

Civil Rights Requirements

Child and Adult Care Food Program

SD Department of Education
Child and Adult Nutrition Services

Protected Classes in the CACFP

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



Definitions

What Do They Mean by That



Definition – Applicant

- * Person
 - * Applies
 - * Writing
 - * Electronically
 - * Verbally
 - * Representative



Definition – Discrimination

- * Distinguishing From Others
 - * Person
 - * Group
 - * Intentionally
 - * Neglect
 - * Effect of Actions
 - * Lack of Actions
- * Based on Protected Class



Definition – Grassroots Organization

- * Organization
 - * Local Level
 - * Interacts Directly
 - * Potential Participants,
 - * Such as:
 - * Advocacy Organization
 - * Community Action Program
 - * Civic Organization
 - * Migrant Group
 - * Religious Organization
 - * Neighborhood Council



Definition – Noncompliance

- * Finding
 - * Requirement Not Satisfied
 - * Civil Rights Requirements
 - * Regulations
 - * FNS 113 Instruction
 - * Policies
 - * Guidelines
 - * State Agency
 - * Local Agency
 - * Sub Recipient



Definition – Participants

- * Individuals Who Receive Any of the Following from FNS Programs :
 - * Assistance
 - * Services
 - * Benefits



Definition – Pre-Approval/Pre-Award Compliance Review

- * Desk or On-site
- * Civil Rights Information
 - * Submitted
 - * Application
 - * Federal Financial Assistance



Equal Opportunities

- * Faith Based
 - * Independence
 - * Mission
 - * USDA Funds Not Used:
 - * Worship
 - * Religious Instruction
 - * Proselytize (Convert)
 - * May Keep:
 - * Religious Art, Icons, Scriptures, Etc.
 - * Community Based



Public Notification

- * Three Basic Elements
 - * Program Availability
 - * Complaint Information
 - * Nondiscrimination Statement



Nondiscrimination 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.asc.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.

Public Notification

- * Methods
 - * "And Justice for All" – Not Required for DCH Providers
- * Inform
 - * Potentially Eligible
 - * Participants
 - * Applicants
 - * Grassroots Organizations
- * Provide Information
 - * Persons with Disabilities
- * Include Nondiscrimination Statement
 - * Full vs. Abbreviated
 - * Websites
 - * Posters
 - * Information Materials Provided to the Public
- * Equal Opportunity Photos and Graphics



Data Collection and Reporting

- * Area Data
- * Participant Data
 - * Cannot Require Self-Identification
 - * Visual – inform applicant
 - * May not change/challenge
- * Each Service Point
- * Maintain
 - * Time
 - * Safeguards



Compliance Reviews

- * State Agency
 - * Determine Compliance
 - * Prior to approval
 - * During all CACFP reviews



Procedures for Handling Complaints

- * Discrimination complaints
 - * Protected Classes
 - * Written/Verbal
 - * Processed within time frames
 - * Must provide
 - * Nondiscrimination statement
 - * Procedures for filing complaint



Record Keeping

- * Save **ALL** Civil Rights Records
 - * Data Collection
 - * Complaints
 - * 3 Previous Years Plus the Current Year
