Civil Rights
Your Responsibilities in the School Nutrition Programs

October 2014

Civil Rights Requirements

The USDA requires that all staff who work with program applicants or participants receive annual Civil Rights training. This includes front line staff, supervisors, determining officials and verifying officials.

Federal legislation establishes regulations and requirements for recipients of federal funds to prohibit discrimination and ensure equal access to all programs and activities of the recipients.

Based on these requirements the U.S. Department of Agriculture prohibits discrimination in Child Nutrition Programs on the basis of race, color, national origin, age, disability and sex.

Goals of Civil Rights

• To eliminate barriers that prevent or deter people from receiving benefits of a government sponsored/funded program.
• To provide equal treatment in the delivery of programs and services to all applicants, participants and beneficiaries of a federal program.
• To ensure that all applicants and participants understand their rights and responsibilities.
• To show respect and dignity to all.

Child Nutrition Program Requirements

1. Public Notification
2. Limited English Proficiency
3. Data Collection and Reporting
4. Civil Rights Training

1. Public Notification

Schools must notify the public of their participation in the School Nutrition Programs.

Notification to applicants and participants must include:
• program availability
• program rights and responsibilities
• the policy of nondiscrimination
• the procedure for filing a complaint

REMEMBER: Include the required nondiscrimination statement on all informational releases.

Nondiscrimination Statement

All informational materials, including Web sites, used by sponsors to inform the public about the School Nutrition Programs must contain this nondiscrimination statement:

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis 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 if 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.)
Nondiscrimination Statement

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.

Methods of Public Notification

Prominent display of USDA “And Justice for All” 11 x 17 sized Posters (REQUIRED);

Note: If the only location in which the children will receive meals is in the classroom, the “And Justice for All Poster” must be in each classroom. However, if the school or site provides meals (i.e., breakfast, snack or milk) in the classroom and lunch or other meals in the cafeteria, the school or site would only be required to display the poster in the cafeteria.

Methods of Public Notification

Inform parents, parents of potential participants and local grassroots & minority organizations of the program and significant changes. (newspaper, radio, internet, letters, flyers, etc.);

Provide appropriate information in alternate forms in appropriate translations as needed, and in appropriate formats for persons with disabilities; and

Convey the message of equal opportunity in all photographs and graphics on program information.

2. Limited English Proficiency

Local agencies that fail to provide services to persons with Limited English Proficiency (LEP) may be discriminating on the basis of national origin.

• Agencies are required to take “reasonable steps” to assure meaningful access to services.

• What constitutes “reasonable steps” is contingent on a number of factors: the number of LEP persons served; the frequency LEP persons come in contact with services; the nature and importance the services; and the resources available to recipients and costs.

• Providing appropriate translations of income eligibility applications and parent letters.

3. Data Collection and Reporting

• Develop a method for data collection on the racial/ethnic breakdown of potential participants (free and reduced applications or data collected by school officials)

• Maintain data information on file for 3 years

• Establish procedures to ensure that the information is made available only to authorized State and Federal personnel as requested, or as part of Office of Management and Budget approved surveys

4. Race and Ethnic Categories

Separate categories shall be used to collect and report ethnicity and race:

   Ethnicity:
   1. Hispanic or Latino. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
   2. Not Hispanic or Latino

   Race:
   1. American Indian or Alaskan Native
   2. Asian
   3. Black or African American
   4. Native Hawaiian or Other Pacific Islander
   5. White
Remember

The USDA requires that all staff who work with program applicants or participants receive annual Civil Rights training.

This includes front line staff, supervisors, determining officials and verifying officials. This PowerPoint presentation is available on the CSDE Web site for your use in providing staff training: