

child care
RESOURCE CENTER

Child and Adult Care
Food Program
(CACFP)
Civil Rights Training



Agenda



PURPOSE OF CIVIL
RIGHTS TRAINING

DEFINITION OF CIVIL RIGHTS
AND DISCRIMINATION

10 AREAS OF
COMPLIANCE FOR CACFP

REVIEW



Purpose

THIS TRAINING IS FOR STAFF AT CHILD CARE PROGRAMS WHO ARE PARTICIPATING IN THE CHILD AND ADULT CARE FOOD PROGRAM (CACFP) WITH THE CCRC AS THEIR SPONSOR.

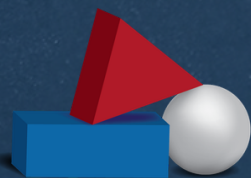
WE WILL COVER WHY CIVIL RIGHTS ARE AN IMPORTANT PART OF CACFP OPERATIONS

HOW TO IMPLEMENT CIVIL RIGHTS COMPLIANCE INTO DAILY CACFP OPERATIONS

Civil Rights Compliance

BECAUSE CACFP IS A FEDERAL
PROGRAM FUNDED BY TAX
DOLLARS, WE NEED TO MAKE
SURE THAT WE FOLLOW CIVIL
RIGHTS GUIDELINES IN CACFP
OPERATIONS

ALL PROJECTS, SERVICES OR
PROGRAMS USING TAX DOLLARS MUST
FOLLOW CIVIL RIGHTS GUIDELINES
(SNAP, MEDICARE, THE MILITARY)



What are Civil Rights?

CIVIL RIGHTS ARE:

THE “NONPOLITICAL RIGHTS OF A CITIZEN; THE RIGHTS OF PERSONAL LIBERTY GUARANTEED TO U.S. CITIZENS BY THE 13TH AND 14TH AMENDMENTS TO THE U.S. CONSTITUTION AND BY ACTS OF CONGRESS

