

CIVIL RIGHTS REQUIREMENTS



Justice For All

Introduction

The purpose of this brochure is to notify participants of Child Nutrition Programs of the requirements regarding Civil Rights and to provide guidance on the nondiscrimination in the administration of these programs.

This brochure outlines specific responsibilities, requirements, and the procedures for federally-assisted programs to ensure federal, state, and local compliance with the provision of Title VI of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. Civil rights requirements in legislation and regulations that cover Child Nutrition Programs and FNS Instruction 113-1.

The main expectation in civil rights is treating everyone with dignity and respect and not discriminating based on race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

When do Civil Rights Rules Apply

Civil Rights rules apply any time there is any federal financial assistance. Federal financial assistance is receiving anything of value from the federal government – not just cash. It can include commodities, training, equipment, and other goods and services.

Child Nutrition Programs Responsibilities

- ◆ Sponsors who participate in the program must maintain on file the racial/ethnic makeup of the children applying for and participating in the program.
- ◆ Sponsors are responsible for training any staff person who works with Child Nutrition Programs on all aspects of civil rights compliance annually.
- ◆ Make sure people with disabilities are accommodated. Sites should be accessible to people with all types of disabilities (e.g. mobility, sight, hearing, other) or alternate means of service delivery should be advertised and provided.

- ◆ Provide other language assistance to persons with Limited English Proficiency (LEP) who could not gain meaningful access to the program without other language assistance. Assistance must always be provided to all LEP households, but the level or type of assistance can vary based on circumstances.

Program Operations

- ◆ Determine eligibility for free and reduced price applicants in a nondiscriminatory manner.
- ◆ Communicate that any person who believes he or she has been discriminated against based on all the protected classes has a right to file a complaint within 180 days of the alleged discriminatory action.
- ◆ Routinely analyze data to determine if any groups are disproportionately represented in adverse actions and if so, take further actions to determine if there is discrimination.
- ◆ Maintain confidentiality. It is not appropriate to talk about who is receiving benefits and to make remarks about them. Never share information with others regardless of an expression of good intentions. Refer all requests for information to the appropriate persons.
- ◆ Admission procedures should not impose requirements in excess of anything in regulations that would restrict enrollment by any group.
- ◆ Retain training records of the people who received civil rights training for three years, plus the current year.

Public Notification

- ◆ Display the USDA "And Justice for All..." non-discrimination poster in a place where it can be seen by all who visit the premises.
- ◆ Include the USDA non-discrimination statement on all materials that mention USDA funded programs and make sure that statement is also on websites that mention USDA funded programs. If the material is only one page (front and back is considered one page) and too small to include the full non-discrimination statement, use the abbreviated statement: *This institution is an equal opportunity provider.*
- ◆ Conduct outreach to insure that potentially eligible persons and households are aware of the program and have information on how to apply. Inform potentially eligible person, applicants, participants and grassroots organizations of programs.

- ◆ Provide information in other languages concerning the availability and nutritional benefits of the child nutrition programs in areas where there are concentrations of people with LEP.
- ◆ Reach as many potential participants as possible and pay attention to under represented groups.

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.

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.

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:

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

This institution is an equal opportunity provider.

Inquiries regarding Civil Rights requirements for Child Nutrition Programs should be directed to:
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