

An aerial photograph of a city, likely Fargo, North Dakota, showing a mix of urban buildings, green spaces, and a river with a bridge. The image is used as a background for the title section.

CIVIL RIGHTS TRAINING

Child Nutrition and
Food Distribution



Child Nutrition program sponsors who receive federal funds are required to comply with civil rights laws.





Agenda

PART 1

- Define Civil Rights

PART 2

- Explain who is required to have annual civil rights training

PART 3

- Describe the nine civil rights requirements of sponsors



Civil Rights refer to the rights and personal liberties guaranteed by numerous laws and regulations.

- U.S. Constitution; 13th & 14th Amendments
- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Section 508 of the Rehabilitation Act of 1973
- Age Discrimination Act of 1975
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Americans with Disabilities Act Amendment Act of 2008
- Program statutes and regulations



Fair and Equitable Treatment

- Eliminating barriers
- Ensuring applicants and participants understand their rights and responsibilities
- Affording respect and dignity



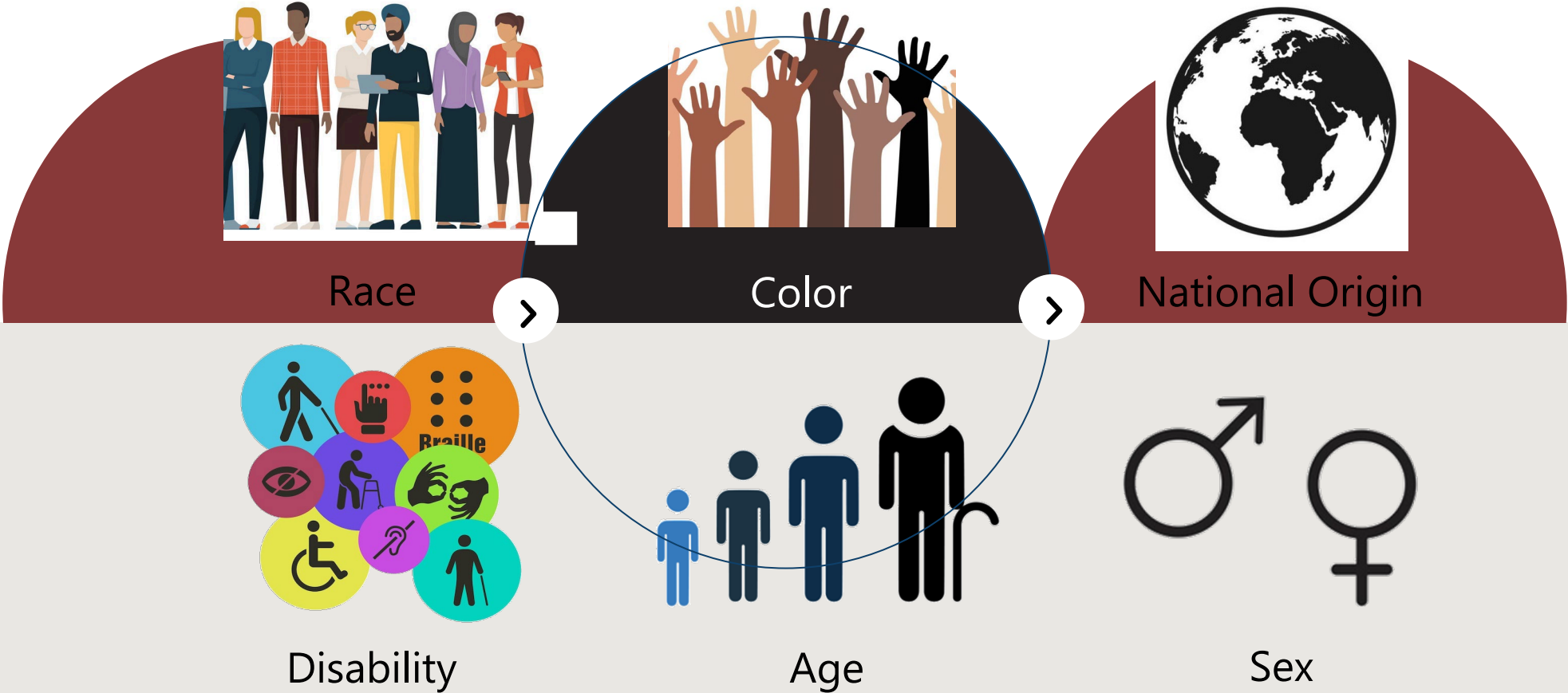


Discrimination in Child Nutrition programs is prohibited.

