for them, not useful for them, or not open to them.

- We make every reasonable effort to provide access to our programs to all persons. People with communication or mobility disabilities are entitled to access our programs, as are people with limited financial resources, and language barriers.
- Ensuring unrestricted access does not occur by accident. Deliberate efforts to design and deliver programs useful and desirable for underserved and minority audiences are documented. Analysis of the efficacy of those efforts is used to improve the effectiveness of subsequent actions to extend the benefits from our programs to diverse audiences.
- We review compliance with our policies through a variety of administrative reviews and audits of our public notification procedures, records, and successes and challenges in meeting our diversity goals.

Legislative Directives for Civil Rights

All persons are afforded equal protection under the laws of the nation and state. Discrimination by public and private entities is prohibited against certain categories such as race, religion, gender, national origin, age, and disability. Some civil rights regulations may afford certain affected classes—groups that have suffered from past discrimination—specific safeguards under civil rights laws and regulations. These safeguards are typically known as federal affirmative action programs. Affirmative action provides for the development of specific measures to counteract past discrimination by giving particularized help to affected groups. Examples include focused outreach and recruiting and special training programs.

Federal and state legislation and some state executive orders prohibit discrimination against the following:

- Women
- Racial/ethnic minorities
- Persons age 40 and above
- Disabled persons
- Veterans
- Vietnam-era veterans
- Disabled veterans
- Religion
- Marital status
- Sexual orientation

In both employment and programs, special efforts (affirmative action) must be taken to include these groups.

Primary directives for WSU Extension policies and procedures are based on several specific pieces of federal legislation. Summaries of the following documents with hyperlinks for the

original legislation and guidelines are presented in the appendices of this document. Individual directives for civil rights include the following:

- [Title VI of the Civil Rights Act of 1964](#) (42 U.S.C. § 2000d et. seq.) prohibits discrimination in any federally assisted programs.
- [Title VII of the Civil Rights Act of 1964](#) (Pub. L. 88-352) and as amended by The Civil Rights Act of 1991 (Pub. L. 102-166) relates to equal employment opportunity.
- [Title IX, Education Amendments of 1972](#) (Title 20 U.S.C. Sections 1681-1688) prohibits sexual discrimination in educational institutions.
- [The Americans with Disabilities Act of 1990](#) (Titles I and V; Pub. L. 101-336) prohibits discrimination in employment practices.

These and other acts that affect the policies and procedures of WSU Extension are listed on the United States Department of Agriculture Cooperative State Research, Education, and Extension Service (USDA/CSREES) website http://www.csrees.usda.gov/about/offices/equalop_require.html.

For more information about how increasing diversity improves WSU Extension's programs, see [Appendix C](#).

WHO CARRIES OUT POLICIES AND WHO OVERSEES CIVIL RIGHTS COMPLIANCE?

All WSU Extension employees are responsible for conducting business in accordance with WSU Extension's Civil Rights Policies and Procedures, as described in this document. The intent of these policies and procedures is to make our educational programs universally accessible, and to provide documentation of what we have done to make those programs accessible. It is the responsibility of each supervisor to monitor and evaluate the effectiveness of policies and procedures implemented by their supervisees.

Civil Rights Leaders and Plans in County Offices

Each WSU Extension county director has responsibility to lead his or her county faculty and staff in developing a county civil rights plan. More details as to this process are described in the [Planning, Training, and Record Keeping](#) section of this document.

All WSU Extension personnel must comply with all state and federal civil rights policies, procedures, and legislation when carrying out administrative and program responsibilities. All WSU Extension faculty and staff are responsible for advancing the goals of WSU Extension's Civil Rights Policies and Procedures, and providing unhindered access to education and employment opportunities delivered by the organization. County faculty, program assistants, and other staff are required to maintain civil rights records.

REACHING OUR CIVIL RIGHTS GOALS

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

The goal of various civil rights legislation and of our policies is to deliver programs to all people who will benefit, regardless of their human characteristics or situation. Ideally, as an indicator of our success, our portfolio of programs should result in [balanced participation](#).

Balanced participation (or parity) occurs when the ethnicity, race, gender, age, religion, and economic characteristics of participants across our portfolio of programs are representative of the county population as a whole. The means for achieving balanced participation are consistent with the Extension philosophy and are compatible with long-respected Extension practices. Balanced participation occurs because WSU Extension uses specific strategies to assess the needs of [potential audiences](#), design and deliver relevant programs, and notify the public about opportunities to participate. **WSU Extension considers that its programs are in compliance when participation has reached 80 percent of parity.**

ASSESSING NEEDS

Program Content

Program content may be a barrier to participation by certain underserved audiences. To achieve 80 percent of parity, WSU Extension must have a product that is desired by the target audience. To this end, WSU Extension is obligated to assess learner needs of underserved audiences, and to deliver programs in accordance with those needs. Where 80 percent of parity is not being achieved, WSU Extension must take action to increase the presence of under-represented groups in advisory systems and program planning activities. Customer needs assessment must include underserved audiences as respondents.

