

Civil Rights Training

Updated March 2016




Why?

Civil Rights Regulations are intended to assure that benefits of Child Nutrition Programs are made available to all eligible people in a non-discriminatory manner.



What is discrimination?

A diverse group of cartoon children of various ethnicities and ages are holding hands in a large circle. In the center of the circle is a white oval containing text. The children are wearing colorful clothing and have different hairstyles and skin tones.

Different treatment which makes a distinction of one person or a group of persons from others; either intentionally, by neglect or by the actions or lack of actions based on the protected classes.

What is required?

1. Collection of data
2. Public notification
3. Complaint Procedures
4. Compliance Review
5. Resolution of non-compliance
6. Accommodation of people with disabilities
7. Language Assistance
8. Conflict resolution
9. Customer service
10. Annual training

1. Collection of data

- Racial and ethnic identities must be collected annually
- Self-identification preferred



2. Public Notification Systems

- 1) Inform applicants, participants, and potentially eligible persons of the program availability, program rights and responsibilities, the policy of nondiscrimination, and the procedure for filing a complaint.
- 2) Include the USDA nondiscrimination statement on any materials that tell about program benefits, including websites.

Civil Rights Statement

- ✓ The full statement must be included anytime the USDA food programs are referenced:
 - Letters
 - Notice of Eligibility or Denied Eligibility
 - Brochures
 - Website
- ✓ All statements should be in print size no smaller than the text of the document

Public Notification

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Public Notification

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

Public Notification

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at:

http://www.ascr.usda.gov/complaint_filing_cust.html,

and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; fax: (202) 690-7442; or email: program.intake@usda.gov.

This institution is an equal opportunity provider.

Civil Rights Statement

the short statement

“This institution is an equal opportunity provider”

- ✓ For limited use if the long statement changes the nature of the document
 - ✓ Example: menus

Public Notification Systems

“And Justice for All”
poster must be
posted anywhere
program benefits are
available



3. Complaint Procedures

- You are required to have a civil rights complaint procedure
- All employees should be aware of the procedure and understand how to handle any Civil Rights complaints

Managing Civil Rights Complaints

A complaint alleging that discrimination has occurred in violation of one of the protected classes.

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Managing Civil Rights Complaints

A person can allege that discrimination has occurred and file a discrimination complaint because they feel that they were...

Delayed in receiving benefits or services that others receive

Denied benefits or services that others receive

Treated **Differently** than others to their disadvantage

Given **Disparate** Treatment, something which does not seem discriminatory, but has a discriminatory impact in practice.

Managing Civil Rights Complaints

Right To File A Complaint

- Any person alleging discrimination has a right to file a complaint **within 180 days** of the date of the alleged discriminatory action.
- Under special circumstances this time limit may be extended by the Office of Civil Rights (OCR).

Managing Civil Rights Complaints

- 1) All civil rights complaints, written or verbal, must be accepted and forwarded to the state agency to be forwarded to the Civil Rights Division of USDA.
- 2) It is necessary that the information provided be sufficient to determine the identity of the agency or individual towards which the complaint is directed, and to indicate the possibility of a violation.

Managing Civil Rights Complaints

Verbal Complaints

- In the event a complainant makes the allegations verbally or through a telephone conversation and refuses or is not inclined to place such allegations in writing, the person to whom the allegations are made shall write up the elements of the complaint for the complainant.
- Every effort should be made to have the complainant provide sufficient information to assist in resolving the complaint

Managing Civil Rights Complaints

Complaint Log

- A complaint log must be maintained by each **Sponsor**

AND

- A complaint log is maintained at the **State Agency**

4. Compliance Review

- OSPI reviews Sponsor



- Sponsor reviews each site



5. Non-compliance Resolution

- Written notice is provided
- Corrective action must be completed
- If unresolved within 60 days, OSPI will forward to USDA

6. Accommodation of Persons with Disabilities

- When a program participant has a diagnosed disability that restricts their diet, the institution must provide the prescribed food substitutions or modifications at no charge.
- Requires a Medical Note from a recognized medical authority.

7. Language Assistance

- Failing to provide services to Limited English Proficiency (LEP) potentially eligible persons, may be discrimination.
- Take reasonable steps to assure “meaningful” access.

8. Conflict Resolution

Discrimination

VS

Poorly handled Conflict

10. Civil Rights Training

- ✓ **Yearly**
- ✓ **All Staff**
- ✓ **Document:**
 - Who is in attendance
 - Date of Training
 - Training Topics
- ✓ **Training is available on the CNS web pages**