



Ease with Civil Rights

New Mexico State University • College of Agriculture and Home Economics • Cooperative Extension Service

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When will our consciences grow so tender that we will act to prevent human misery rather than avenge it?
—Eleanor Roosevelt

Americans with Disabilities Act (ADA) of 1990

The 2000 Census found that 89,142,962 Americans live with some level of disability. Our state is home to 612,573 people with some form of disability, one out of every three New Mexicans.

Discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, or telecommunications is prohibited by the Americans with Disabilities Act (ADA) of 1990.

The ADA defines an individual with a disability as a person with a physical or mental impairment that substantially limits one or more major life activity, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all the impairments covered under its mandate.

TITLE I of the ADA requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. It prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts what questions can be asked about an applicant's disability before a job offer is made.

Title II of the ADA states that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in programs or activities of a public entity, be denied the benefits of its services, or be subjected to discrimination by any such entity.

Correcting Myths About Disabilities

- Using a wheelchair or other mobility device does not constitute an inability to achieve a fulfilling life and satisfying lifestyle.
- Hard of hearing does not mean deaf.
- Not all people who are deaf or hard of hearing read lips.
- Having a vision disability does not give someone super-hearing.
- Having a speech disability does not mean you can't or don't want to talk for yourself.
- People with learning disabilities are not unintelligent.
- People with mental illness are not crazy.



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There is a difference in tone between the phrases “disabled” and “person with a disability.” It is important to direct attention to the person, not to the disability. Saying “person with a disability” focuses on the personhood of the individual.

Important Things to Remember about the ADA

- Face a person with a disability when talking to them. If you have a question to ask or a comment to make, be sure that your communication is directed towards the person for whom it is intended. Speak to a person with a disability as you would to anyone else. When using an interpreter, address your comments and questions to the person with a disability not to the interpreter.
- Ask before providing assistance. Before assisting someone with a disability, ask them whether or not they would like assistance.
- Clarify what type of assistance is desired. Let them tell you how they would like to be assisted.
- A service animal should never be petted or talked to without the permission of its owner.

Source: “Interacting with People with Disabilities”, University of Arkansas.

Preparing for Civil Rights Reviews

State Civil Rights Reviews are conducted every year on a county rotational basis. Counties are responsible for making the office civil rights files daily working files. This will save the office many hours of work when it is time for the review. When NM is selected for a federal review the counties to be reviewed will be selected by our federal partner; everyone must be prepared. Lastly, if you only keep up with the civil rights files every five years, are you really participating in civil rights and using the information as you should?

Things to do when preparing to be reviewed include:

1. Make sure you have a copy of the file guide.
2. Clean out files.
3. Don’t leave a file empty, cross-reference if you need to.
4. Call with questions or concerns, 646-5096.
5. Display the “... And Justice for all” poster where the public can see it.
6. Use the file guide to determine how long records should be kept.
7. Discuss civil rights in staff meetings.
8. Participate in the civil rights CENTRA session.

Civil Rights Plans of Work: State and County

The State Civil Rights Plan of Work is complete, and it addresses both employment (Title VII) and programming (Title VI). This needs to be filed in both Administrative Rules and Regulations and Equal Employment Opportunity (EEO).

Each county needs to have a County Civil Rights Plan of Work that addresses both employment and programming. Draw from the State of New Mexico Plan of Work but adapt it to meet the needs of your county. When deciding on objectives, make sure you don’t select so many that your county won’t be able to accomplish them all. Consider this a written commitment on your part to complete these objectives.

Extension departments and programs also have to write a plan of work. Their focus will be on how to help Extension fulfill our civil rights responsibilities, as well as addressing the department’s civil rights responsibilities.

Title VII of the Civil Rights Act of 1964

Everyone who works for NMSU Cooperative Extension Service has civil rights responsibilities and must become familiar with certain laws. One of these laws is Title VII of the Civil Rights Act of 1964.

Title VII of the Civil Rights Act of 1964 states that no person on the grounds of race, color, religion, sex, or national origin shall be denied the benefits of employment including selection, training, advancement, and other benefits of employment.

As you can see Title VII of the Civil Rights Act of 1964 applies to employment. This means that it is against federal law to discriminate

against any group of people with respect to the employment process. This not only includes the hiring process but also training opportunities, advancement and other benefits of employment.

Need Civil Rights Training?

Call 646-5096 to set up a date to have training in your county. All NMSU CES employees could use a refresher on civil rights issues at some point, but this may be particularly useful for new employees or those who have never gone through a civil rights review. Civil rights mock files have also been prepared to serve as examples of what is needed in each file. The mock files will be used during the training process but also can be checked out by a county.

I look forward confidently to the day when all who work for a living will be one with no thought to their separateness as Negroes, Jews, Italians or any other distinctions.

This will be the day when we bring into full realization the American dream—a dream yet unfulfilled. A dream of equality of opportunity, of privilege and property widely distributed; a dream of a land where men will not take necessities from the many

to give luxuries to the few; a dream of a land where men will not argue that the color of a man's skin determines the content of his character; a dream of a nation where all our gifts and resources are held not for ourselves alone, but as instruments of service for the rest of humanity; the dream of a country where every man will respect the dignity and worth of the human personality.

— Martin Luther King, Jr.

Questions to Ask Yourself

Do I hold Extension programs in ADA-accessible venues?

If you answered no to this question, make a point of doing so from this point forward.

Do I use the ADA statement on all NMSU CES program announcements?

If you answered no to this question, make a point of doing so from this point forward.



Contact Information

If you have a request for an ADA accommodation, contact Lori Osborn at 505-646-5096. Also inform your district director as soon as you can.

For more information on the basics of ADA, view the archived Centra session that was held on December 12.

Review Dates for 2007

Luna County	February 15
Otero County	February 16
San Juan County	February 27
Alcalde.....	February 28
Santa Fe County.....	March 1
Colfax County.....	March 13
Union County.....	March 14
Harding County.....	March 15

Let the word go forth from this time and place, to friend and foe alike, that the torch has been passed to a new generation of Americans, born in this century, tempered by war, disciplined by a hard and bitter peace, proud of our ancient heritage, and unwilling to witness or permit the slow undoing of those human rights to which this nation has always been committed, and to which we are committed today, at home and around the world!

—John F. Kennedy

cahe.nmsu.edu/civilrights



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