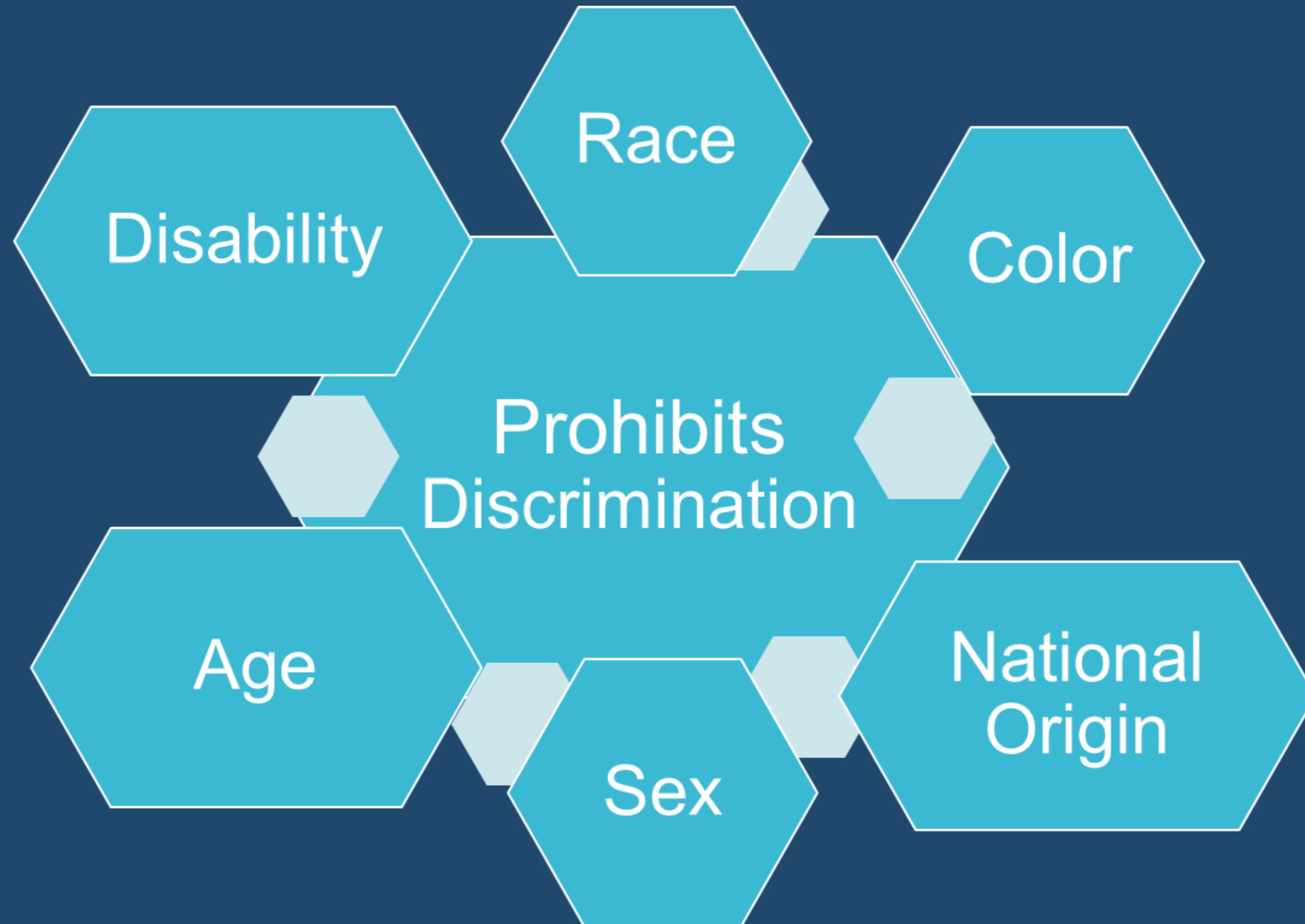
Title VI Civil Rights Act of 1964

TO ADDRESS THE SITUATION OF INEQUALITY, IN 1964, CONGRESS PASSED THE CIVIL RIGHTS ACT WHICH PROHIBITED DISCRIMINATION BASED ON RACE, COLOR AND NATIONAL ORIGIN. SINCE THEN 9 MORE ACTS AND AMENDMENTS HAVE BEEN PASSED WHICH EXTENDS THE TYPE OF GROUPS TO BE COVERED UNDER THE CIVIL RIGHTS ACT TO INCLUDE SEX, AGE, DISABILITY/LIMITED ENGLISH PROFICIENCY. WE CALL THESE TYPES OF GROUPS THE 'PROTECTED CLASSES'. THE ACTS AND AMENDMENTS THAT ADDRESS CIVIL RIGHTS INCLUDE BUT ARE NOT LIMITED TO:

- AMERICANS WITH DISABILITY ACT;
 - SECTION 504 OF THE REHABILITATION ACT OF 1973;
- AGE DISCRIMINATION ACT;
- TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 (WHICH PERTAINS TO SEX)
- USDA DEPARTMENTAL REGULATION 4330-2 PROHIBITS DISCRIMINATION IN PROGRAMS AND ACTIVITIES FUNDED IN PART OR WHOLE BY USDA.

TITLE 6 CIVIL RIGHTS ACT OF 1964

PROTECT CLASSES:





What does this mean for you?

For as long as your business, For-profit or Non-profit; public or private; large or small, participates in the CACFP, all your employees and all your customers have the right to be treated fairly, regardless of their Race, Color, National Origin, Sex, Age, Disability or Language proficiency.

Definition of Discrimination

“Different treatment that makes a distinction of one person or group of persons from others; either intentionally, by neglect, or by the actions or lack of actions from a program.”