- Denied benefits or services
- Delayed in receiving benefits or services
- Treated Differently



Protected Classes





Child Nutrition programs include:

NATIONAL SCHOOL LUNCH
PROGRAM (NSLP)

SCHOOL BREAKFAST PROGRAM (SBP)

CHILD AND ADULT CARE FOOD
PROGRAM (CACFP)

SUMMER FOOD SERVICE PROGRAM
(SFSP)

FRESH FRUIT AND VEGETABLE
PROGRAM (FFVP)

SPECIAL MILK PROGRAM (SMP)

AFTERSCHOOL SNACK PROGRAM
(ASP)

SEAMLESS SUMMER OPTION (SSO)



Frontline staff

- Program Directors and administrators
- Staff who interact with program applicants and participants
- Individuals who make eligibility determinations
- Food service staff (cooks, servers, cashiers & meal count staff)
- Monitors and administrative assistants





Name of Staff Member: _____ School District: _____

Required Annual Training (from July 1 to June 30th of the following year):

Food Service Director: 12 hours

Kitchen Site Manager: 10 hours

Fulltime Food Service Staff: 6 hours

Parttime Staff (<20hr/week): 4 hour

Training is required annually.

Keep documents for:

- 3 years plus
- the current year



DATE	TOPIC* (1, 2, 3, 4)	TRAINING TITLE	TIME
	2	<u>Initial</u> Food Safety & Sanitation – SAN <i>Expires on _____</i> - Must be state approved. Valid for 5 years. - Required for: Food Service Directors, Kitchen Site Managers, Lead Foodservice Workers (LFSW)	8 hours [†]
	2	Food Safety & Sanitation <u>Update</u> – SANU <i>Expires on _____</i> - Valid for additional 5 years. - Required for: Food Service Directors, Kitchen Site Managers, LFSW	3 hours
	2	Annual Procurement Training - Required for at least one staff member in the SFA - Recommended: Food Service Director and Business Manager	
	3	Civil Rights Annual Training - Required for ALL staff with Child Nutrition program duties	
	2	Annual Cashier's Training - Required for ALL staff with meal counting or serving duties	
	2	Annual Food Allergy Training - May be required in coming years, however guidance is not available for SY27 - Recommended: all Food Service Staff	

*Training Topic Key Areas are 1=Nutrition; 2=Operations; 3=Administration; 4=Communications & Marketing

[†]The Initial Food Safety and Sanitation training is a pre-requisite for Food Service Directors, Kitchen Site Managers and lead food service workers. These hours do not count towards annual Professional Development hours but still need to be documented..



