



# Civil Rights Training for USDA Food Nutrition and Distribution Programs



# Why Do Civil Rights Matter?



We care.



Walk with people during this time.



It's the law, and it is the right thing to do.

# Civil Rights Goals

- Equal treatment for applicants and beneficiaries.
- Knowledge of rights and responsibilities.
- Elimination of illegal barriers.
- Dignity and respect for all.



# What is Discrimination?



Discrimination is the different treatment of one person or group from others by actions or lack of actions based on a protected class.

<https://www.doi.gov/employees/anti-harassment/definitions>

# What is a Protected Class?

USDA Food Nutrition and Distribution Programs  
prohibit discrimination for these protected classes

Race

Color

National Origin  
(includes  
limited English  
proficiency)

Disability

Age

Gender identity  
& sexual  
orientation

Filed a  
complaint  
previously

Religion

# Discussion

Consider the following. . .

**The protected classes for USDA Food Nutrition and Distribution Programs include any person or group of people who are protected from discrimination based on which of the following:**

- A) Sex**
- B) Age**
- C) Gender**
- D) Race**
- E) Disability**
- F) National Origin**
- G) All of the above**

# Civil Rights Compliance Essentials



- ✓ Public notice of program availability and eligibility.
- ✓ Requirements for language assistance.
- ✓ Reasonable accommodations.
- ✓ Civil Rights training for serving customers.
- ✓ Conflict resolution methods and skills.

# Civil Rights Public Information Requirements



Provide program information to the public.



Display “And Justice for All” poster in visible, customer location.



Provide USDA non-discrimination statement on program webpage, in public information, application forms, and program literature.

# Required “And Justice For All” Poster

In accordance with Federal 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), age, disability, and 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 for program information (e.g., Braille, large print, audiotape, and 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:

mail:  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or  
fax:  
(833) 256-1665 or (202) 690-7442; or  
email:  
[program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

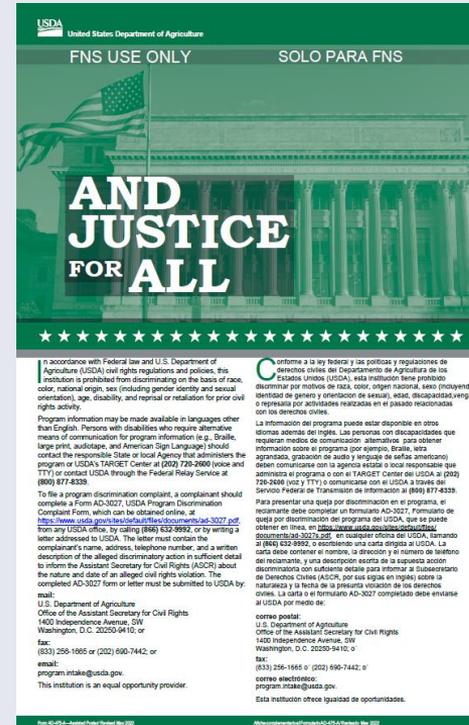
Conforme a la ley federal y las políticas y regulaciones de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta institución tiene prohibido discriminar por motivos de raza, color, origen nacional, sexo (incluyendo identidad de género y orientación de sexual), edad, discapacidad, venganza o represalia por actividades realizadas en el pasado relacionadas con los derechos civiles.

La información del programa puede estar disponible en otros idiomas además del inglés. Las personas con discapacidades que requieren medios de comunicación alternativos para obtener información sobre el programa (por ejemplo, Braille, letra agrandada, grabación de audio y lenguaje de señas americano) deben comunicarse con la agencia estatal o local responsable que administra el programa o con el TARGET Center del USDA al (202) 720-2600 (voz y TTY) o comunicarse con el USDA a través del Servicio Federal de Transmisión de Información al (800) 877-8339.

Para presentar una queja por discriminación en el programa, el reclamante debe completar un formulario AD-3027, Formulario de queja por discriminación del programa del USDA, que se puede obtener en línea, en <https://www.usda.gov/sites/default/files/documents/ad-3027s.pdf>, en cualquier oficina del USDA, llamando al (866) 632-9992, o escribiendo una carta dirigida al USDA. La carta debe contener el nombre, la dirección y el número de teléfono del reclamante, y una descripción escrita de la supuesta acción discriminatoria con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR, por sus siglas en inglés) sobre la naturaleza y la fecha de la presunta violación de los derechos civiles. La carta o el formulario AD-3027 completado debe enviarse al USDA por medio de:

correo postal:  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; o  
fax:  
(833) 256-1665 o (202) 690-7442; o  
correo electrónico:  
[program.intake@usda.gov](mailto:program.intake@usda.gov).

