Civil Rights in Child Nutrition Programs

This online training is part of a series of online trainings designed for experienced sponsors of the Summer Food Service Program in Kentucky. Sponsors who choose to receive their training via the online training are responsible for adhering to the information presented in this training. Please address all questions to the State Agency.

What are Civil Rights?

"Civil rights" are the rights of individuals to receive equal treatment (and to be free from unfair treatment or "discrimination") in a number of settings -- including education, employment, housing, federal child nutrition programs and more -- and based on certain legally-protected characteristics.

Child Nutrition Programs are federally funded programs and as such, must ensure that all individuals for whom the program is intended, have access to the program free from discrimination.

What is Discrimination?

Discrimination is defined as different treatment which makes a distinction of one person or a group of persons either intentionally by neglect or by action or lack of actions based on any persons or group who has characteristics for which discrimination is prohibited based on the law, regulation, or executive order.

FNS Instruction 113-1 (On KY SCN Website)

Protected Categories for Sc
Programs:

- ✓ *Race*
- ✓ *Color*
- ✓ *National Origin*
- ✓ *Sex*
- ✓ *Disability*
- ✓ *Age*

Civil Rights Compliance Goals

- Equal treatment for all applicants and beneficiaries under the law
- Knowledge of rights & responsibilities
- Elimination of illegal barriers that prevent or deter people from receiving benefits
- Dignity and respect for all

Staying in Compliance

- Training Staff Each Year
- Collecting and Analyzing Ethnic and Racial Data
- Public Notification
- Limited English Proficiency
- Processing Civil Rights Grievances

Civil Rights Training

Civil Rights Training

- The Sponsor is required to provide civil rights training annually. This is for all staff that interact with program applicants or participants (i.e. servers, volunteers, site supervisors, monitors) and their supervisors.
- Document Who was trained, Who trained, Date of Training and Topics!

You may use the KY SCN "Civil Rights Training for Frontline Staff" to Train Your Staff! Found on Our Website.

On Our Website!

(Sponsor Name Here)

SFSP Staff Training Agenda and Sign-in Sheet

(Date)

Agenda

(List the items to be discussed during the training – Be sure to include Civil Rights)

Staff Sign-in

Printed Name	Signature	Site Name	Time Arrived	Time Left

☐ I certify that the above attendees were trained in the aspects listed above as required for participation in the SFSP on _____, 201_.

_____

(Signature of Trainer)

Ethnic/Racial Data Collection

Data Collection

- Collection 1: Maintain in CNIPS the **number** (do not use percentages) of potential eligible beneficiaries by ethnic/racial category for the area served by the provider/district. (Included in the CNIPS Checklist) DONE ONCE A YEAR!
- Collection 2: Collect and maintain ethnic/racial category of each site once a Year. (Kept in Site Folder at Sponsor Office.) Use actual **numbers**.
- In general, any data collected about beneficiaries should be kept secure and confidential
- Maintain all records for three years

Use of Data

- Helps determine if there are disparities between the potentially eligible population and the actual participating population or shows discrimination
- Outreach efforts can be targeted

Racial and Ethnic Categories are two separate questions

Racial and Ethnic Categories

Ethnic Categories	Number of Participating Children
Hispanic or Latino. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish origin" can be used in addition to "Hispanic" or Latino".	
Non-Hispanic or Latino	
Total Participating Children	

Racial Categories	Number of Participating Racial Categories
American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community recognition.	
Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia or the Indian subcontinent, including, for example, Cambodia, China, Indian, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.	
Black or African American. A person having origins in any of the black racial groups of Africa.	
Native Hawaiian or Other Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands.	
White. A person not having origins in any of the original peoples of Europe, the Middle East or North Africa.	
Total Participating Racial Categories	

Public Notification

Public Notification

- Prominently display the "And Justice for All" poster
- Inform potentially eligible persons, applicants, participants and grassroots organizations of programs or changes in programs (Media Release)
- Including the Non-Discrimination Statement on all sponsor materials that go out to the public.
- Provide appropriate information in alternative formats for persons with disabilities

“And Justice For All”

This poster must be placed in a prominent area at each site where participants and potential participants have ready access. It must be in the original 11 x 17 size, however, it does not need to be in color.