Designing and Delivering Programs to Reach Diverse and Underserved Clientele

Including community members who represent specific underserved clientele in your advisory systems will increase the relevance of programs offered for members of that group, and will help counties achieve parity. However, increasing participation by the underserved clientele also requires designing and delivering programs in such a way as to overcome barriers that might interfere with participation. Potential barriers to participation may include language barriers, cultural barriers, economic barriers, and/or access barriers. WSU Extension is further obligated to make [reasonable accommodation](#) for individuals with specific communication disabilities or learning needs. Strategies to eliminate these potential barriers are discussed in the following paragraphs.

Language Barriers

On August 11, 2000, President Bill Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with Limited English Proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency.

Faculty and staff within WSU Extension county offices have considerable flexibility in determining precisely how to fulfill the obligations to take reasonable steps to ensure meaningful access for LEP persons. Compliance provided by faculty and/or staff is assessed on a case by case basis and the following factors will be taken into account: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program, activity or service; (2) the frequency with which LEP individuals come in contact with the program, activity or service; (3) the nature and importance of the program, activity, or service; and (4) the resources available and costs of providing language services. There is no "one size fits all" solution for Title VI compliance with respect to LEP persons. What constitutes as reasonable accommodation for large offices may not be reasonable for small offices. Thus, smaller offices with smaller budgets are not expected to provide the same level of language services as larger offices with larger budgets. WSU Extension adapted the above guidelines from the United States Department of Human Services (DHS) website <http://www.hhs.gov/ocr/lep>.

Based on the above guidelines, it is critical that you assess your county in regards to LEP populations and their needs, even if they are not among the protected classes. Advisory system members representing LEP populations are crucial in deciding the best way to advertise and offer programs to these populations. Be sure to incorporate their recommendations into your County Civil Rights Plan.

If the potential target audience is likely to include a significant population of non-English-speaking participants (10 percent or more of the total census population) offer the program using alternate language instruction, written materials, and/or translation as outlined in your County Civil Rights Plan. If the program is to be presented in English only, that information should be included on alternate-language notices about the program. Counties should outline in their County Civil Rights Plan any strategies for accomplishing necessary translation.

Cultural Barriers

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

Cultural barriers are those conditions that limit or exclude participation of racial, minority, religious, and ethnic groups. Some cultural barriers may exclude potential participants from attending his or her first event; others may dissuade individuals from returning to a second program. For example:

- Scheduling events to conflict with major religious or ethnic holidays or events.

- Staging activities or events in potentially uncomfortable locations, such as churches, bars, or private clubs, or in locations where minority groups were previously rejected or in which "threats" and/or unpleasant experiences occurred.
- Program announcements insensitive to the degree of alienation by and extent of belonging to the dominant clientele group in the area, as viewed by the disadvantaged and minority groups. For example, using promotional photos with all Caucasian subjects, or announcing the time of an event as "after church on Sunday."
- Perception or previous experience about the extent of courtesy, tact, and recognition of human dignity accorded the disadvantaged and minority groups by Extension staff or associated volunteers.
- Program activities that include food or activities that are insensitive to religious or cultural dietary or behavioral restrictions.

Economic Barriers

Avoid economic barriers that may limit or prevent effective participation of disadvantaged clientele in WSU Extension programs. The many potential barriers and inhibitors are not restricted to any one category of the public, but may apply to many groups of potential participants. Economic barriers are those conditions of an economic nature that limit or exclude participation of disadvantaged, racial, minority, and ethnic groups. For example:

- Programs, activities, consultative services, and events conducted involving high cost or capital investment in which clientele are asked to participate.
- Programs, meetings, tours, activities, and events conducted for individuals and groups based upon high levels of income and affluence.
- Program activities (e.g., demonstrations, adaptive research) conducted that require extensive purchases of equipment or supplies.
- Projects, camps, and recreational activities with extensive financial requirements for membership and participation, including dress and travel.
- Program activities that require reciprocal entertaining, costly materials, registration and consultation fees, and meals.
- Programs that involve in-depth schools with fees, entertainment, meals, and travel.
- Overemphasis on meeting continuous demands of commercial cooperators, leaving insufficient time and attention of Extension staff to meet needs of other customers.

Reasonable Accommodation

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

Federal law provides that programs and facilities must be accessible (Section 504 of the Rehabilitation Act). The federal regulations state: "shall provide auxiliary aids to persons with impaired sensory, manual, or speaking skills, where necessary to afford such persons an equal opportunity to benefit from the services." This is interpreted to include educational services and programs, and applies to clientele, students, and staff who may be impaired. WSU Extension has developed [reasonable accommodation statements](#) that must be included on all public communications.

There is no clear definition of reasonable accommodation. There are, however, examples of the meaning. It does include such actions as providing sign language interpreters for the hearing impaired or using special equipment to assist the sight impaired. The difficulty arises when making accommodations would be so costly that the program is jeopardized in some other way. It is important that you outline in your county plan how you would address a request for accommodation.

WSU Extension is under the mandate to provide the service/assistance necessary. If a county program has specific cases where it is felt that accommodating needs would not be reasonable, the County Director should contact the WSU Extension Equal Employment Opportunity (EEO) Coordinator (509.335.2822 or eeocoord@wsu.edu) who will consult with the WSU Office of the Vice President for Equity and Diversity, 509.335.8888, <http://www.diversity.wsu.edu/>.

Access Barriers. Our workplaces and facilities used to deliver Extension programs are required by law to be accessible to people in wheelchairs. Wheelchair ramps, elevators, or other means to access facilities are required. A facilities assessment tool is available to determine the accessibility of existing facilities. Where wheelchair access cannot be provided permanently, individuals must be advised on-site about how to gain access (e.g. a placard and telephone located at the entrance to a stairway, providing instructions of how to call for immediate assistance). Strategies for ADA accommodation (ADA checklist for Existing Facilities) should be included in the County Civil Rights Plan.

Special Communication Needs. Perspective participants may require special accommodations such as sign-language translators or visual enhancement aides. WSU Extension is required by law to make reasonable effort to provide such accommodation. In order that we can arrange to provide "reasonable accommodation" we are entitled to establish a time limit for special requests. The office delivering the program is expected to bear the cost of any special needs that are requested by the advertised deadline. This may be difficult and costly in some rural areas. In such a case, the County Director should contact the WSU Extension EEO Coordinator, who may need to consult further with the WSU Office of the Vice President for Equity and Diversity, 509.335.8888, <http://www.diversity.wsu.edu/>. To communicate to the public our commitment to accommodate special needs, we are required to include on all program and event announcements a [statement](#) offering reasonable accommodation, including information about whom to contact for assistance and a deadline by when such requests are to be made.

Other Barriers

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

Other barriers may exist that prevent certain people from participating in WSU Extension programs. Programs intended to target limited-resource audiences may not succeed if participants are required to drive to the event. Locating programs in close proximity (walking distance) may be needed to attract persons with limited means. Similarly, families with small children, single parents, two-earner households, or other underserved audiences may be unable to participate in WSU Extension events at certain times of day or certain days of the week. Learning situations where subject matter content is too complex, limits our effectiveness to meet the needs and solve problems of some clientele. Programs need to be planned in anticipation of special needs, and delivered to maximize access and minimize barriers to participation.

NOTIFYING THE PUBLIC

Offering a blend of programs to match audience needs, and delivering those programs at times and locations that are suitable for potential clientele are critical ingredients to achieving parity. However, it is also necessary that the target audience is aware of program opportunities and that they feel welcome to participate.

WSU Extension policies for adequate public notification serve these two purposes: first, to welcome the public by informing them of our policies of nondiscrimination and reasonable accommodation; and second, to ensure that the public is sufficiently aware of our programs to ensure access.

Communicating Our Policies

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

Equal opportunity and access policies are stated on all of our published documents (printed or otherwise), and all of our official correspondence including emails. In most cases, this communication is accomplished by attaching a statement on the footer of our letterhead or on the publication information page for other documents.

For long-term publications such as bulletins and newsletters where space is not extremely limited, use Public Statement #1.

Publication Statement #1:

Extension programs and policies are consistent with federal and state laws and regulations on nondiscrimination regarding race, sex, religion, age, color, creed, national or ethnic origin; physical, mental, or sensory disability; marital status, sexual orientation, or status as a Vietnam-era or disabled veteran. Evidence of noncompliance may be reported through your local Extension office.

Where space is limited or materials are used on a short-term basis, such as letters and news releases, or as a signature line on emails, use Public Statement #2.

Publication Statement #2:

*Extension programs and employment are available to all without discrimination.
Evidence of noncompliance may be reported through your local Extension office.*

Other statements can be found in [Appendix D](#).

Public Display

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

The nondiscrimination poster "And Justice for All" is to be prominently displayed in all offices permanently used by WSU Extension in serving the public. If your county demographics indicate the potential for high non-English speaking audiences, you should also display the "And Justice for All" poster in the language of that population (if it is available from USDA). When practical, the "And Justice for All" poster should also be prominent at 4-H camps and other meeting facilities. Copies of this poster may be downloaded from the USDA/CSREES web page <http://www.fns.usda.gov/cr/justice.htm>.

Complaints

The following procedures will be used to handle all grievances and complaints related to civil rights compliance in Extension programs as set forth in [Title VI of the Civil Rights Act of 1964](#), [Title IX of the Educational Amendments of 1972](#), and Section 504 of the Rehabilitation Act of 1973.

Complaints may be filed by any individual, group of program recipients, or potential program recipients. Complainants have the following three options for filing complaints: informal resolution procedure, formal complaint procedure, and notification sent directly to USDA. If a program participant complains to the local office, the County Director is responsible for following the procedure set forth here.

- Informal Resolution. Complainants are encouraged to use the informal resolution procedure. To do so, the complaint should be addressed to the unit administrator most closely associated with the programming action alleged to be discriminatory. In the case of programs conducted by county faculty, staff, and/or volunteers, the unit administrator is the County Director. In the case of programs conducted by state specialists, the unit administrator is the academic Department Chair. In the case of general program policies and procedures, complainants should address their concerns to the District Director or most appropriate Program Director.

Upon receipt of a complaint, the unit administrator shall act promptly to mediate, conciliate, or otherwise achieve informal resolution.

- Formal Complaints. If resolution is not achieved through a unit administrator, complainants may file a formal complaint. The formal complaint must be submitted in writing, signed, and must state the nature of the complaint and indicate whether the alleged discrimination was based on race, sex, religion, age, color, creed, national or ethnic origin; physical, mental or sensory disability; marital status, sexual orientation, or status as a Vietnam-era or disabled veteran. Formal complaints should be sent through the County Director to the District Director, or in the case of general program policies, to the relevant District Director or Director. The recipient of any formal complaint will investigate fully and promptly, with the aim of resolving the problem in an efficient and timely manner, and send a summary of the situation with a recommendation for action to the Associate Vice President and Dean of WSU Extension.

The Associate Vice President and Dean will review the file on the complaint, render a decision, initiate any necessary remedial action, and communicate in writing to the complainant.

- USDA Notification. The public must be told of their right to file a discrimination complaint with USDA. The "And Justice for All" poster must be visibly displayed in meeting rooms and the main office. This advises participants that they can file complaints with the Office of Equal Opportunity at USDA.

USDA Office of Civil Rights
300 7th Street SW, Suite 400
Stop Code 9430
Washington, D.C. 20250
202.720.5964 or
866.632.9992 (Toll Free Number) or
202.401.0216 (Telecommunications Device for the Deaf)

Maintenance of Records. If a complaint is filed, all documentation, records, and reports will be retained for a minimum of two years beyond the date final resolution is achieved. For informal complaints, the records must be retained in the county's civil rights files. For formal complaints, the records must be retained in the Associate Vice President and Dean's Office. These records will be subject to review at any time by the Office of the Director and any representative of the USDA authorized by the Secretary as his or her designee.

Assuring Non-discrimination from Our Partners

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

WSU Extension cannot provide significant assistance to any organization that illegally discriminates. WSU Extension has an obligation to inform organizations about this policy of non-discrimination. WSU Extension county offices must have documentation on file about

groups or organizations to which they provide *significant* assistance, certifying that discriminatory practices are not followed. 4-H clubs are included in this requirement.

All Extension personnel and volunteers are required to obtain assurance of civil rights compliance BEFORE providing service to any group. This requirement is as binding for a limited or periodic provision of service as it is for a sustained relationship.

For any group that cannot or will not provide assurance of compliance we may only

- provide a presentation that describes Extension programs, which includes an articulation of the requirement for compliance, or
- be present to receive acknowledgment or contributions.

There are several ways to document that an organization is in compliance including the following:

- Obtain a copy of the organization's by-laws, which include the nondiscrimination statement. (Confirm every 3 years.)
- Obtain a signed statement from an officer of the group attesting to the non-discriminatory policies and practices of the group. When new officers are elected, a new letter should be obtained.
- Confirm in writing any oral assurances given by the group contact. (Confirm every 3 years.)
- Obtain a membership list, which includes known minorities or identifies protected group status. (Update every 3 years.)

WSU Extension may no longer provide services to organizations if there is clear evidence that groups are discriminating, despite their by-laws or letters of compliance.

SOVEREIGN NATIONS

It is the right of sovereign nations, based on the treaties signed with the federal government, to invite us to do programming for their members on their reservations. If you provide programs outside reservation lands, you must use all reasonable effort to advertise and offer these programs to the broadest of audiences.

SEPARATION OF CHURCH AND STATE

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

The first amendment of the United States Constitution requires governmental neutrality with regard to religion. Government is restricted to secular purposes and must neither advance nor inhibit religion. State law mandates that all institutions supported by state funds be free of sectarian control or influence.

WSU Extension, as an agency of government, is obligated to uphold this constitutional principle. Volunteer groups such as Master Gardeners or Food Safety Advisors work under the direct sponsorship of WSU Extension and, thus, are similarly obligated. Privately incorporated organizations such as the 4-H Leaders Council and clubs or The Association for Family and Community Education (FCE) are derived from Extension and cannot engage in activities prohibited by federal and state government.

In practice, WSU Extension faculty, staff, and volunteers may do educational programs for religious groups, but may not

- carry out programs or projects which advance or inhibit religion,
- conduct or incorporate into events any religious service or practice, or
- adopt creeds that include sectarian references or language e.g. ideals of Christian life.

Extension events may be held in sectarian facilities provided that attendance is open to persons of all beliefs.

PROVIDING ACCESS THROUGH AWARENESS

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

WSU Extension county offices are to ensure that all potential audiences are aware of their program offerings. Efforts to inform the public about upcoming programs should be proportional to the county's need to reach 80 percent of parity. Public notification strategies include the following:

- Use of available mass media (e.g., radio, newspaper, posters, newsletters, websites, television, or other forms of technology) to inform potential recipients of the program and of opportunities to participate.
- Personal letters, emails, and circulars (with dates and locations of meetings or other planned activities) addressed to defined potential recipients, inviting them to participate.
- Personal visits by WSU Extension professionals to a representative number of defined potential recipients, in the geographically defined area, to encourage participation.

Documentation is needed to show that "[all reasonable efforts](#)" have been made to notify potential participants. Copies of mass media releases, newsletters, etc. along with a record of points of distribution are sufficient documentation that the public has been notified. Personal

visits may be documented by recording and filing details of the visits including the name of the contact person, date and location of the visit, the person making the visit, and any summary responses and other related information about the visit.