FNS Instructions 113-1

Ten Areas of Compliance

- 1.) Assurances
- 2.) Data Collection
- 3.) Equal Opportunity
- 4.) Public Notification
- 5.) Access
- 6.) Training
- 7.) Reporting Violations
- 8.) Compliance
- 9.) Conflict Resolution
- 10.) Customer Service

1.) Assurances

- ★ ALL PARTICIPATING PROGRAMS MUST INCLUDE A WRITTEN STATEMENT IN THEIR MATERIALS THAT ASSURES THEY WILL NOT DISCRIMINATE IN ANY MANNER
- ★ NON-DISCRIMINATION STATEMENT IN HANDBOOKS
- ★ “BUILDING FOR THE FUTURE” FLYER ON PARENT BOARD
- ★ “AND JUSTICE FOR ALL” POSTER HANGING ON PARENT BOARD

1.) Assurances

All participating programs also agree to:

- Compile data
- Maintain records
- Submit reports
- Enforce all nondiscrimination laws
- Allow sponsor, state agency and/or USDA to review records and determine compliance
- Be in compliance with non-discrimination laws

2.) DATA COLLECTION



RACE AND ETHNICITY MAY BE KEPT ON FILE FOR EACH CACFP PARTICIPANT. PARENTS CAN CHOOSE TO OR NOT TO SELF IDENTIFY ON INCOME ELIGIBILITY APPLICATION

This information:

- helps you determine if your program is reaching eligible beneficiaries
- identifies areas where additional participation is needed
- ensures that discrimination is not active

2.) DATA COLLECTION

USE INCOME ELIGIBILITY APPLICATIONS (IEAS) TO COLLECT RACIAL AND ETHNIC INFORMATION IF PARENTS/GUARDIANS CHOOSE TO.

IF GIVEN BY PARENT/GUARDIAN, RACIAL AND ETHNIC INFORMATION IS STORED IN KIDKARE FOR EACH CHILD ENROLLED,

REPORTED TO CCRC (WE COLLECT FROM KIDKARE)

****DO NOT SECOND-GUESS RACIAL AND ETHNIC INFORMATION**

PARENTS PUT ON IEA. THAT IS THEIR CALL.

3.) EQUAL OPPORTUNITY

PROVIDE ALL FAMILIES THE SAME INFORMATION AND SERVICES

PROVIDE ALL CHILDREN PRESENT WITH THE SAME MEAL - IF ITS LUNCHTIME, SERVE EVERYONE LUNCH. DON'T SERVE LUNCH TO ONE GROUP AND SNACK TO ANOTHER

ALL FAMILIES RECEIVE INCOME ELIGIBILITY APPLICATIONS AND INFORMATION IS RECORDED IN KIDKARE

EQUAL OPPORTUNITY SCHOOL AGE

OFTEN WE DO NOT THINK OF PROVIDING ONE GROUP A DIFFERENT OR ADDITIONAL MEAL AS DISCRIMINATION BECAUSE ITS 'GIVING MORE'. BUT WHEN WE APPLY THE DEFINITION OF DISCRIMINATION TO THIS SITUATION

WHAT KEY WORDS DO WE FIND?

DIFFERENT TREATMENT ,DISTINCTION, ONE GROUP FROM OTHERS,
BY THE ACTIONS OF A PROGRAM

PUT ALL THESE KEY WORDS TOGETHER AND YOU GET THE DEFINITION OF DISCRIMINATION EVEN THOUGH THE INTENT WAS TO PROVIDE A BENEFIT.

CLASS PARTICIPATION

WHO IS BEING DISCRIMINATED AGAINST?

4.) PUBLIC NOTIFICATION

HOW TO DO IT:

DISPLAY "AND
JUSTICE FOR ALL"
POSTER

MEDIA RELEASE
DONE BY
CCRC

INCLUDE "BUILDING
FOR THE FUTURE" IN
ALL NEW
ENROLLMENT
PACKETS/PARENT
HANDBOOK

INCLUDE
NONDISCRIMINATION
STATEMENT IN ALL
HANDBOOKS
EMPLOYEE, PARENT

TO PROVIDE THE COMMUNITY WITH INFORMATION THAT
YOUR PROGRAM PARTICIPATES IN CACFP
TO REACH AS MANY ELIGIBLE PEOPLE AS POSSIBLE
TO ENSURE PROGRAM ACCESS

5.) REPORTING VIOLATIONS

FAMILIES, STAFF AND CHILDREN HAVE A RIGHT TO REPORT CIVIL RIGHTS VIOLATIONS. YOU MUST BE WILLING TO LISTEN TO THEIR GRIEVANCES WHEN BROUGHT TO YOUR ATTENTION. YOU SHOULD MAKE EVERY EFFORT TO RESOLVE THE GRIEVANCE.

