

# Louisiana Believes

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## Civil Rights

# Purpose

- To **establish** and **convey policy** and **provide guidance** and **direction** to the United States Department of Agriculture, Food and Nutrition Service and its recipients and customers.
- To **ensure compliance** with and **enforcement** of the **prohibition** against **discrimination** in all Food and Nutrition Service nutrition programs and activities, whether federally funded or not.

# Annual Training Requirements

- **Collection and use of data**
- **Effective public notification systems**
- **Complaint procedures**
- **Compliance review techniques**
- **Resolution of noncompliance**
- **Requirements for reasonable accommodation of persons with disabilities**
- **Requirements for language assistance**
- **Conflict resolution**
- **Customer service**

# What is Discrimination

A person can allege that discrimination has occurred because they feel that they were:

**Denied** benefits or services that others receive

**Delayed** in receiving benefits or services that others receive

Treated **Differently** than others to their disadvantage

Given **Disparate** treatment

# What is Discrimination

- **Refusing** enrollment based on disability
- Failure to provide **reasonable accommodation**
- Serving meals at a **time, place, or in a manner** that is discriminatory
- Failing to provide **non English** materials

# Data Collection

Sponsors must obtain data race & ethnic data annually

Self-reporting is preferred

## **Racial Categories**

Black/African American

Asian

American Indian/Alaska Native

White

Native Hawaiian/Pacific Islander

## **Ethnic Categories**

Hispanic/Latino

Not Hispanic/Latino

# Public Notification

- **Inform** potentially eligible applicants **about the program (outreach)**
- Provide **information in alternative formats** available for those with disabilities, i.e. braille
- **Include non discrimination statement on all** informational material provided to the public
- Convey **equal opportunity message in all pictures** that are used to provide program information
- **Prominently display the “And Justice for All” poster**



# Nondiscrimination Statement (Long)

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](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](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

# Short Statement

**USDA is an equal opportunity provider and employer.**

May be used on documents that are only one page or sheet of paper in length.

# Complaint Procedure

## Right to File

A person alleging discrimination based on a protected class has the right to **file a complaint** within **180 days** of the discriminatory action.

## Acceptance

All complaints, written or verbal, must be forwarded to the State Agency within **3 days**. Anonymous complaints will be handled as any other complaints.

# Complaint Procedure

## **Verbal**

If a person makes a verbal complaint via phone or in person and refuses or is not inclined to place allegations in writing, the person to whom the allegations are made must write up the complaint, making an attempt to collect specific information.

# Complaint Documentation

Sponsors must keep civil rights documentation

- Written civil rights complaint procedure
- Annually dated civil rights complaint log, even when no complaints are received/documented
- Copies of civil rights complaint form
- Complaint forms must be available at all Child Nutrition Program sites.

**Information must be annually updated and maintained for 3 years plus the current year.**

# Compliance Review Techniques

- New SFAs must receive a pre-approval visit for Civil Rights compliance determination before receiving funds
- State agency must report any significant finding(s) to the regional USDA office
- If State agency reports a finding, corrective action will be put in place until noncompliance is resolved
- All reports must be maintained as part of records for future review

# Accommodations for persons with disabilities

- When a program participant has a diagnosed disability that restricts their diet, the institution must provide the prescribed food substitutions or modifications at no charge.
- Requires a Medical Note from a licensed physician.

# Language Assistance

- Failing to provide services to Limited English Proficiency (LEP) potentially eligible persons, may be discrimination.
- Take reasonable steps to assure “meaningful” access.

# Conflict Resolution & Customer Service

Discrimination vs. poorly handled conflict

Good customer service decreases the likelihood of complaints.

# Civil Rights Training

- ✓ **Yearly**
- ✓ **All Staff**
- ✓ **Document:**
  - Who is in attendance
  - Date of Training
  - Training Topics
- ✓ **Training is available on the CNP website**

# Questions