1) EFFECTIVE PUBLIC
NOTIFICATION
SYSTEMS

4) COLLECTION AND
USE OF DATA

7) COMPLAINT
PROCEDURES

2) REQUIREMENTS
FOR LANGUAGE
ASSISTANCE

5) COMPLIANCE
REVIEW TECHNIQUES

8) CONFLICT
RESOLUTION

3) ACCOMMODATIONS
FOR PERSONS WITH
DISABILITIES

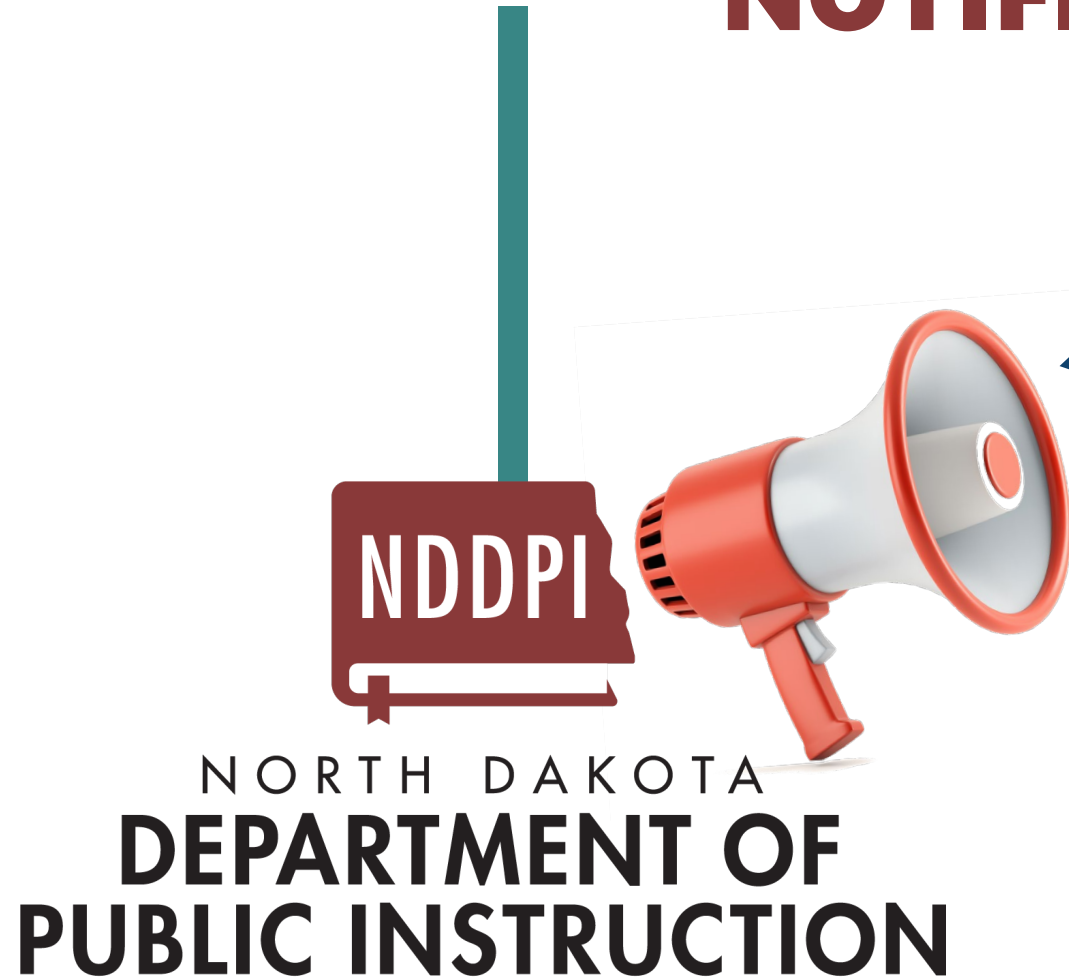
6) RESOLUTION OF
NONCOMPLIANCE

9) CUSTOMER
SERVICE

Areas of Civil Rights Compliance



EFFECTIVE PUBLIC NOTIFICATION SYSTEMS



- Program information
- Availability of free meals
- Nondiscrimination statement
- Processes for filing a complaint



And Justice for All poster

nd.gov/dpi/



In accordance with Federal 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, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and 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, at <https://www.ascr.usda.gov/sites/default/files/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, 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:
U.S. 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;

email:
program.intake@usda.gov.

This institution is an equal opportunity provider.

Conforme a la ley federal y las políticas y regulaciones de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta institución tiene prohibido discriminar por motivos de raza, color, origen nacional, sexo, edad, discapacidad, venganza o represalia por actividades realizadas en el pasado relacionadas con los derechos civiles (no todos los principios de prohibición aplican a todos los programas).

La información del programa puede estar disponible en otros idiomas además del inglés. Las personas con discapacidades que requieran medios de comunicación alternativos para obtener información sobre el programa (por ejemplo, Braille, letra agrandada, grabación de audio y lenguaje de señas americano) deben comunicarse con la agencia estatal o local responsable que administra el programa o con el TARGET Center del USDA al (202) 720-2600 (voz y TTY) o comunicarse con el USDA a través del Servicio Federal de Transmisión de Información al (800) 877-8339.

Para presentar una queja por discriminación en el programa, el reclamante debe completar un formulario AD-3027, Formulario de queja por discriminación del programa del USDA, que se puede obtener en línea, en <https://www.ascr.usda.gov/sites/default/files/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, en cualquier oficina del USDA, llamando al (866) 632-9992, o escribiendo una carta dirigida al USDA. La carta debe contener el nombre, la dirección y el número de teléfono del reclamante, y una descripción escrita de la supuesta acción discriminatoria con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR, por sus siglas en inglés) sobre la naturaleza y la fecha de la presunta violación de los derechos civiles. La carta o el formulario AD-3027 completado debe enviarse al USDA por medio de:

correo postal:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; o

fax:
(833) 256-1665 o (202) 690-7442;

correo electrónico:
program.intake@usda.gov.

Esta institución ofrece igualdad de oportunidades.



USDA Nondiscrimination Statement

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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.

