

**NONDISCRIMINATION IN FEDERALLY-CONDUCTED EDUCATION
AND TRAINING PROGRAMS**

- 1. REASON FOR ISSUE.** This Veterans Health Administration (VHA) Directive issues policy prohibiting discrimination in federally-conducted education and training programs on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and gender identity or expression, and status as a parent.
- 2. SUMMARY OF CONTENT.** This Directive defines the policy for carrying out the management and execution of all federally-conducted education and training programs by all VHA offices and facilities.
- 3. RELATED ISSUES.** None.
- 4. RESPONSIBLE OFFICE.** The Chief Workforce Management and Consulting Officer and EEO/Affirmative Employment Team (10A2A5) Director are responsible for the contents of this Directive. Questions may be referred at 202-632-7617.
- 5. RESCISSIONS.** VHA Directive 2008-044, Non-Discrimination in Federally-Conducted Education and Training Programs, dated August 7, 2008, is rescinded.
- 6. RECERTIFICATION.** This VHA Directive is scheduled for recertification on or before the last working day of May 2018.

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Under Secretary for Health

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**NONDISCRIMINATION IN FEDERALLY-CONDUCTED EDUCATION
AND TRAINING PROGRAMS**

1. PURPOSE: This Veterans Health Administration (VHA) Directive issues policy prohibiting discrimination in federally-conducted education and training programs on the basis of age, race, color, national origin, religion, ethnicity, culture, language, physical or mental disability, socioeconomic status, sex, sexual orientation, gender identity or expression, transgender status, pregnancy, marital status, political affiliation, genetic information, Limited English Proficiency (LEP), and status as a parent. **AUTHORITY:** 38 U.S.C. 501 and Executive Order 13160.

2. BACKGROUND: On June 23, 2000, Executive Order 13160, Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs, was issued.

3. POLICY: It is VHA policy to prohibit discrimination in federally-conducted education and training programs and activities on the basis of age, race, color, national origin, religion, ethnicity, culture, language, physical or mental disability, socioeconomic status, sex, sexual orientation, gender identity or expression, transgender status, pregnancy, marital status, political affiliation, genetic information, LEP, and status as a parent. Federal law and VHA policy also prohibit harassment of any person or retaliation against any person who filed a charge of discrimination based on any of these criteria.

4. RESPONSIBILITIES: VHA Chief Officers, Veterans Integrated Service Network (VISN) Directors, Facility Directors, and supervisors are responsible for:

a. Ensuring the protection of employees in the workplace, through the procedures provided for in Executive Order 13160, and processing allegations of discrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, gender identity or expression, and status as a parent in federally-conducted education and training programs.

b. Ensuring employees and applicants for employment are informed that:

(1) If they believe that they have been subjected to discrimination in education and training programs, they may seek assistance under certain circumstances from the Merit Systems Protection Board, the Office of Special Counsel, the Agency's Negotiated Grievance Procedure, or the Agency's Internal Grievance Procedure.

(2) Employees and applicants may not seek relief from the Equal Employment Opportunity Commission or file a complaint under title VII of the Civil Rights Act of 1964, as amended, because that law does not prohibit discrimination in federally-conducted education and training programs.

5. REFERENCES

a. Executive Order 13160, Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs.

- b. Civil Rights Act of 1964, Title VI.
- c. Title 29 Code of Federal Regulations, Section 1614.
- d. The Rehabilitation Act of 1973, Section 504.
- e. The ADA Amendments Act of 2008.
- f. The Age Discrimination Act of 1975.
- g. The Education Amendment of 1972, Title IX.
- h. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.
- i. Title 38 CFR Chapter 1, Part 18, Nondiscrimination in Federally-Assisted Programs of the Department of Veterans Affairs, Effectuation of Title VI of the Civil Rights Act of 1964, Subparts A, D, and E.