Postal Notification

Postal Service notification, whether by individual letters or newsletters, is only partially sufficient to notify perspective participants of a program, unless the mailing is delivered to each residence within the target area. If announcements are sent to partial mailing lists, then notification of educational activities must also include mass media, public postings, or personal contacts.

Mass Media Notification

Information needed to ensure compliance when advertising educational programs to diverse audiences should be included as part of the County Civil Rights Plan. Mass media notices must include a statement indicating that educational programs delivered by WSU Extension are open to all people without regard to personal differences (race, religion, gender, etc.), and that persons interested in attending, who have special needs, must contact WSU Extension within a specified time prior to the event. Because media outlets may eliminate these statements due to space limitations, it is important that you include in your civil rights file the original copy that was sent to media attached to the copy that was actually printed.

Public Postings Notification

Public postings should be placed in each community served by the program, and used in conjunction with other means to ensure that the widest possible participation has been solicited.

When preparing public postings, use one of the approved WSU Extension graphic identity logos—the "WSU Extension" logo or the "WSU (X) County Extension" logo available online at <http://ext.wsu.edu/identity/>. Also include appropriate policy statements for non-discrimination and reasonable accommodation in all public postings. Public postings should be placed appropriately so as to reach the following:

- Target audiences (e.g. farm supply businesses to reach farmers, daycare centers to reach parents, etc.)
- Underserved audiences (e.g. markets, laundromats, local clinics, service agencies, religious facilities frequented by ethnic populations, as well as companies or facilities known to hire minority employees)

In counties with a non-English-speaking population greater than 10 percent, public postings should be developed in both English and the alternate language versions, as prescribed in the [County Civil Rights Plan](#). If the program will be delivered in English, non-English notices should indicate this.

Electronic Notification

In counties with a non-English-speaking population greater than 10 percent, email, web page, and other forms of electronic communications should be available in both English and other language versions, as indicated by the [County Civil Rights Plan](#). When establishing an email distribution list in counties with non-English-speaking populations greater than 10 percent, recipients should be presented an option to receive new information in an alternate language or English. Announcements on web pages should have links to language translations.

PLANNING, TRAINING, AND RECORD KEEPING

Our responsibility to serve all people requires planning and participation by all WSU Extension professionals (faculty, staff, volunteers) and partners. Empowering everyone to contribute to equal access goals requires the following:

- People knowing how to comply with policies (written plans and instructions),
- People understanding our policies (training), and
- Our policies and procedures are effective and current (records, revisions, reviews).

Planning

Each county should have a [County Civil Rights Plan](#) based on census data that is updated on a yearly basis. It should document the composition of the population of the county, and discuss how WSU Extension faculty, staff, and volunteers will use all reasonable effort to reach at least 80 percent of parity. The County Director should conduct an annual meeting at which faculty and staff will review the County Civil Rights Plan and discuss what progress is being made towards reaching protected classes and people of color in proportion to their presence in the county. This is also an opportunity to discuss what additional creative ways can be used to increase the effort. Washington Extension Management Information System (WEMIS) data provide the basis for this discussion. People who work in WSU Extension should know where the protected classes are in their county and make all reasonable efforts to meet their needs.

The County Civil Rights Plan may go beyond the minimum requirements outlined in the County Civil Rights Plan template. Efforts to reach underserved audiences not included as "protected classes" can be outlined as part of the plan. For example, ethnic populations that are not among those defined in the census may be underserved in your county or programming area, and therefore, require added effort to reach. You may want to describe programs you will implement for LEP populations, even if they are not among the protected classes or do not trip the 10 percent of population "trigger." Low income audiences, while not listed as a protected class, may not be reached without increased efforts or creative programming. Once you have addressed the "minimum reasonable effort" required to reach

"protected classes," you are encouraged to include programming efforts to meet the broader diversity goals of WSU Extension.

Training

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

County Directors should assist new faculty and staff to become aware of WSU Extension's commitment and expectations relative to civil rights. Additionally, the County Director is expected to help new employees become acquainted with the population groups to be served. Faculty and staff who utilize volunteers to conduct programs are expected to provide civil rights training for those volunteers. Some topics to address in the initial weeks of employment include the following:

- County demographics and protected class group structure
- Protected classes: What are they?
- Public notification requirements
- Documentation of effort
 - Meeting rosters
 - Mailing lists
 - WEMIS contact data
 - Program promotion strategy plans
 - News release copy
 - Camp enrollments
 - WSU Extension's verification of compliance

Incumbent employees shall also receive periodic civil rights training. Incumbent training may occur as special sessions or may be included as a part of regular staff meetings, where civil rights procedures and policies are reviewed, and where implementation of those policies and procedures is planned and revised.

Record Keeping

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

Records must be maintained for a variety of purposes related to civil rights compliance. Documenting all reasonable effort to reach protected classes is a major reason for keeping records, as is documenting reasonable accommodations. The County Civil Rights Checklist and Filing Guide shows the type of documents county offices should keep. These documents may be kept in electronic form; however, if a county office decides to keep electronic civil rights files, the County Director should appoint an individual to maintain these files just as he or she would for hard copy files. Faculty and staff may keep his or her own programming files, but copies of flyers, newsletters, etc, should be forwarded to the designated manager of the civil rights files. All faculty and staff in the office must know where this file is stored and have access to it.