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REQUIREMENTS FOR LANGUAGE ASSISTANCE

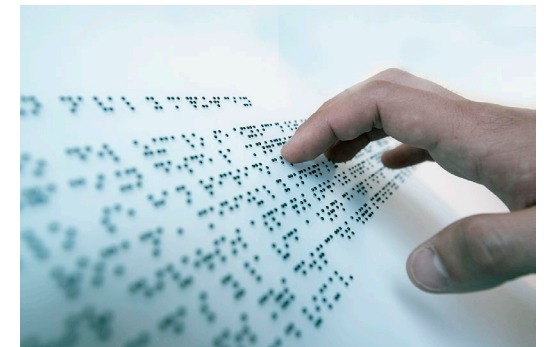


REQUIREMENTS FOR LANGUAGE ASSISTANCE

Individuals with Limited English Proficiency are those who have a primary language other than English, and whose ability to read, speak, write, or understand English is limited.

Language Services:

- Free
- Reasonable
- Competent
- Qualified
- Accurate
- Effective





Four Factor Analysis

NUMBER OR PROPORTION

How many persons with LEP are in your area?

FREQUENCY

How frequently do LEP persons contact your program?

IMPORTANCE

How important is the program, activity, service, or information?

RESOURCES & COST

What resources are available, and what do they cost?



Language Resources



Translated meal applications
“I Speak” language ID card
Training bilingual staff/community members
Over the phone or video Interpreters
Translated documents
Sharing materials and services



Free A.I. translation tools

For more information about Limited English Proficiency and links to these and other resources, please check out the CNFD website.

nd.gov/dpi/





ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Major Life Activities

- Walking
- Seeing
- Hearing
- Speaking
- Learning
- Eating
- Working
- Caring for oneself

Major bodily functions

- Circulatory
- Respiratory
- Reproductive
- Immune system
- Digestive
- Bowel and Bladder
- Neurological

ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Disability - A physical or mental impairment that substantially limits one or more major life activities, including the operation of major bodily functions





Meal accommodations

REQUIRED FOR
PARTICIPANTS WITH
DISABILITIES



DO WE NEED A SIGNED
MEDICAL STATEMENT?

Within Meal Pattern – No
Outside of Meal Pattern – YES!



Medical Statements

CONTACT CNFD FOR
A TEMPLATE FORM

WHAT NEEDS TO BE INCLUDED ON THE MEDICAL STATEMENT

- Information about the physical or mental disability
- What must be done to accommodate
 - Foods to be omitted
 - Foods to be substituted
- Signature of a medical professional
 - Licensed physicians,
 - Physician's assistants
 - Nurse practitioners
 - Registered dietitians



Dietary preferences

- CULTURAL
- FAITH-BASED
- ETHICAL/MORAL
- TASTE



SPONSORS ARE STRONGLY ENCOURAGED TO MEET DIETARY PREFERENCES FOR PARTICIPANTS WITH NON-DISABILITY REQUESTS.

COLLECTION OF RACIAL/ETHNIC DATA

NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
CHILD NUTRITION AND FOOD DISTRIBUTION PROGRAMS
(Rev. 6/25) TEAMS/tools/SNP/Collection of Racial-Ethnic Data

Retain in School Files

Civil Rights instructions require programs to maintain racial/ethnic information on file for all free and reduced-price meal applicants. This information is to reflect the racial/ethnic background of those children and must be maintained on file for three (3) years. If racial/ethnic background is not indicated, source the information from enrollment records.

Free/Reduced-price/Denied meal applicants fall into the following racial or ethnic identities: (indicate the actual number of students in each category rather than the number of applications):

Ethnic Identity:

Hispanic or Latino	Not Hispanic or Latino
--------------------	------------------------

Racial Identity (select one or more, as needed):

Asian	American Indian or Alaska Native	Black or African American
Native Hawaiian or Other Pacific Islander	White	Other

Person completing this form	Date
-----------------------------	------

Sponsor compliance with the Civil Rights Act will be checked during State Agency reviews. The following areas will be checked:

1. data collection procedure for free and reduced-price meals
2. whether denied applications are disproportionately composed of minority applications
3. whether there is a need for bilingual materials
4. whether a civil rights poster is displayed
5. whether program materials contain the nondiscrimination statement
6. whether admission procedures are restrictive
7. whether meals are served without regard to race, color, national origin, age, sex, or disability
8. whether procedure is used to determine and process civil rights complaints



A check will also be made to ensure information is provided to the public upon request.

