

Overview of Federal Antidiscrimination Laws

All Northwestern University faculty, staff, units, and departments are required to comply with applicable federal anti-discrimination laws.¹ This memorandum provides a brief summary of those laws. Note, this document presents an overview only. There are often exceptions and nuances to how these laws are interpreted and applied in practice. University stakeholders with questions about whether and how certain laws apply to specific circumstances should contact ad-faqs@northwestern.edu for guidance.

Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d et seq.

- Prohibits discrimination based on race, color or national origin in the University's programs and activities.
- Discrimination under Title VI includes discrimination in admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, and housing.

Title VII of the Civil Rights Act of 1964 (Title VII), 42 U.S.C. § 2000e et seq.

- Prohibits employment-related discrimination on the basis of race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), and national origin.
- Employment-related discrimination includes discrimination in hiring, discharge, training, compensation, benefits. It also includes other terms, conditions, and privileges of employment, broadly construed.

Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.

- Prohibits discrimination based on sex in the University's education programs and activities.
- Sex-based discrimination includes discrimination in admissions, recruiting, financial aid, academic programs, student services, counseling and guidance, discipline, class assignment, grading, recreation, athletics, housing, and employment.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794 et seq.

- Prohibits discrimination based on disability in the University's programs and activities.
- Requires reasonable accommodation for students with qualifying disabilities to ensure equal access to the educational environment.

Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq.

- Prohibits discrimination on the basis of disability both in employment-related matters, as well as in places of public accommodation.
- A disability covered by the ADA includes a mental or physical impairment that substantially limits one or more major life activities, a record of having such an impairment, or being regarded as having such an impairment.

¹ The term "discrimination" specifically includes harassment based on any of the categories protected by the laws listed in this document. Please refer to Northwestern University's [Non-Discrimination Statement](#) and [Policy on Discrimination, Harassment, and Sexual Misconduct](#) for more information and resources.

- Requires the provision of a reasonable accommodation for a qualified individual with a disability to enable them to perform the essential functions of their job.

Age Discrimination Act of 1975, 42 U.S.C. §6101 et seq.

- Prohibits discrimination based on age in the University's programs and activities.
- Does not cover employment discrimination, unlike the Age Discrimination in Employment Act.

Age Discrimination in Employment Act (ADEA), 29 U.S.C. § 621 et seq.

- Prohibits employment-related discrimination on the basis of age against individuals who are 40 years of age or older.

Equal Pay Act (EPA), 29 U.S.C. § 206(d)

- Prohibits employment-related sex discrimination in the form of wage disparities between men and women by requiring equal pay for equal work.

Pregnancy Discrimination Act (PDA), 42 U.S.C. § 2000e(k)

- An amendment to Title VII which prohibits employment-related discrimination on the basis of pregnancy, childbirth, or related medical conditions.
- The PDA further requires employers to treat pregnancy the same as other employee medical conditions.

Immigration Reform and Control Act (IRCA), 8 U.S.C. § 1324b(a)(1)(B), (a)(3)

- Prohibits employment-related discrimination on the basis of citizenship status and national origin.

Section 1981, 42 U.S.C. § 1981

- Prohibits employment-related discrimination on the basis of race, color, ethnicity, ancestry, and alienage (i.e., immigrant status) and discrimination in the making and enforcement of contracts, including employment contracts.
- Section 1981 specifically applies to the decision to enter into a contract with a specific person(s) or organization(s), including but not limited to awarding scholarships, fellowships, and other similar educational opportunities.

Genetic Information Nondiscrimination Act of 2008 (GINA), 42 U.S.C. § 2000ff(4)(A), (B)

- Prohibits employment-related discrimination on the basis of genetic information.
- Genetic information includes genetic testing information and family medical history.

Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4301–4335

- Prohibits employment-related discrimination on the basis of past, present, or future military service.

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