Learning Objectives

• Understand the importance of civil rights
• Understand your center’s civil rights responsibilities
• Recognize aspects of your specific job duties that deal with civil rights concerns
Goals of Civil Rights

• Eliminate barriers to program benefits
• Provide equal treatment to all
• Explain rights and responsibilities
• Show respect and dignity to all
1. Public notification system
2. Customer service
3. Race and ethnicity data collection and comparison
4. Reasonable accommodations
5. Complaint procedures / conflict resolution
What are Civil Rights?

Rights of “personal liberty” guaranteed by the 13th and 14th Amendments to the U.S. Constitution and Acts of Congress.

- 1964 Title VI of Civil Rights Act
- 1972 Title IX of Education Amendments
- 1973 Rehabilitation Act and Americans with Disabilities Act
- 1975 Age Discrimination Act
- 1987 Title VI of Civil Rights Act
What is a Protected Class?

• A protected class refers to any person or group of people who have a characteristic for which discrimination is prohibited by law.

• Discrimination: different treatment which makes a distinction of one person or group of persons from others; either intentionally, by neglect, or by actions or lack of actions based on the protected classes.
What is a Protected Class?

Protected classes in the CACFP:

- Race
- Color
- National origin
- Age
- Sex
- Disability
- Reprisal or retaliation for prior civil rights activity
Public Notification

- Public release
- Display “And Justice for All” poster
- USDA nondiscrimination statement
Civil Rights for USDA Programs

All U.S. Department of Agriculture (USDA) Child Nutrition Programs sponsoring agencies shall comply with civil rights laws and regulations, such as the Title VI of the Civil Rights Act of 1964 (race, color, national origin), Title IX of the Education Amendments of 1972 (sex), Section 504 of the Rehabilitation Act of 1973 (disability), Age Discrimination Act of 1975 (age), Americans with Disabilities Act (ADA) of 1990 (disability). Forms for complying with civil rights data collection of racial/ethnic data are located at the bottom of this page.

The “And Justice for All” poster includes the complete nondiscrimination statement and must be posted in a prominent place in offices, schools and other sites that administer USDA Child Nutrition Programs. For School Nutrition Programs (breakfast, lunch, afterschool snack), the poster must be visible to all students during at least one of their meals, printed on 11” x 17” paper. If your school participates in the Afterschool Snack Program and the program serves the same students who attend school during the regular school day and have seen the poster in a centralized location, you are not required to have the poster hung in each area where the snack is served. Order posters: include the name of the school food authority, CLICS Sponsor ID, quantity and mailing address. Translated versions of “And Justice For All” poster are available for download from the USDA website. A link is provided for your convenience.

Required Nondiscrimination Statement

The nondiscrimination statement shall be posted and included, in full, on all sponsoring agency materials that are produced for public information, public education or public distribution. View the Spanish version of the nondiscrimination statement.

Condensed Statement:
“This institution is an equal opportunity provider”.

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• All participants must be allowed equal opportunities to participate in CACFP.

• Treat all participants the same

- Ex: seating arrangements
Convey the message of equal opportunity - reflect diversity and inclusion in all program or program-related information, photos and graphics
Respectful Language

• Put the person first
  - Example: USE “person with a disability”, NOT “disabled person”

• Use inclusive/respectful terms
  - Example: USE “chairperson”, NOT “chairman”
True or False?

- A child care center can choose not to provide infant formula and require that parents provided their own.
False

All participants who attend a center must be provided equal access to CACFP benefits.
Situation:

- Children whose first language is Spanish are asking to sit together at a “Spanish-speaking” table.

Is this a civil rights issue? Yes or No?
YES

Segregating or separating participants who share a particular characteristic into groups would be considered a civil rights issue and discrimination based on the protected class of national origin.
Situation:

- An At-Risk afterschool meal program offers second helpings of the main entrée ONLY to the boys sports teams at the end of the meal service, knowing they need extra fuel for sports practice.

Is this a civil rights issue? Yes or No?
Yes

This is a civil rights issue based on sex. All participants should have access to those extra helpings of food, regardless of sex.
Annual Collection of Ethnic/Racial Data

Ethnicity Categories:
1. Hispanic or Latino
2. Not Hispanic or Latino

Race Categories:
1. American Indian or Alaskan Native
2. Asian
3. Black or African American
4. Native Hawaiian or Other Pacific Islander
5. White
### Annual Collection of Ethnic/Racial Data

#### Child and Adult Care Food Program – Child Care Centers Household Income Statement – July 2019

**Step 1:** List all infants, children, and students through grade 12 in the household, even if they are not related. If more space is needed, attach another sheet.

**Child’s First Name** | **M/Child’s Last Name** | **Birthday** | **Enrolled at this center?** | **Foster Child** | **Hispanic/Latina?** | **American Indian or Alaskan Native?** | **Asian?** | **Black or African American?** | **Native Hawaiian or other Pacific Islander?** | **White?**
--- | --- | --- | --- | --- | --- | --- | --- | --- | --- | ---

**Step 2:** Do any household members currently participate in SNAP? **Yes** | **MSP?** | **FPDP?** | **If yes, write the case number here**

**Step 3:** Check the program box and then go to Step 4. Medical Assistance and WIC do not qualify for Step 2. If no, go to Step 3.