The information on the complaint must include the agency or individual toward which the complaint is directed and an indication of what the possible violation is. The complaints may be anonymous. If possible, try to get the name, address, and phone number of complainant; the specified location and name of the entity delivering the program services; names, titles, and addresses of any people who may have knowledge of the action; and date or dates the action occurred.

For sponsors, civil rights compliance includes determining the minority makeup of the applicants. This must be done for all applications whether free, reduced-price, or denied.

Distributing program information through brochures, public service announcements on radio or television or advertisements in the local newspapers are ways to ensure that the minority population is being served.

COLLECTION AND USE OF DATA



for beneficiaries
compared to
of total enrollees



How to collect racial and ethnic data?



SELF-IDENTIFICATION & SELF-REPORTING

- Free and Reduced meal applications
- Registration databases
- School enrollment information
- State census data

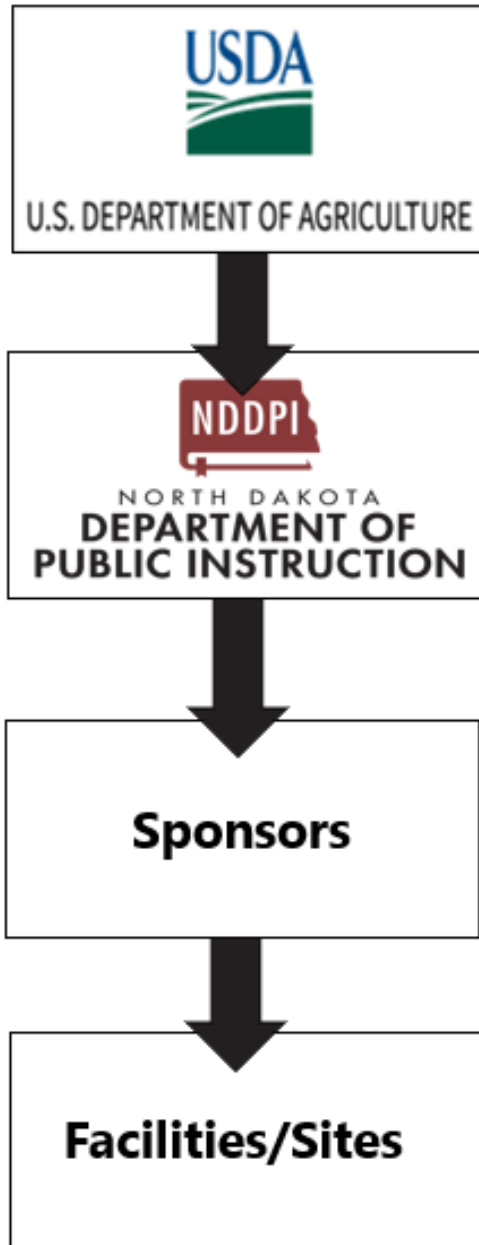


Ethnicity

- Hispanic or Latino
- Not Hispanic or Latino

Race

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or other Pacific Islander
- White



COMPLIANCE REVIEW TECHNIQUES

Administrative Review Checklist:

- ☐ Nondiscrimination statement
- ☐ And Justice for All poster
- ☐ Complaint Procedures
- ☐ Racial and Ethnic data
- ☐ Program information available/LEP needs
- ☐ Modifications for persons with disabilities



RESOLUTION of NONCOMPLIANCE

Breakfast		Lunch	
Yes	No	Yes	No

2. **Civil Rights:** Is the most recent 'And Justice for All' poster visible in a public location?
- Do program materials, including the district website, include the most current USDA nondiscrimination statement?
- Have site staff completed Civil Rights training for the Child Nutrition programs this year? Date: _____
- Were all meals served regardless of race, color, national origin, sex, age, disability, or reprisal?
- Do Limited English Proficient families have access to translated Program documents, including meal applications?
- For meal modifications that fall outside of the meal pattern due to a food intolerance or disability, is a signed medical statement on file?
- | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|
| ☐ | ☐ | ☐ | ☐ |
| ☐ | ☐ | ☐ | ☐ |
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| ☐ | ☐ | ☐ | ☐ |
| ☐ | ☐ | ☐ | ☐ |
| ☐ | ☐ | ☐ | ☐ |

General Observable Areas Corrective Action Plan: *For any "No" answers from above, identify how the area will be brought into compliance.*

