

Civil Rights Training for Child Nutrition Programs

PDE-616 Online Course Workbook



TABLE OF CONTENTS






INTRODUCTION	2
OVERVIEW OF SECTIONS	3
SECTION 1: Civil Rights	4
What are Civil Rights?	4
Why are Civil Rights Important?	4
Civil Rights Training: Who Needs It?	5
ACTIVITY: Training for Everyone!	5
SECTION 2: Discrimination	7
4 D's of Discrimination	7
ACTIVITY: Fill in the Blank	7
6 Protected Classes	7
Disabilities	9
ACTIVITY: 6 Protected Classes	10
SECTION 3: Responsibilities	11
Assurances	11
Collection and Use of Data	11
Effective Public Notification Systems	12
ACTIVITY: Which Statement?	13
Complaint Procedures	14
Compliance Review Techniques and Resolution of Noncompliance	14
Requirements for Reasonable Accommodations of Persons with Disabilities	15
Requirements of Language Assistance	16
Conflict Resolution and Customer Service	16
Sponsor Checklist	17
ACTIVITY: Crossword Puzzle	18
APPENDIX A	19
Use of Nondiscrimination Statements	19
APPENDIX B	20
Processing a Civil Rights Complaint	20
ANSWER KEY	22
USDA Nondiscrimination Statement	24

INTRODUCTION

Welcome to "Civil Rights for the Child Nutrition Programs" This workbook was designed to help you navigate your online training lesson and to enhance your understanding of the course by summarizing essential points through activities and reference materials.

Please keep in mind, this workbook is not a stand-alone document and must be used alongside the "Civil Rights for the Child Nutrition Programs" online training lesson.

In this workbook, you will see the below icons scattered throughout. These are meant to help you navigate through the course and know what to look for. Let's discuss what each icon represents.

	We'll use this icon to represent a key idea or a crucial concept we have flagged as important.
	Take note! This icon indicates an area where we recommend notes be taken on the topic being discussed.
	When we share an example, we'll use this icon to help differentiate it from the rest of the content (and make it easier for you to quickly scan for examples).
	Sometimes there are shortcuts or better ways of doing things. This icon will be used to represent these.
	This icon will represent a list or a checklist we are about to share with you.

OVERVIEW OF SECTIONS

Section 1 — Civil Rights

Section 2 — Discrimination

Section 3 — Responsibilities



In this training, we will discuss federal civil rights laws to ensure all Child Nutrition program participants have equal access to all benefits and services. This course will review civil rights regulations and provide all necessary information to ensure your program complies with these requirements.

By the end of this training, you will be able to answer:

- What are civil rights?
- Who is required to complete civil rights training?
- Why are civil rights important?
- What are your responsibilities?

SECTION 1: Civil Rights

What are Civil Rights?



Civil rights are the rights of individuals to receive equal treatment and to be free from unfair treatment or discrimination.

All programs and activities receiving federal financial assistance must follow these requirements.

Why are Civil Rights Important?

Adherence to civil rights laws ensures that all participants have equal access to the benefits and services of the program and that there are no barriers to participation. Civil rights include important concepts such as:

Stereotyping: Oversimplified generalizations about a particular group

Prejudice: A set of rigid and unfavorable attitudes toward a group without considering facts

Discrimination: Treating people differently because of how we group them based on stereotypes and prejudices

Civil rights laws ensure that applicants and participants are fully aware of their rights and responsibilities as part of the program.

Civil Rights Training: Who Needs It?

Any individuals, including volunteers, who administer or who have contact with participants and/or program documentation requirements must receive civil rights training.



Approved sponsors must train their staff, including volunteers, before assuming job responsibilities and again at least once annually.

Annual civil rights training makes sure that everyone has equal access to the Child Nutrition Programs.

ACTIVITY: Training for Everyone!

Think about your sponsor, the staff positions, and those positions' responsibilities. Which ones are required to participate in civil rights training? Check the "Needs Training" box for the positions within your organization.

Needs Training	Position	Notes
	Program Directors and Administrators	
	Teachers	
	Food Service Workers	
	Office Staff	
	Site-level Staff	
	Monitors	
	Other	



Use this box to take notes as you follow along.

A large rectangular area defined by a dotted orange border, intended for taking notes.

SECTION 2: Discrimination

Discrimination may include:

- Failing to provide reasonable accommodations based on a disability
- Serving meals at a time, place, or manner that is discriminatory
- Refusing to provide foreign language services when there is a language barrier

4 D's of Discrimination

How do you decide if an action is discriminatory? The "4 Ds" test will help you determine if a procedure or practice constitutes a civil rights violation.