IF YOU FEEL THE GRIEVANCE IS UNFOUNDED, CANNOT REACH RESOLUTION OR IF YOU'RE NOT SURE IF A CIVIL RIGHTS VIOLATION HAS OCCURRED, CONTACT THE CHILD CARE RESOURCE CENTER WITHIN 24 HOURS.

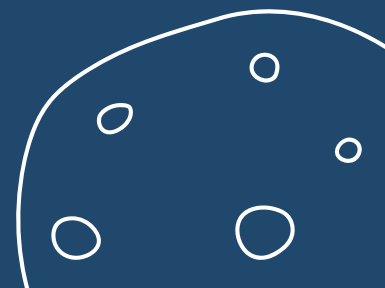
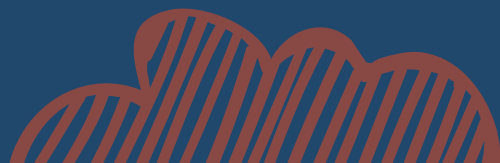
INFORM THE PARTY WHO BROUGHT THE GRIEVANCE TO YOUR ATTENTION THAT THEY HAVE 180 DAYS TO FORMALLY SUBMIT A CIVIL RIGHTS DISCRIMINATION COMPLAINT FROM THE TIME OF THE INCIDENT.

6.) Training

CIVIL RIGHTS TRAINING MUST BE COMPLETED FOR NEW STAFF WHEN THEY ARE HIRED AND THEN EVERY YEAR FOR EVERYONE AT YOUR CENTER WHO:

INTERACTS WITH FAMILIES AND PARTICIPANTS

HAS OVERSIGHT AND OR SUPERVISORY RESPONSIBILITIES



TRAINING TOPICS

THE TRAINING MUST COVER THE FOLLOWING 10 TOPICS:

TRAINING (WHAT IS REQUIRED)

ASSURANCES

DATA COLLECTION

EQUAL OPPORTUNITY

PUBLIC NOTIFICATION

ACCESS


REPORTING VIOLATIONS

COMPLIANCE

CONFLICT RESOLUTION

CUSTOMER SERVICE

7.) ACCESSIBILITY



Language	<ul style="list-style-type: none">• Translate program information
Disability	<ul style="list-style-type: none">• Make reasonable modifications
Need assistance?	<ul style="list-style-type: none">• Contact CCRC

ACCOMMODATIONS MUST BE MADE FOR GROUPS OF PERSONS WHOSE PRIMARY LANGUAGE MAY NOT BE ENGLISH. CACFP MATERIALS HAVE BEEN TRANSLATED INTO MANY LANGUAGES. CONTACT THE CCRC IF YOU NEED ASSISTANCE.

ACCESSIBILITY



Accessibility



TO STAY COMPLIANT WITH THE AMERICANS WITH DISABILITIES ACT (ADA), TITLE III:4:

–CENTERS CANNOT EXCLUDE CHILDREN WITH DISABILITIES FROM THEIR PROGRAMS UNLESS THEIR PRESENCE WOULD POSE A DIRECT THREAT TO THE HEALTH AND SAFETY OF OTHERS OR REQUIRE A FUNDAMENTAL ALTERATION OF THE PROGRAM.

–CENTERS HAVE TO MAKE A REASONABLE MODIFICATIONS TO THEIR POLICIES AND PRACTICES TO INTEGRATE CHILDREN, PARENTS AND GUARDIANS WITH DISABILITIES INTO THEIR PROGRAMS UNLESS DOING SO WOULD CONSTITUTE A FUNDAMENTAL ALTERATION.”


–CENTERS MUST PROVIDE APPROPRIATE AUXILIARY AIDS AND SERVICES NEEDED FOR EFFECTIVE COMMUNICATION WITH CHILDREN OR ADULTS WITH DISABILITIES , WHEN DOING SO WOULD NOT CONSTITUTE AN UNDUE BURDEN.

