

HEADS UP

UPDATES AND ISSUES

DIVERSITY AND CIVIL RIGHTS



Dallas L. Holmes, EdD. , USU Cooperative Extension, Diversity and Civil Rights Specialist (435) 770-0744

Vol. 7 Issue 2 April 2012

“All Reasonable Efforts” an application of best efforts and good faith

Just what is meant by the term “all reasonable efforts” when announcing Extension programs? Isn’t just announcing that programs are open to the public sufficient? “All reasonable efforts” consists of a series of approaches that are required of Extension employees to solicit participation of underrepresented populations. Extension staff often apply “all reasonable efforts” using the legal concept of “best efforts” which is a contractual term used to obligate parties to make their best attempt to accomplish a goal, which in this case is to ensure that underrepresented groups are adequately informed of Extension programs. Legally the courts have held that the appropriate standard for “all reasonable efforts” is one of “good faith” in soliciting program participation.

“All reasonable efforts” is required when programs do not meet balanced participation requirements. Some instances that call for “all reasonable efforts include the following: (a) an Extension sponsored or assisted group that does not reflect the racial composition of the target community – a parity discrepancy-, (b) advisory or decision-making groups that do not reflect the composition of the community served, and (c) program participation in which certain groups are consistently underrepresented. Each Extension employee is responsible to implement the steps necessary to attain the goal of balanced involvement in planning, membership and participation in programs. Extension faculty show “all reasonable efforts” when they document with written records such as letters, phone calls and visits to underrepresented groups who are potential targets for programs.

The U.S. Department of Justice has indicated that “all reasonable efforts” is fulfilled when there is: extensive use of mass media; (b) personal telephone calls or written communication to potential minority or handicapped clientele; and (c) personal contact by Extension staff with a representative number of potential recipients.

Here are some ways to apply “all reasonable efforts” with Extension programs.

1. Use mass media that will reach potential populations in the community – the media informs potential recipients of programs and opportunity to participate.
2. Provide brochures, posters, flyers, and web sites- that inform potential audiences of programs and events.
3. Send personal letters, emails and invitations- which invite potential recipients to participate in programs with dates and meetings details.
4. Conduct personal visits or telephone calls- that encourage defined recipients to participate.
5. Network with others- by building coalitions or collaboratives with agencies serving similar audiences.

Your application and use of “all reasonable efforts” should be an integral part of an Extension *Public Notification Plan* that ensures that all eligible, particularly minorities, underprivileged and underrepresented groups, are informed of all Extension program benefits and receive the protection against discrimination contained in USU policy and federal regulations.

"Utah State University is an affirmative action/equal opportunity institution."