ACTIVITY: Fill in the Blank

Was an individual or group...

- _____ benefits or services that others received?
- _____ in receiving benefits or services that others received?
- Treated _____ than others to their disadvantage?
- Given _____ treatment, meaning that an action does not seem discriminatory but has a discriminatory impact in practice?

6 Protected Classes



Although it is the policy of the USDA and the state agency to provide fair and equitable treatment to all, specific civil rights laws prohibit discrimination based on six federally protected classes.



The six federally protected classes are:

<p>RACE</p>	<ul style="list-style-type: none"> • Socially defined categories based on people's background
<p>COLOR</p>	<ul style="list-style-type: none"> • A person's skin tone
<p>NATIONAL ORIGIN</p>	<ul style="list-style-type: none"> • Includes where a person is from in the world, their language or accent, and the appearance that may suggest they are part of a certain background
<p>AGE</p>	<ul style="list-style-type: none"> • Happens when someone is treated negatively based on their age
<p>SEX</p>	<ul style="list-style-type: none"> • Discrimination based on biological sex (male or female).
<p>DISABILITY</p>	<ul style="list-style-type: none"> • A person is considered disabled if they have a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment

Disabilities



A person is considered disabled if they have a physical or mental impairment that substantially limits one or more major life activities, including:

- Caring for one's self
- Performing manual tasks
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Learning
- Working

More specifically, major life activities also include the functions of the:

- Immune system
- Normal cell growth
- Digestive system
- Bowels
- Bladder
- Reproductive system
- Neurological system
- Brain
- Respiratory system
- Circulatory system
- Endocrine system

ACTIVITY: 6 Protected Classes

Identify which protected classes match the examples below.

1. Physical or mental impairment
2. Country of birth or descent
3. A time of life
4. Categories of origins from various parts of the world
5. Gender identity
6. Pigmentation, complexion, or skin tone

SECTION 3: Responsibilities



Your responsibilities as a sponsor include:

- Assurances
- Collection and Use of Data
- Effective Public Notification Systems
- Complaint Procedures
- Compliance Review Techniques
- Resolution of Noncompliance
- Requirements for Reasonable Accommodations of Persons with Disabilities
- Requirements of Language Assistance
- Conflict Resolution
- Customer Service

Assurances

To qualify to receive federal funds, all applicants at both state and local levels must complete program applications that include written assurances that they will operate in compliance with the civil rights laws and nondiscrimination regulations.

These assurances are binding as long as they receive USDA funding.

Collection and Use of Data

Sponsors must annually collect the racial and ethnic data for applicants and participants.

Remember, the preferred method is self-identification and self-reporting.

Effective Public Notification Systems

Sponsors must fulfill specific notification requirements that include:

- Program Availability
- Complaint Information
- Equal Opportunity Messaging
- Information in Alternative Formats
- Media Releases
- Nondiscrimination Statements and Policies
- The "And Justice for All" Poster



The USDA nondiscrimination statement must be included on all published materials that provide information about the programs.



Take notes about where the full nondiscrimination statement is required. Remember, it does not need to be included if unimportant information is included.

REQUIRED	NOT REQUIRED

See Appendix A for the complete USDA Nondiscrimination Statement.

ACTIVITY: Which Statement?

Do you know when you need to use each version of the nondiscrimination statement? Look at the materials below, and circle your answer.

	Full Statement	Not Required
Pens	Full	Not required
Magnet	Full	Not required
Handbook	Full	Not required
Website	Full	Not required
Income Eligibility Forms	Full	Not required
Notice of Corrective Action	Full	Not required

Complaint Procedures

Any person who believes they have been discriminated against has the right to file a civil rights complaint.



Civil Rights Complaint Checklist

The following items should be included in a civil rights complaint:

- The name, address, and phone number of the complainant
- The name and location of sponsor
- A description of the discriminatory action
- The basis of the discrimination
- Information about people who are likely to know about the alleged discrimination
- The date

Compliance Review Techniques and Resolution of Noncompliance

The state agency conducts three types of civil rights compliance reviews:

- Pre-award civil rights questionnaire
- Routine or (post-award) compliance reviews
- Special compliance reviews

If a sponsor is not in compliance with an area of civil rights, the problem must be permanently corrected to continue program participation.

Requirements for Reasonable Accommodations of Persons with Disabilities

Program operators are required to make reasonable modifications to accommodate participants with disabilities on a case-by-case basis.