–CENTERS MUST GENERALLY MAKE THEIR FACILITIES ASSESSABLE TO PERSONS WITH DISABILITIES. EXISTING FACILITIES ARE SUBJECT TO THE READILY ACHIEVABLE STANDARD FOR BARRIER REMOVAL, WHILE NEWLY CONSTRUCTED FACILITIES AND ANY ALTERED PORTIONS OF EXISTING FACILITIES MUST BE FULLY ACCESSIBLE.

“Reasonable Modifications” for CACFP:




PARENTS MAY SUPPLY ONE MEAL COMPONENT AND YOU MAY STILL CLAIM THE MEAL. FOR EXAMPLE, IF THE FAMILY FOR RELIGIOUS, CULTURAL OR FAMILY PREFERENCE DOES NOT EAT MEAT, THEY MAY SUPPLY THE PROTEIN COMPONENT OF THE MEAL ON DAYS WHEN MENUS INCLUDE MEAT



REQUEST FOR FLUID MILK SUBSTITUTION – FAMILIES MAY NOT WANT THEIR CHILD TO BE SERVED COW’S MILK FOR RELIGIOUS, CULTURAL OR FAMILY PREFERENCE REASONS. PARENTS MAY REQUEST THEIR CHILD IS SERVED AN APPROPRIATE SUBSTITUTE MILK. SUBSTITUTE MILK MUST BE NUTRITIONALLY EQUIVALENT TO COW’S MILK



IN ALL SITUATIONS WHERE CHILD HAS A DISABILITY, WORK CLOSELY WITH FAMILY AND CHILD’S PRIMARY CARE PHYSICIAN OR THERAPIST TO ACCOMMODATE CHILD’S NEEDS.



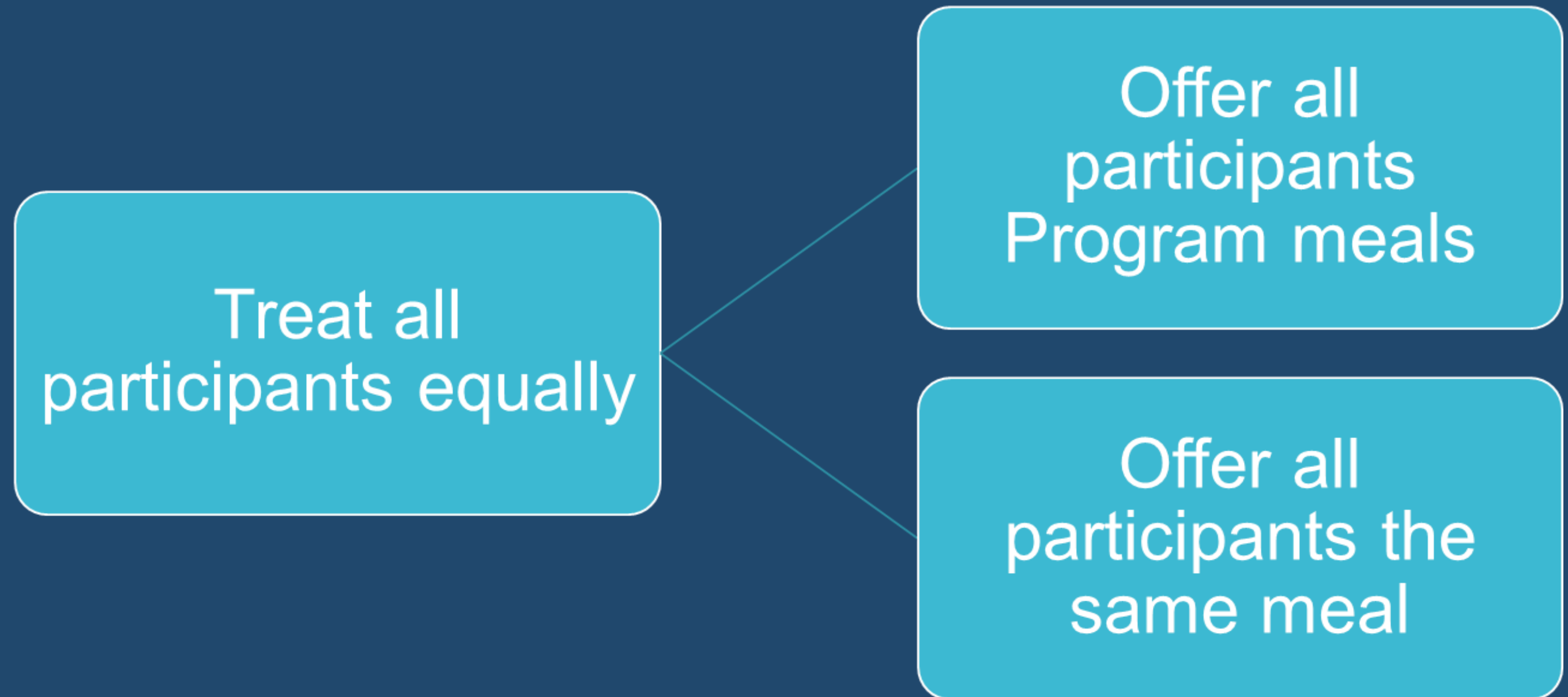
MEDICAL FORM – USED WHEN THE CHILD CANNOT BE SERVED AN ENTIRE MEAL COMPONENT, SUCH AS A TRUE MILK ALLERGY. THIS FORM IS USED TO ACCOMMODATE A CHILD’S MEDICAL NEED FOR A REVISED MENU

