

Topic: Civil Rights

Overview

Civil Rights regulations are intended to assure that benefits of Child Nutrition Programs are made available to all eligible people in a nondiscriminatory manner. Sponsors participating in USDA Child Nutrition programs are required to administer program services and benefits in accordance with all civil rights laws, regulations, instructions, policies, and guidance related to nondiscrimination.

Requirements

- ✓ Provide all eligible participants the benefits of child nutrition programs in a nondiscriminatory manner.
- ✓ Maintain a public notification system that notifies applicants, participants, and potentially eligible persons about program benefits and availability, program rights and responsibilities, the policy of nondiscrimination, and the procedure for filing a complaint.
- ✓ Take reasonable steps to ensure program access and benefits to individuals with limited English proficiency (LEP).
- ✓ Provide and document annual civil rights training for any staff, including supervisors who interact with program applicants or participants.
- ✓ Have and follow a written procedure for handling civil rights complaints.
- ✓ Have a civil rights binder at each site that includes a log of submitted complaints a civil rights complaint procedure as well as the civil rights complaint form.
- ✓ Complainants must file their complaint within 180 of the concern.
- ✓ Sponsors must notify ODE CNP within three business days of complaint receipt.
- ✓ Display the “And Justice for All” poster in a visible location where program benefits are available.
- ✓ If the classroom is the only location where children receive meals (breakfast, lunch, snack, or milk), the “And Justice for All” posters must be displayed in each classroom. If the school or site provides meals (breakfast, snack, or milk) in the classroom and lunch or other meals in the cafeteria, the school or site is only required to display the poster in the cafeteria.
- ✓ The nondiscrimination statement must be posted, in full, on all materials regarding such programs that are produced for public information, public education, or public distribution. This includes, but is not limited to, application forms, notification letters and sponsor webpages. **The authorized nondiscrimination statement cannot be modified.**
- ✓ The nondiscrimination statement is not required to be included on every page of the program information website. At the minimum, the full nondiscrimination statement, or a direct link to the USDA nondiscrimination statement, must be included on the home page of the program information.
- ✓ CACFP and SFSP sponsor only are required to collect racial and ethnic data on their participants.

Short Version of the USDA Nondiscrimination Statement

If the material is too small to permit the full statement to be included, the material must include, at a minimum, the statement “This institution is an equal opportunity provider.” In print no smaller than the material text.

Full USDA Nondiscrimination Statement

In accordance with federal civil rights 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 (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g. Braille, large print, audiotape, 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.usda.gov/sites/default/files/documents/ad-3027.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:

1. Mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. Fax: (833) 256-1665 or (202) 690-7442; or
3. Email: program.intake@usda.gov.

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Staff Civil Rights Training

Sponsors must document staff attendance at training and training topics. Training must be conducted annually and include:

- Collection and use of racial and ethnicity data
- Effective public notification systems
- Civil Rights complaint procedures
- Civil Rights compliance review techniques
- Resolution of non-compliance
- Requirements for reasonable accommodation of persons with disabilities
- Requirements for language assistance
- Conflict resolution
- Customer service

Additional Information

Meal accommodations for disabilities fall under civil rights requirements. Any complaints related to meal accommodations for disabilities should be processed as a civil rights complaint.

Helpful Resources

- ✓ [USDA “And Justice for All” Poster](#)
- ✓ [USDA Discrimination Complaint Form](#)
- ✓ [ODE CNP Civil Rights webpage](#)
- ✓ View available trainings on this topic for [CACFP sponsors](#)
- ✓ View available trainings on this topic for [SNP sponsors](#)
- ✓ View available trainings on this topic for [SFSP sponsors](#)

Regulatory Reference

- ✓ [USDA Office of Civil Rights](#)
- ✓ [FNS Instruction 113](#)

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Acronym Reference and Definitions

-CACFP	Child and Adult Care Food Program
-FNS	Food and Nutrition Services
-ODE CNP	Oregon Department Education Child Nutrition Program
-SFSP	Summer Food Service Program
-USDA	United States Department of Agriculture

The Washington Office of Superintendent of Public Instruction created this document. The Oregon Department of Education modified the document to apply to Oregon.