[Washington Extension’s Management Information System \(WEMIS\)](#). WEMIS is WSU Extension’s database used to show ethnicity and gender of those attending our programs. Our federal partner requires us to report our efforts by program area, so please report your contacts in WEMIS as follows:

Contacts reported in WEMIS:

- Goal III or IV
- Goal V
- Goal VI
- Goal I, II

Report to Program Area:

- Ag/Natural Resources
- Family Consumer Sciences
- Youth Programming
- Community Development

Mailing Lists. If you communicate with clientele groups (producers, 4-H volunteers or youth, Master Gardeners, etc.) and/or advertise programs by mail (newsletters, flyers, brochures, etc.), you must keep address lists. References to client ethnicity and gender are not to be included on the address lists, so that the list cannot be used as a means to eliminate groups from a mailing.

WSU Extension Civil Rights Policies and Procedures require counties who use mail as a means to communicate with clientele to also keep lists of different clientele groups with race and gender of the persons identified, but without their addresses. The names on civil rights enrollment lists must be the same names as on your mailing lists to ensure that enrollment is non-discriminatory. Together, the lists document that you have minorities informed about and attending WSU Extension programs. Using word processor copying and pasting techniques, you can enter data once and separate the required information into two different lists.

Because some populations are reluctant to be included on mailing lists, and because electronic mailing lists may only contain email addresses, WSU Extension faculty and staff should rely on the members of their advisory system who represent such populations to determine how best to document efforts to reach members of these populations. These efforts should be described in the County Civil Rights Plan. WSU Extension’s Latino Outreach Specialist may also be a good resource for ways to reach this particular population.

Example Entries:

Producers’ Mailing List	Civil Rights List
<p>John Smith 235 First Street South Anytown, WA 93800</p> <p>Ann Jones 3554 North Ave. Sametown, WA 99800</p>	<p>Jones, Ann – H (Hispanic) F (female) Malehea, Salida – A/P (Asian/Pacific Islander) F (female) Murphy, Sean – W (Caucasian/European) M (male) Smith, John – NA (Native American) M (male)</p>

COMPLIANCE REVIEWS AND AUDITS

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

There are four different "levels" of civil rights compliance reviews. These include (1) annual compliance reviews; (2) internal periodic reviews; (3) reviews based on a county being out of compliance, or when a complaint is filed; and (4) federal reviews including periodic, random reviews of county Extension offices by USDA, or a review if a complaint is filed with USDA.

Annual Compliance Reviews

The annual compliance review is an informal discussion between the District Director and the County Director about the progress toward achieving goals outlined in the County Civil Rights Plan as they relate to WSU Extension's diversity initiative. The County Director should review the "County Civil Rights Checklist and Filing Guide" in preparation for this discussion. By using this checklist the County Director will be assured that (s)he is fulfilling her/his responsibilities to train faculty, staff, and volunteers about their responsibilities for assuring compliance, and that the faculty and staff are meeting the goals outlined in the County Civil Rights Plan. The annual compliance review also will assure that documentation of all reasonable efforts and reasonable accommodations are included in the county civil rights file.

Internal Periodic Reviews

The internal periodic review is conducted in each county every five (5) years on a rotating schedule (in place of that year's annual compliance review) as a more in-depth discussion about civil rights compliance. The process is as follows:

- The District Director and the WSU Extension EEO Coordinator will conduct each internal periodic review with the County Director, faculty, and staff. The internal periodic review will include examining the County Civil Rights Plan, progress toward accomplishing efforts outlined therein; viewing the files to assure all reasonable efforts have been well documented; making sure efforts have been made to train faculty, staff, and volunteers on WSU Extension's civil rights policies; reviewing ADA compliance; etc. This is a discussion about efforts to meet compliance, not about programming efforts, so the "County Civil Rights Checklist and Filing Guide" should guide the internal periodic review discussion.
- The District Director and the EEO Coordinator will share verbally with the County Director any deficiencies discovered during the review, as well as recommendations for reaching compliance, if needed.
- The District Director and EEO Coordinator will write a brief report within a week of the internal periodic review summarizing accomplishments in meeting compliance, any

deficiencies that were identified, and any recommendations that were made during the internal periodic review.

- The summary will be sent to the Associate Vice President and Dean of WSU Extension, and a copy will be retained by the EEO Coordinator and the District Director.
- If the Associate Vice President and Dean agrees with the findings, (s)he will forward the summary to the County Director.
- If the County Director disagrees with the deficiencies or recommendations outlined in the summary, (s)he should respond in writing to the EEO Coordinator within a month of the time (s)he receives the summary letter from the Associate Vice President and Dean. A copy should be sent to the District Director and the Associate Vice President and Dean.
- The EEO Coordinator shall respond within a month, with a copy to the District Director and the Associate Vice President and Dean.
- At the annual compliance review following the internal periodic review, the County Director will present a brief written summary to the District Director of the progress made toward correcting any deficiencies. A copy of this report should be forwarded to the EEO Coordinator. It is an expectation that county faculty and staff work together to document successes and/or correct any deficiencies.