Esta institución ofrece igualdad de oportunidades.



# Program Information

- Make program information available to public.
- Inform potentially eligible person, applicants and participants of:
  - Program rights and steps for participation.
  - Changes in programs.



# 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, audiotope, 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:

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- 3. email:**  
[Program.Intake@usda.gov](mailto:Program.Intake@usda.gov)

This institution is an equal opportunity provider.

It is important to convey a message of equal opportunity in **all** materials used to provide program information:

- Webpage
- Program literature
- Eligibility form

# Discussion

Consider the following. . .

**The pantry distribution site must display the “And Justice for All” poster in a publicly visible location.**

**True**

**False**

# Limited English Proficiency



- Required for participants when English is not primary language.
- Language assistance must be accurate, timely, effective.
- No cost to the limited English proficient person.

# Language Assistance Serving Limited English Proficiency Households



Bilingual volunteers.

Public service interpreter.

Language line or use app.

# Reasonable Accommodation

- Make “reasonable modifications” to accommodate people with disabilities.
- Disabilities can be physical or mental.



# Right to File a Complaint



- Can be filed verbally or in writing; anonymous or not.
- Complaints can be made within 180 days of the alleged discriminatory action.
- Should notify local DHS USDA Food Nutrition and Distribution program coordinator.
- Can refer complaints directly to U.S. Dept of Agriculture (USDA) using online form.

# Racial and Ethnic Data Collection



- **TEFAP has no ethnic or racial data collection requirement.**
- CSFP has an annual ethnic/racial data collection requirement.
- By collecting racial and ethnic data we can help ensure that everyone in our community is being served.
- First and foremost, any and all information collected from applicants and participants must be kept secure and confidential.

# Race and Ethnicity Data Collection

- For CSFP, the annual report is the FNS-191, this data is used in conjunction with the April distribution.
- The Wisconsin Department of Health Services, provides separate, specific guidance for this reporting.
- Agencies must collect ethnic and racial data on the CSFP application.
- When collecting this data participants should be asked to self-identify.
- If a participant refuses to provide data, you must tell him/her/them that the information will be collected based on your own visual identification.

# Compliance Reviews



- Civil Rights compliance reviews are part of the regularly scheduled WI DHS agency review process.
- The USDA and WI DHS may review an agency at anytime due to complaints, consistent errors in reporting, or other factors deemed appropriate.
- Agencies must self-monitor each distribution site and include Civil Rights compliance.

# Resolution of Non-Compliance



- When there are areas of Civil Rights non-compliance, corrective action will be issued by the reviewer.
- Agencies with findings as a result of a compliance review will be required to cease inappropriate action and institute correct procedures.
- Action plans and written assurance are common documentation that the agency is now in compliance.
- It may be necessary for a follow up review if the agency has several findings.

# Civil Rights Training for Personnel

- Training should be provided if staff have direct contact with USDA Food and Nutrition program applicants/participants.
- Training required for new staff; then annually.
- This presentation meets volunteer training requirement.
- Maintain record of presentation dates, participants.



# Each time you interact with participants:

## *Ask yourself, am I...*



- Treating people, the way I want to be treated?
- Treating the same way, I treat other people?
- Explaining rules, policies, expectations.

# Scenarios

What would you do?

**A participant tries to speak with a volunteer at a distribution site in a language other than English, but the volunteer cannot understand the participant. The participant leaves without being served.**

**How should this situation have been handled?**

**A person in a wheelchair complains that the site where he was told to pick up his food package is not accessible because it does not have a wheelchair ramp.**

**What steps should be taken to accommodate this participant?**

**A reviewer from the State visits a distribution site and views the *And Justice for All* poster displayed in the manager's office, which is in an area that is usually off limit to program applicants and participants.**

**Is this a Civil Rights violation? Why or why not?**

# Additional Resources

Wisconsin Department of Health Services: Civil Rights Compliance.

<https://www.dhs.wisconsin.gov/civil-rights/index.htm>

U.S. Department of Agriculture, Food and Nutrition Service: Civil Rights.

[Civil Rights | Food and Nutrition Service \(usda.gov\)](#)



# Thank you for your commitment and service to your community!



This information has been provided by the Wisconsin Department of Health Services.

The Emergency Food Assistance Program (TEFAP)

[dhstefap@dhs.Wisconsin.gov](mailto:dhstefap@dhs.Wisconsin.gov)

Commodity Supplemental Food Program(CSFP)

[dhscsfpmain@dhs.Wisconsin.gov](mailto:dhscsfpmain@dhs.Wisconsin.gov)

Farmers Market Nutrition Program(FNMP)

[dhswicfmnp@wisconsin.gov](mailto:dhswicfmnp@wisconsin.gov)

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