Reasonable accommodations can include:

- ❑ Accessibility of websites and online application systems to persons with visual impairments and other disabilities
- ❑ Physical program access to persons in wheelchairs and with mobility disabilities
- ❑ Accessibility through Braille, large print, audiotape, and other alternative formats
- ❑ Access to American Sign Language (ASL) and interpreters

Meal Modifications

Program operators are required to make reasonable modifications to accommodate participants whose disability restricts their diet.

The need for substitutions and meal modifications must be signed by a medical authority if the substitution or modification does not meet meal pattern requirements.

The request must state:

- The disability and how it restricts the participant's diet
- An explanation of the accommodation including what is to be avoided and what can be substituted

For participants with food-related disabilities...

If the meal modification or substitution meets meal pattern requirements:

- It must accommodate the disability
- Medical documentation may not be required

If the meal modification or substitution does not meet meal pattern requirements:

- It must accommodate the disability
- Medical documentation is required

Requirements of Language Assistance

Language assistance accommodations must be made for persons with limited English proficiency (LEP).

Visit the USDA website to find program forms in various languages.

In addition to the USDA website, what resources are available to accommodate LEP households?

Do you have community-based organizations, teachers, interpreter services, or others in your community that can assist individuals with limited English proficiency?

List the resources available to you for providing LEP services in the box below.

1. USDA website and www.LEP.gov
2. _____
3. _____
4. _____

Remember, you must maintain confidentiality and never use children as interpreters.

Conflict Resolution and Customer Service

Treat participants with dignity and respect.

Provide good customer service to all participants.

Sponsor Checklist

Is your sponsor meeting civil rights requirements? Check off the items that you have policies and procedures for.

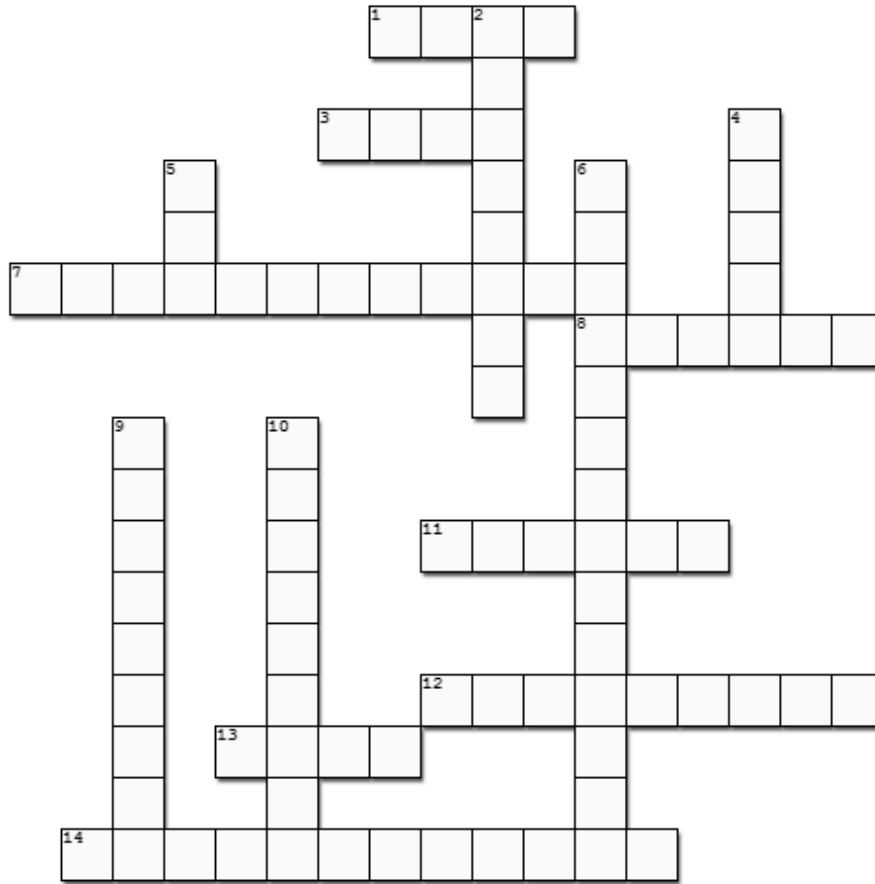
- No discrimination
- Confidentiality
- Civil Rights training
- Complaint procedure
- "And Justice for All" poster(s)
- Nondiscrimination statement
- Data collection
- Benefits and services to all who are eligible



Take Note! What items still need work to make sure your sponsor complies with the requirements?

ACTIVITY: Crossword Puzzle

Let's wrap up with one last activity — a crossword puzzle.



Created using the Crossword Maker on TheTeachersCorner.net

Across

1. Sponsors must collect racial and ethnic _____
3. Acronym for United States Department of Agriculture
7. The ADA prohibits discrimination based on this _____
8. Sponsors must _____ with civil rights laws
11. An LEP _____ may include language assistance
12. The nondiscrimination _____ must be on program materials
13. Meal modifications must be made when a disability affects their _____
14. Oversimplified generalizations about a particular group

Down

2. Sponsors and sites must receive annual civil rights _____
4. Acronym for Child and Adult Care Food Program
5. Acronym for Americans with Disabilities Act
6. Treating people differently
9. Anyone who feels discriminated against can file a civil rights _____
10. Unfavorable and non-factual attitudes towards a group

APPENDIX A

Use of Nondiscrimination Statements

In accordance with federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

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 state or local agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, [AD-3027](#), found online at How to File a Program Discrimination Complaint 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:

1. **Mail:** U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Mail Stop 9410, Washington, D.C. 20250-9410;
2. **Fax:** (202) 690-7442; or
3. **Email:** program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Use the abbreviated nondiscrimination statement on websites, radio, TV public service announcements, or with state agency approval on other items.

"USDA is an equal opportunity provider, employer, and lender."

APPENDIX B

Processing a Civil Rights Complaint

Regardless of the legitimacy of the complaint, all allegations must be treated as valid civil rights complaints until the concern is investigated and — if determined to be a valid civil rights complaint — resolved.

This is not to say all concerns should not be addressed, but the handling of civil rights complaints require specific steps. Other complaints may be a form of unequal treatment that do not fall under the specific protected classes.

Whenever possible, civil rights complaints should be resolved locally and involvement of the state agency should only require notice of the complaint and action taken to be resolved. However, if this is not possible, the state agency and the USDA will assist in its resolution.

A complaint may be a telephone call, letter, email, fax, or other means of communication. They may be signed or anonymous. Either way, upon receipt, a facility must log the complaint and notify the state agency.

In order to investigate the complaint, the complainant will be contacted to determine what the different treatment is, whether or not it falls under one of the protected classes, and the effect it has on receiving equal access to program benefits. This includes:

- Interviewing the complainant
- Interviewing others who have a similar complaint, if applicable
- Interviewing local authorities or those allegedly responsible for the action or lack of action resulting in the civil rights complaint
- Interviewing all witnesses to the actions or lack of actions resulting in the civil rights complaint

If the complaint is determined to have substance, the responsible person must determine what actions can be taken to resolve the concern, including cautioning the authorities or persons responsible for the action or lack of action resulting in the violation that retaliation is a furtherance of the civil rights complaint.

If resolved, a complete report to the state agency and USDA must be filed and the log must be updated. If unable to resolve the issue, the complaint must be forwarded to the USDA.

To prevent a recurrence, the sponsor and state agency should conduct training with facility staff but keep the specifics of the complaint confidential.

ANSWER KEY

ACTIVITY: Training for Everyone (page 5)

There are no correct answers. These answers will be dependent on the individual sponsor's organization.

ACTIVITY: 4 D's of Discrimination, Fill in the Blank (page 7)

- Denied** benefits or services that others received?
- Delayed** in receiving benefits or services that others received?
- Treated **Differently** than others to their disadvantage?
- Given **Disparate** treatment, meaning that something does not seem discriminatory but has a discriminatory impact in practice?

ACTIVITY: 6 Protected Classes (Page 10)

Disability	1. Physical or mental impairment
National Origin	2. Country of birth or descent
Age	3. A time of life associated with qualifications
Race	4. Categories of origins from various parts of the world
Sex	5. Gender identity
Color	6. Pigmentation, complexion, or skin tone

ACTIVITY: Which Statement (Page 13)

Pens	Full	Not required
Magnet	Full	Not required
Handbook	Full	Not required
Website	Full	Not required
Income Eligibility Forms	Full	Not required
Notice of Corrective Action	Full	Not required

For menus, although including either statement is not required by the USDA, you should check with your state agency for their requirements.

ACTIVITY: Crossword Puzzle (Page 18)

1. **Data**
2. **Training**
3. **USDA**
4. **CACFP**
5. **ADA**
6. **Discrimination**
7. **Disabilities**
8. **Comply**
9. **Complaint**
10. **Prejudice**
11. **Policy**
12. **Statement**
13. **Diet**
14. **Stereotyping**

USDA Nondiscrimination Statement

In accordance with federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

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 state or local agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

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