Media Release

Sample News Release
Open Sites

The _____(name of sponsor)_____ is participating in the Summer Food Service Program. Meals will be provided to all children without charge and are the same for all children regardless of race, color, national origin, sex, age or disability, and there will be no discrimination in the course of the meal service. Meals will be provided at the sites and times as follows: [list all sites and the starting and ending times of meal service for each site]

_____
_____
_____
_____
_____
_____
_____

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

USDA is an equal opportunity provider and employer.

Non-Discrimination Statement

Non-Discrimination Statement

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of 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.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

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USDA is an equal opportunity provider and employer.

Non-Discrimination Statement

Include the required nondiscrimination statement on all sponsor publications, web sites, posters and informational materials that go out to the public. This includes websites.

Limited English Proficiency

Limited English Proficiency

- Is there a need for services for Limited English Proficient (LEP) households?

- If so, what services does the Sponsor provide?

- ***Document any request for LEP services from the public!***

www.lep.gov for more information and resources

Civil Rights Complaint Procedure

Grievance Report Form

KENTUCKY DEPARTMENT OF EDUCATION
Division of School and Community Nutrition
Civil Rights Grievance Report Procedures

In accordance with FNS Instruction 113.1 the _____ Sponsor/Sponsoring Organization provides a grievance procedure in the event a person believes he/she or their enrolled participant has been discriminated against and/or denied service on the basis of race, color, national origin, sex, age or disability in the food service program provided by the _____Sponsor / Sponsoring Organization.

GENERAL INSTRUCTIONS
All complaints, written or verbal, alleging discrimination on the basis of race, color, national origin, sex, age or disability shall be processed within ninety (90) days of receipt in the manner prescribed in this instruction.

Procedure for Filing Complaints of Discrimination

1. Right to File a Complaint

   Any person alleging discrimination based on race, color, national origin, sex, age or disability has a right to file a complaint within 180 days of the alleged discriminatory action. Under special circumstances this time limit may be extended.

2. Acceptance

   All complaints, written or verbal, shall be accepted by the Division of Nutrition and Health Services and forwarded to the Southeast Regional Office (SERO)-USDA. It is necessary that the information be sufficient to determine the identity of the agency or individual toward which the complaint is directed, and to indicate the possibility of a violation. Anonymous complaints shall be handled as any other complaint.

3. Verbal Complaints

   In the event that a complainant makes the allegation 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 complainant for the complainant. Every effort shall be made to have the complainant provide the following information:

   a. Name, address, telephone number, or means of contacting the complainant.
   b. The specific location and name of the entity delivering the program, service, or benefit.
   c. The nature of the incident(s) or action(s) that led the complainant to believe discrimination was a factor.
   d. The basis on which the complainant feels discrimination exists (race, color, national origin, sex, age, disability)
   e. The names, telephone numbers, titles and addresses of the persons who may have knowledge of the alleged discriminatory action(s).
   f. The date(s) during which the alleged discriminatory action occurred, or if continuing, the duration of such actions.

Civil Rights Complaint Procedure

1. Civil Rights Complaint Received by Sponsor. Can be either verbal or written
2. Civil Rights Complaint Documented in Civil Rights Complaint Log
3. Sponsor gives Complainant Civil Rights Complaint Form and/or Sponsor Completes Civil Rights Complaint Form with Complainant
4. Complainant Returns Civil Rights Complaint Form to Sponsor.
5. Sponsor Forwards Civil Rights Complaint Form to KDE within 3 Working Days

Civil Rights is a very serious and important matter. The federal dollars you receive as a sponsor of this program are intended to support all eligible participants, free from discrimination.

Please contact School and Community Nutrition if you have any questions regarding this online training or any questions regarding Civil Rights.

502-564-5625