**Step 4:** Report income for all household members. Skip this step if you answered yes to Step 2 or if all participants are foster children.

**A. Child Income:** Include the total income a child may earn or receive here. Child income:

**B. Adult Income:** Include yourself and record total income below. List all adult household members even if they don’t receive income.

#### Adults - Full Name

**List the full name of each household member who is living with you and shares income and expenses. Enter all incomes in whole dollars. If zero income, write 0. Include any college students temporarily away.**

**Gross Pay From Work Employment**

<table>
<thead>
<tr>
<th>Weekly</th>
<th>Bi-Weekly</th>
<th>Monthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

**Net Income**

<table>
<thead>
<tr>
<th>Gross pay before taxes</th>
<th>(-) home pay</th>
<th>State if annual or monthly.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

**Pension, retirement, disability, unemployment, Veteran benefits, etc.**

<table>
<thead>
<tr>
<th>Weekly</th>
<th>Bi-Weekly</th>
<th>Monthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

**Last four digits of signer’s Social Security Number (SSN) or no SSN (required): X X X X**

**I certify (promise) that all information on this application is true and correct and all household members and incomes are reported. I understand that this information is given in connection with receipt of federal funds and that officials may verify all the information. I understand that if I purposely give false information, I may be prosecuted under applicable federal and state laws.**

**Signature of adult household member (required):**

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**Effective Dates:**

<table>
<thead>
<tr>
<th>From</th>
<th>Through</th>
<th>Date</th>
</tr>
</thead>
</table>

**Sponsor Only – Do Not Write Below**

- A – Foster
- A – Case Number
- A – Income
- B – Income
- C – Total Household Members
- Total Income: $ ________ per ________

**Sponsor Signature:**

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Annual Comparison of Ethnic/Race Data

• Compare data to the local service area
• Use U.S. Census county of city level data
• Eliminate barriers
• Template form available on Civil Rights webpage.
• Keep documentation on file for review.
Situation:

- A family does not want to identify their race or ethnic background on the Household Income Statement or other form used by the center to collect racial and ethnic data.

What should center staff do?
• Explain identification is voluntary
• Explain how the information will be used
• Make a visual observation for race and ethnicity
Reasonable Accommodations

- **Disability:** Physical or mental impairment which substantially limits one or more of an individual’s major left activities.

- Disabilities are defined based on Section 504 of the Rehabilitation Act/Americans with Disabilities Act and Part B of Individuals with Disabilities Education Act (IDEA)
Reasonable Accommodation for Persons with Disabilities

Disability related special diet requests must include:

1. The participant’s disability
2. The major life activity/bodily function affected by the disability
3. An explanation of how the disability restricts the participant’s diet
4. The food substitutions or modifications that the participant needs
5. Signature of a recognized medical authority: licensed physician, physician assistant, or advanced practice registered nurse.
Situation:

• A parent of a child who has been diagnosed with celiac disease requests that gluten-free food items be provided to their child at all meals and snacks.

What must the center do, and how does this relate to civil rights?
The center is required to provide the gluten-free diet if:

A recognized medical authority has determined that the participant has a disability

AND

The recognized medical authority has prescribed a gluten-free diet and has completed the required documentation.
What do you think?

Yes or No?

Situation:

• A center has received multiple requests from households to provide more culturally diverse menu items.

Is their request a civil rights issue?
No

However, it would be reasonable for the center to consider the group’s request and offer more culturally diverse foods on the menu.
Reasonable Accommodation Language Assistance

Sponsors must take “reasonable steps” to assure meaningful access to programs and activities by persons with Limited English Proficiency (LEP).

Examples:

• Distributing CACFP program related forms in different languages.
• Using interpreters to assist with forms.
Right to File a Complaint

• Anyone has a right to file a complaint if they believe they were discriminated against

• Within 180 days of the alleged discriminatory action

• Can be written or verbal

• May be anonymous

• Refer to USDA complaint form online: www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer
STEP 1: Document the complaint

- Name, address, and phone number of complainant

- Specific name and location of entity delivering the benefit or service.

- The nature of the incident, action, or method of administration that led the complainant to feel discriminated against.
Handling Civil Rights Complaints

STEP 1, continued

- The basis on which the complainant feels discrimination exists (race, color, national origin, sex, disability, age, or reprisal).

- The names, titles, business addresses, and phone numbers of persons who may have knowledge of the discriminatory action.

- The date(s) during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions.
STEP 1: Document the complaint

STEP 2: Contact USDA or MDE within 3 days of receiving the complaint.

STEP 3: Maintain records of complaints.
A participant at an adult day care center tells you they have been discriminated against based on race. After collecting the necessary information from them, how long do you have to report the complaint to MDE or USDA?

A. 24 hours  
B. 3 days  
C. 5 days  
D. 10 days
B. 3 days
True or False?

• You received a civil rights complaint from a participant’s family member and you documented the complaint on a piece of paper and submitted a copy to MDE.

• Now that you have submitted the complaint to MDE, you can throw away the piece of paper and forget about it.
False

Identify and resolve the root cause of the civil rights complaint.
Contact Information
Food & Nutrition Service
651-582-8526
800-366-8922
mde.fns@state.mn.us
education.state.mn.us

This institution is an equal opportunity provider.