



**This training must be provided to all new staff members within the first 30 days after hiring. Institutions who participate in CACFP must implement Civil Rights requirements in order to be eligible.**

Institutions are required to provide annual Civil Rights training to all staff members involved in any aspect of the CACFP program. This may include directors, assistance directors, teachers, teacher assistants, food service staff or any other staff who interact with applicants or participants.

**Annual Civil Rights training must include:**

- Annual collection and use of civil rights data (reported race and ethnicity).
- The institution's method of informing participants of CACFP availability, nondiscrimination statement, rights and responsibilities, the procedures for filing a discrimination complaint, and the prominent display of the *And Justice for All* poster.
- Procedures to submit a discrimination complaint.
- Compliance with Civil Rights requirements.
- Resolution of noncompliance with Civil Rights.
- Required reasonable accommodation of persons with disabilities.
- The institution's methods of providing language assistance when needed by applicants or participants to access the benefits of the program.
- Conflict resolution.
- Customer service.



**Civil Rights requirements for CACFP institutions:**

- Provide annual Civil Rights training to staff with CACFP responsibilities and who interact with applicants and participants.
- Maintain annual training documentation.
- Public Notification: Prominently display the *And Justice for All* poster.
- Provide applicants, participants and potentially eligible person with the Dear Parent/Guardian or Participant/Guardian letter.
- Include the nondiscrimination statement on all printed or electronic public materials that mentions USDA or CACFP.
- Offer meals equally to all participants in a nondiscriminatory manner and without separation of gender.
- Data collection, maintenance and reporting.
- Information materials in accessible formats.
- Compliance Reviews and Compliant Resolution (covered in the supplemental director CACFP Civil Rights guide).

**Note:** Institutions are required to accept and forward complaints of discrimination to the CDPHE-CACFP in a timely manner after they are received. Submit complaints of discrimination to the CACFP office.

By mail at:  
Colorado Department of Public Health and Environment  
Child and Adult Care Food Program  
PSD-CAC-7411  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

By email: [cacfp@state.co.us](mailto:cacfp@state.co.us)

## Questions and resources

### 1. Why does CACFP require Civil Rights training?

Federal dollars from the USDA fund the Colorado CACFP and the Colorado Department of Public Health and Environment administers the program. Federal dollars are drawn from taxes and are to be used for the benefit of ALL eligible persons to ensure equal access to Child Nutrition Programs.

### 2. What do you need to know as an employee/employer at a CACFP participating institution?

- All staff members should receive training on all aspects of Civil Rights compliance.
- Be able to identify a Civil Rights complaint if received.
- Know what to do if a complaint is received.
- Understand that it is the basic right of an individual to file a complaint.

### 3. What is Discrimination?

Treating persons or groups differently from others, either intentionally, by neglect or by the actions or lack of actions based on their protected classes. Discrimination is prohibited in CACFP. The six protected classes are:

- |                    |                                                           |
|--------------------|-----------------------------------------------------------|
| 1. Race            | 4. Sex (including gender identity and sexual orientation) |
| 2. Color           | 5. Disability                                             |
| 3. National Origin | 6. Age                                                    |

### 4. Why do we ask for participant's race and ethnicity?

The USDA requires collection of race and ethnicity data. This information is used for statistical purposes and helps to ensure no ethnic or racial group is discriminated against in participation. This information is captured on the Income Eligibility Form (IEF), as well as during the annual recertification of an institution's application.

#### Race and Ethnic categories

**Race** (may select more than one)  
American Indian or Alaskan Native  
Asian, Native Hawaiian or Other Pacific Islander  
Black or African American  
White

**Ethnicity**  
Hispanic or Latino  
Not Hispanic or Latino

#### Population data

In August of each year, as part of the annual recertification process, the CACFP releases the population data by county to all participating institutions. Institutions are required to review this information for awareness of the population data pertaining to service areas and retain this information for a period of three years. This record retention requirement for the population data will be assessed during the institution's compliance review conducted by the CACFP as part of Civil Rights compliance monitoring.