Reviews Based on County Being Out of Compliance or When a Complaint is Filed

Complaints filed with WSU Extension may trigger an internal compliance review of the county(ies) named in the complaint. In this case, the review process will follow the same procedures as the internal periodic reviews.

Federal Reviews

Federal reviews include several offices within USDA. Compliance reviews by the equal opportunity staff representing our federal Extension partner (USDA/CSREES) are performed periodically. Civil rights program reviews, conducted by CSREES, are intended as part of a proactive effort to determine how well Extension programs and operations are being done in compliance with federal civil rights laws, rules, and regulations. Reviews are planned and organized jointly between CSREES and WSU. The review process has flexibility to recognize differing demographic makeup across the state.

EMPLOYMENT OPPORTUNITIES

(Return to: [County Checklist](#), [County Filing Guide](#), or [County Plan](#))

WSU Extension is prohibited from discrimination in our hiring procedures or decisions. We are also obligated to seek employment applications from a diverse pool of prospective candidates, and to make hiring and promotion decisions without discriminating. Ensuring

non-discrimination may be accomplished by observing proper procedures throughout the hiring procedure, including preparing a position description, advertising a vacancy, recruiting candidates, screening applications, asking appropriate interview questions and making final selections. For more information on the pre-employment inquiries, read the WSU Business Policies and Procedures Manual 60.08 available online at http://www.wsu.edu/~forms/HTML/BPPM/60_Personnel/60.08_Preemployment_Inquiry_Guidelines.htm. To reach potential candidates from minority populations you should use the same outlets for advertising positions as you use to advertise programs.

WSU Extension frequently includes non-WSU employees on search or screening committees. In these cases, as with internal committees, all members of the committee must be informed of our non-discrimination policies at the beginning of the process. A link to a video taped "Affirmative Action Briefing" is available on the search procedures web page <http://bfo.cahe.wsu.edu/personnel/hiring/index.htm> and must be viewed by all committee members.

Employment Complaint Procedure

WSU has a procedure for filing employment discrimination and sexual harassment complaints. Due to the unique relationship with the USDA, it is essential that complaint reviews, resolutions, and documentation meet specific standards. The university complaint process meets those requirements. Should complainants still not be satisfied after pursuing the university complaint procedure, complainants may take their complaint on to the Washington Human Rights Commission or the Equal Employment Opportunity Commission. The WSU employment complaint policy and procedure are posted on the web in Executive Policy #15 of the WSU Executive Policy Manual available online at http://www.wsu.edu/~forms/HTML/EPM/EP15_Discrimination_and_Sexual_Harassment.htm.

Informal Problem Resolution for WSU Extension Employees

At the level of informal resolution of problems, WSU Extension employees have another avenue in addition to the university procedure. Designated EEO counselors can provide information and assistance regarding concerns and complaints of all types. A WSU Extension employee may select any counselor from the list of authorized and trained persons at <http://bfo.cahe.wsu.edu/personnel/eoo/index.htm>. Employees may bring the problem orally or in writing to an EEO counselor. If it is obvious that the complaint clearly does not involve an allegation of discrimination based on race, sex, religion, age, color, creed, national or ethnic origin; physical, mental or sensory disability; marital status, sexual orientation, or status as a Vietnam-era or disabled veteran, the EEO counselor may discuss the matter with the employee, make appropriate inquiries, and attempt to resolve the matter, or the EEO counselor can direct the complainant to the appropriate supervisory channels.

If the concern involves a possible allegation of discrimination based on a protected status, the EEO counselor will discuss whether this is a specific discrimination complaint that must be referred through channels, or if it is a concern about an action or activity that could be

remedied without filing a complaint. If it is a specific complaint, the EEO counselor must direct the complainant to the university complaint procedure immediately. If it is a question of remedying an action or activity without a specific complaint being filed, the EEO counselor may attempt to resolve the problem or bring it to the attention of an appropriate administrator.

Any time an EEO counselor is contacted by an employee, a brief report must be sent by the EEO counselor to the EEO Coordinator, eeocoord@wsu.edu, describing the situation or problem, what the person wanted done, and what action the EEO counselor took. This can be done without naming the complainant.

Affirmative Action Policies

It is WSU Extension's policy not merely to refrain from employment discrimination as required by the various federal and state enactments, but to take positive affirmative action to realize full equal employment opportunity for women, racial or ethnic groups, persons with disabilities, and Vietnam-era veterans and to increase substantially the numbers of women and ethnic-group members in positions where traditionally they have not been employed. Washington State University's Affirmative Action Plan can be accessed online at <http://www.chr.wsu.edu/affirmativeactionplan.html>.

APPENDICIES

- A. Civil Rights Terms
- B. Civil Rights Legislation
- C. Diversity in Extension—Reaching Diverse Audiences
- D. Reasonable Accommodations and Non-discrimination Statements

Appendix A: Civil Rights Terms

Parity. WSU Extension uses the term *Balanced Participation* to describe parity in program participation. A WSU 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 percent of parity.

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 as categorized by the WSU Extension Strategic Framework (see WEMIS). Potential recipients are estimated by using a combination of county demographic data and the WSU 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.

All Reasonable Efforts. 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. The following 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, both paper and electronic; and (c) the use of personal contacts (invitations to participate) by WSU Extension staff.

