

CIVIL RIGHTS TRAINING – ACTIVITY 1

ANSWER KEY

CIVIL RIGHTS TRAINING

Local agencies are responsible for training their subrecipients, including “frontline staff.” “Frontline staff” who interact with program applicants or participants, and those persons who supervise “frontline staff”, must be provided civil rights training on an annual basis. Specific subject matter must include, but not be limited to:

- A. Collection and use of data
- B. Effective public notification systems
- C. Complaint procedures
- D. Compliance review techniques
- E. Resolution of noncompliance
- F. Requirements for reasonable accommodations for persons with disabilities
- G. Requirements for language assistance
- H. Conflict resolution
- I. Customer service

CIVIL RIGHTS TRAINING – ACTIVITY 2

ANSWER KEY

USDA NONDISCRIMINATION STATEMENT

*In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on **race, color, national origin, sex, disability, age,** or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.*

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 Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, 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, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

A civil rights complaint is a verbal or written allegation of discrimination that an FNS program is administered or operated in a manner that results in disparate treatment or services being provided to persons or groups of persons because of their protected class.

Protected classes applicable to the Child Nutrition Programs:

1. race
2. color
3. national origin
4. sex
5. disability
6. age

CIVIL RIGHTS TRAINING - ACTIVITY 3

ANSWER KEY

A. DATA COLLECTION AND REPORTING

- Child Nutrition Programs (CNP) is required to obtain data by race and ethnicity on applicants and participants in their program service area.
- This requirement is met through the collection of **(2)enrollment applications** and information provided on the Civil Rights **(21)data collection form** submitted during the program application and renewal process.

B. PUBLIC NOTIFICATION SYSTEMS

- Program availability – CNPs that distribute program benefits and services must take specific action to inform applicants and participants of their program rights and responsibilities and the steps necessary for participation by:
 - Prominently displaying the USDA **(10)nondiscrimination** poster; and
 - Providing a **(5)public release** to inform potentially eligible persons of program eligibility, benefits and services, the location of local facilities or service delivery points, and hours of service.
- Nondiscrimination statement – all information materials and sources used to inform the public about CNPs must contain a nondiscrimination statement. **(19)websites** must contain the nondiscrimination statement, or a link to it, on the home page of the program information.

If material is too small to permit the full statement, you may at a minimum include the statement, in print size no smaller than the text:

“This institution is an equal opportunity provider.”

C. COMPLAINT PROCEDURES

- Complaint Information – Applicants and participants must be advised at the service delivery point of:
 - *Their right to file a complaint* – any person has the right to file a **(23)discrimination** complaint. A civil rights complaint must be based on one of the following; race, color, national origin, sex, age or disability. The complainant must be advised of confidentiality and Privacy Act applications.
 - *How to file a complaint* – verbal or written complaints must contain:
 1. **(8)Contact information** (Name, address, and telephone number) or other means of contacting the person alleging discrimination
 2. The **(14)location** and name of the organization or office that is accused of the discriminatory practices
 3. The **(20)nature** of the incident or action or the aspect of program administration that led the person to allege discrimination
 4. The **(24)basis** for the alleged discrimination (race, color, national origin, sex, age, or disability)

- *Complaint procedures* - complainant must file complaint within **(11)180** days from the act of discrimination. If a complainant makes a verbal complaint or refuses to place allegations in writing, the person to whom the allegations are made must write up the elements of the complaint for the complainant.
- If a participating entity receives a complaint of discrimination, the person alleging the complaint must be provided with the nondiscrimination statement and a copy of the **(6)procedure** for complaints of discrimination.
- Complaints should be forwarded promptly to the State Agency or directly to USDA using the address in the nondiscrimination statement.
- All written or verbal complaints alleging discrimination on the basis of race, color, national origin, age, sex, or disability, must be processed within **(9)90** days of receipt.

D. COMPLIANCE REVIEW TECHNIQUES

- Pre-award: A CNP's review of CR procedures to determine compliance prior to receipt of **(13)federal funds**.
- Post-award: A CNP's routine review which includes an evaluation of CR compliance.
- Special: A Federal review conducted when CR concerns having a direct effect on the delivery of CNP **(4)services or benefits** have been identified.

E. RESOLUTION OF NONCOMPLIANCE

- Once noncompliance is determined, steps must be taken immediately to obtain **(16)voluntary** compliance.
- The effective date of the finding of noncompliance is the date of the **(7)written** notice of noncompliance to the State Agency, local agency, or other subrecipient.
- The State Agency must provide immediate written notice to the local agency or other subrecipient indicating the area of noncompliance and the action required to correct the situation.
- Corrective action must be completed within **(17)60** days of the finding.
- Failure or refusal can result in loss of federal assistance from all federal sources.

F. REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

- In order to provide an **(25)equal opportunity** for program participation CNPs must make reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant/employee who has a disability unless the accommodation would impose an undue hardship on the operation of the program.
- **(12)Auxiliary aides and services** may include but are not limited to; providing qualified interpreters, taped text, braille, removing physical barriers, and accommodating service animals.

G. LANGUAGE ASSISTANCE

- Generally service must be provided, but there is flexibility in how it is provided.
- How it is provided may be determined by:
 - An **(18)assessment of needs**.
 - Number or proportion of LEP persons served or encountered in the eligible population.
 - Frequency with which LEP individuals come in contact with the program.
 - Nature and importance of the program, activity, or service provided by the program.
 - Resources available to the recipient and costs.
- In general, each certification office that provides service to an area containing approximately 100 single-language minority low-income households must routinely provide both **(3)bilingual** certification materials and bilingual staff or interpreters.
- **(1)Certification materials** include the application form, change report forms, (i.e., monthly, quarterly, or change reports) and notices to the household.

H. CONFLICT RESOLUTION

- USDA encourages the **(22)resolution of complaints** at the lowest possible level and as quickly as possible.
- Create a written code of conduct and post it with your policy for dealing with unacceptable behavior and conflict.
- Use alternative dispute resolution (ADR) techniques.

I. CUSTOMER SERVICE

- Live by the platinum rule “treat others the way *they* want to be treated”.
- Good customer service will help reduce or eliminate complaints of discrimination.
- All **(15)participants** must be treated in the same manner.

Word Bank

1. certification materials
2. enrollment applications
3. bilingual
4. services or benefits
5. public release
6. procedure
7. written
8. contact information
9. 90
10. nondiscrimination
11. 180
12. auxiliary aides and services
13. federal funds
14. location
15. participants
16. voluntary
17. 60
18. assessment of needs
19. websites
20. nature
21. data collection form
22. resolution of complaints
23. discrimination
24. basis
25. equal opportunity