#### The *And Justice for All* nondiscrimination poster

The *And Justice for All* nondiscrimination poster must be in a prominent place for ALL visitors to see.

This poster is located on the CACFP [website](#), where it is available to print. The poster is in both English and Spanish. For a copy, please call the CACFP office at 303-692-2330 and one will be mailed to you.

Include the USDA nondiscrimination statement on all CACFP materials that are produced for public notification. Examples of materials include posted and distributed menus, websites and institution handbooks that mention CACFP.

The USDA [nondiscrimination statement samples](#) can be found on the CACFP website. The use of the short nondiscrimination statement requires State Agency approval. Please contact your assigned Nutrition Consultant with any question or to request approval on the use of the short statement.

Institutions must make CACFP program information available to the public upon request. Upon initial visits, participants should be given specific program information that is pertinent to their receipt of benefits through the CACFP, such as the CACFP Parent Letter available on the CACFP website. In addition, participants should be made aware of procedures for filing a complaint concerning the CACFP.

### **Identify and Accommodate Language Needs**

Limited English Proficiency (LEP) persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.

Recipients of Federal financial assistance, such as this institution, have a responsibility to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency.

If a significant number or proportion of the population eligible to be served by your Institution needs service or information in a language other than English in order to be informed or participate in the program, the institution shall take reasonable steps to provide information in appropriate language(s). In addition, if requested, all participating institutions must provide program materials for non-English speaking participants in the appropriate language.

CACFP provides meaningful access to program information through materials available in Spanish. Also, program materials for persons who speak other languages or who have a limited ability to read, speak, write or understand English are available in the USDA-FNS [website](#) or from the CACFP office upon request.

### **Accommodating Participants Medical Disability or Dietary Medical Needs**

You may have participants in care who require specific foods due to a medical or dietary disability. Ensure that procedures are followed to accommodate participants with a documented disability. These procedures can be found at the [CACFP Program manual](#), located on the CACFP website.

In addition, the Americans with Disabilities Act prohibits discrimination based on disability in all services, programs and activities provided to the public by State and local governments. This means that agencies must ensure persons with disabilities have program accessibility, effective communication with institution staff and easy access to the building itself.

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 Agency 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. Program information may be made available in languages other than English if requested.

### **Ensuring Civil Rights Compliance at Your Institution**

Everyone has a role in ensuring Civil Rights compliance. The first step is completing this training and asking questions if you do not understand. It may help to discuss what you learned with co-workers to enhance your understanding of this material.

The second is providing excellent customer service in your daily interactions with co-workers, participants, families and visitors to your institution. Providing excellent customer service is important to avoid the appearance or perception by anyone of unlawful discriminatory statements or actions.

### **Civil Rights Questions and Resources**

For more information and additional resources on Civil Rights, visit the USDA Office of Civil Rights at <http://www.fns.usda.gov/civil-rights>.

### **Next steps**

Please complete the *Applying Your Civil Rights* knowledge document, located on the CACFP website. This will serve as adequate documentation to demonstrate that an individual has completed the annual Civil Rights staff training. Keep this document on file for 3 years and 4 months past the current fiscal year as part of your institution's record keeping requirements.

You may also use your own Civil Rights training document, as long as it includes topics covered, the date, who conducted the training and names of attendees.

A variety of institutions participating with the CACFP receive this training; therefore, not all the learning exercises in this self-study guide may apply to the institution where you work. If you have specific questions regarding the learning exercises and if they apply to your institution, please contact your CACFP Nutrition Consultant.

### **Nondiscrimination Statement (Revised May 2022)**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at 202-720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at 800-877-8339. To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained [online](#), from any USDA office, by calling 866-632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by: Mail: US Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; or fax: (833) 256-1665 or (202) 690-7442; or email: [program.intake@usda.gov](mailto:program.intake@usda.gov) This institution is an equal opportunity provider.