The minimum reasonable effort required by WSU Extension faculty, staff, and volunteers includes the following items:

- Use of available mass media (e.g., radio, newspaper, posters, newsletters, websites, television, or other forms of technology) to inform potential recipients of the program and of opportunities to participate.
- Personal letters, emails, and circulars (with dates and locations of meetings or other planned activities) addressed to defined potential recipients, inviting them to participate.
- Personal visits by WSU Extension professionals to a representative number of defined potential recipients, in the geographically defined area, to encourage participation.

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. WSU 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, or other public mailings.

Appendix B: Civil Rights Legislation

Following are summaries of civil rights legislation relevant to WSU Extension.

Title VI of the Civil Rights Act of 1964 specifies that no person in the United States 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. More information on Title VI is available online at <http://www.usdoj.gov/crt/cor/coord/titlevi.htm>.

Title VII of the Civil Rights Act of 1964 states that the policy of the United States 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. More information on Title VII is available online at <http://www.eeoc.gov/policy/vii.html>.

Appendix C: Diversity in Extension—Reaching Diverse Audiences

"Excellence in Extension is attained by developing educational programs with the highest standards of quality. As educational programs are designed, it is important to balance traditional wisdom about sound educational practices, contemporary realities, and issues with changing societal needs. With the change to a more diverse workplace, marketplace, and population base, Extension programs must demonstrate a responsiveness to diverse audiences and meet the specific, identified needs of the audience served." (The Subcommittee on Extension Diversity of the Personnel and Organization Development Committee presented at the National Extension Directors and Administrators Conference, February 18, 1998.)

It is not sufficient that WSU Extension continue to focus our energies only on those audiences with whom we have had past successes. In order for WSU Extension to remain of value to people and communities (and taxpayers), it must expand the impacts of its efforts to the benefit of more residents.

WSU Extension is obligated to reach underserved audiences through its educational programs. Guidelines for planning and reporting outreach are based upon AREERA (Agricultural Research, Extension, and Education Reform Act of 1998) and can be found in Part VII, Department of Agriculture Cooperative State Research, Education, and Extension Service Guidelines for State Plans of Work for the Agricultural Research and Extension Formula Funds available online at <http://www.csrees.usda.gov/business/reporting/planrept/pdf/PlanofWorkGuidelines.pdf>.

The complete text of the Agricultural Research, Extension, and Education Reform Act of 1998 7 U.S.C. 7601 (AREERA) can be found online at <http://www.csrees.usda.gov/business/reporting/planrept/pdf/areeraact.pdf>.

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. More information on Title IX is available online at <http://www.dol.gov/oasam/regs/statutes/titleix.htm>.

Americans with Disabilities Act of 1990 (ADA). 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. More information on ADA is available online at: <http://www.eeoc.gov/policy/ada.html>.

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 an employee 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 United States citizens employed by United States 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. More information on the Civil Rights Act of 1991 is available online at <http://www.eeoc.gov/policy/cra91.html>.

Affirmative Action (AA). 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.

Racial/ethnic Categories. Racial-ethnic designations do not denote scientific definitions of anthropological origins. A program participant may be included in the group to which he or she appears to belong, identifies with, or as is generally regarded in the community. WSU Extension identifies racial/ethnic categories as follows:

- 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 (Caucasian).

- 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 (e.g., China, Japan, Korea, Philippine Islands, and 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.

Appendix D: Reasonable Accommodations Statements

Sample of Special Needs Statements for ALL Public Communications

- Anyone attending this program that requires auxiliary aids or services should contact (person responsible) at (address, telephone number, email address) at least two weeks prior to the event.

Examples of Acceptable Reasonable Accommodation Statements Include:

- Persons with disabilities who require alternative means for communication or program information or reasonable accommodations need to contact (name of contact) by (deadline date) at (address, telephone number, email address).
- Reasonable accommodations will be made for persons with disabilities and special needs who contact (person responsible) by (deadline date) at (address, telephone number, email address).

Non-discrimination Statements

Different communications may call for different kinds of nondiscrimination statements. For example, the amount of space available on a post card being mailed for notice of a program is limited so a short statement is desirable. For public postings, it may be desirable to use a more complete explanation of our policies. Examples of acceptable statements of nondiscrimination include the following:

- "To enrich education through diversity Washington State University is an equal opportunity/affirmative action employer and educational institution. Washington State University and U.S. Department of Agriculture Cooperating."
- "Washington State University is an equal opportunity/affirmative action employer and educational organization. We offer our programs to persons regardless of race, color, national origin, gender, religion, age, sexual orientation, or disability."
- "Washington State University does not discriminate in education or employment on the basis of human differences, as required by state and federal laws."
- "Washington State University Extension is an equal employment opportunity/affirmative action employer authorized to provide education, information, and other services only to individuals and institutions that function without regard to race, color, national origin, gender, religion, age, sexual orientation, or disability. U.S. Department of Agriculture, Washington State University, and County Governments Cooperating."
- "It is the policy of Washington State University Extension that all persons shall have equal opportunity and access to the programs and facilities without regard to race, color, sex, religion, national origin, age, marital status, parental status, sexual orientation, or disability."