Date Corrective Action(s) will be implemented by: and by whom:	Follow-up Visit Date: <i>(Must be within 45 days if corrective action is required.)</i>	Was corrective action implemented and successful in resolving identified issues?	Breakfast			Lunch		
			Yes	No	N/A	Yes	No	N/A

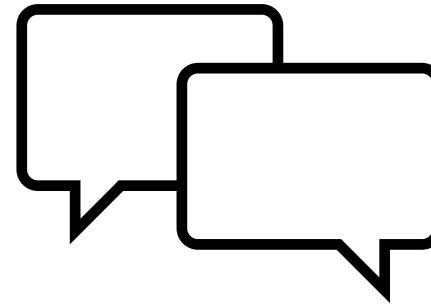
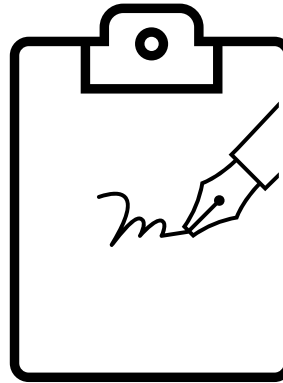
**180
days**

to file the complaint

**3
business
days**

to submit a received
complaint

COMPLAINT PROCEDURES

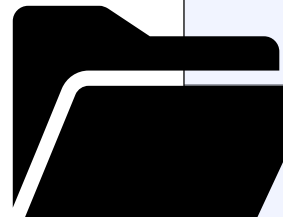


- 1) Provide a copy of the Nondiscrimination Statement
- 2) Help document the complaint if needed
- 3) Submit the complaint to NDDPI-CNFD or USDA if it is left with you



What to include:

- Name and contact information of the person making the complaint
- Name and location of the sponsor
- Name of people involved
- Date & time or duration
- Description of what happened
- Basis of discrimination



U.S. Department of Agriculture USDA Program Discrimination Complaint Form

Complainant Information		
First name	Middle Initial	Last Name
Mailing Address (Include Full City, State and Zip Code)		
Primary Phone Number	Alternate Phone Number	Email
Best way to reach you: ☐ Mail ☐ Phone ☐ Email ☐ Other		
If you have difficulty understanding the English language, you may request language assistance services by calling 866-632-9992. Assistance will be available for individuals who are not proficient in English. Persons with disabilities who require alternative means of communication (e.g., braille, large print, American Sign Language) should contact the responsible State or local Agency that administers the program or contact the United States Department of Agriculture (USDA) through the Federal Telecommunications Relay Service at 711 (voice TTY).		
Representative Information		
Do you have a representative? ☐ Yes ☐ No		Do you have written authorization from representative? If so, please attach. ☐ Yes ☐ No
First name		Last Name
Mailing address (Include Full City, State and Zip Code)		
Phone		Email
Complaint Information (attach additional pages and supporting documentation as needed)		
1. Provide the name of the program you applied for (if known/applicable).		
2. Select the USDA agency that conducts the program or provides Federal financial assistance for the program. ☐ Agricultural Marketing Service, AMS ☐ Foreign Agricultural Service, FAS/Trade and Foreign Agricultural Affairs, TFAA ☐ Food and Nutrition Service, FNS ☐ Forest Service, FS ☐ Farm Service Agency, FSA ☐ National Institute of Food and Agriculture, NIFA ☐ Natural Resources Conservation Service, NRCS ☐ Rural Development, RD ☐ Other ☐ Unknown		
3. Date of recent alleged discrimination (mm/dd/yyyy)		4. Location and/or address of the office where discrimination occurred
5. Do you believe discriminated against you? Include the name(s) of person(s) involved in the alleged discrimination (if known).		

De-escalation Techniques

Active listening

Showing empathy

"I" statements

Stick to the Facts

Manage
emotions

Ask for
suggestions

Solution-focused

CONFLICT RESOLUTION

***Prevention
is Key!***



- Assess the serving line, cafeteria, or application process
- Collaborate on a solution
- Follow-up



CUSTOMER SERVICE

- Respectful
- Helpful
- Enthusiastic
- Proactive
- Accommodating
- Responsive





School Year

[†]The Initial Food Safety and Sanitation training is a pre-requisite for Food Service Directors, Kitchen Site Managers and lead food service workers. These hours do not count towards annual Professional Development hours but still need to be documented..

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- 2.Fax:** (202) 690-7442; or
- 3.Email:** program.intake@usda.gov

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