8.) COMPLIANCE

CIVIL RIGHTS REVIEWS ARE PART OF EVERY VISIT, AUDIT OR INSPECTION COMPLETED BY CCRC, OHIO DEPARTMENT OF EDUCATION OR USDA:

- IS "AND JUSTICE FOR ALL" DISPLAYED
- IS "BUILDING FOR THE FUTURE" DISTRIBUTED TO ALL FAMILIES
- ARE IEAS DISTRIBUTED TO ALL FAMILIES
- ARE REASONABLE ACCOMMODATIONS MADE FOR CHILDREN, STAFF AND PARENTS WITH DISABILITIES?
- ARE APPROPRIATE FOOD SUBSTITUTIONS ARE MADE FOR CHILDREN WITH DOCUMENTED MEDICAL DISABILITIES ON THE MEDICAL FORM?
- IS THE NON DISCRIMINATION STATEMENT INCLUDED IN PARENT AND STAFF HANDBOOKS?

9.) CUSTOMER SERVICE



10.) Conflict Resolution



BE OPEN TO HEAR
GRIEVANCES –
SOMETIMES JUST
LISTENING WILL
RESOLVE THE PROBLEM

TRY TO
RESOLVE
THE
COMPLAINT

CONTACT CCRC
WITHIN 24 HRS IF ISSUE
IS NOT RESOLVED

REVIEW

- CIVIL RIGHTS TRAINING IS PART OF CACFP BECAUSE CACFP USES FEDERAL FUNDS
- TRAINING MUST BE COMPLETED AT TIME OF HIRE AND EVERY YEAR FOR ALL STAFF WHO INTERACT WITH PARTICIPANTS OR HAVE SUPERVISORY RESPONSIBILITY
- CIVIL RIGHTS ARE THE “NONPOLITICAL RIGHTS OF A CITIZEN; THE RIGHTS OF PERSONAL LIBERTY”
- DISCRIMINATION MEANS DIFFERENT TREATMENT THAT MAKES A DISTINCTION OF ONE PERSON OR GROUP OF PERSONS FROM OTHERS; EITHER INTENTIONALLY, BY NEGLECT, OR BY THE ACTIONS OR LACK OF ACTIONS FROM A PROGRAM
- THERE 6 PROTECTED CLASSES THAT FORM THE BASIS OF NON DISCRIMINATION
- THERE ARE 10 AREAS OF COMPLIANCE IN CIVIL RIGHTS FOR CACFP

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/USDA-OASCR%20P-COMPLAINT-FORM-0508-0002-508-11-28-17FAX2MAIL.PDF](https://www.usda.gov/sites/default/files/documents/usda-oascr%20p-complaint-form-0508-0002-508-11-28-17fax2mail.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

THIS INSTITUTION IS AN EQUAL OPPORTUNITY PROVIDER.

05/05/2022



**Administration
& Operations**

[Click Here](#)

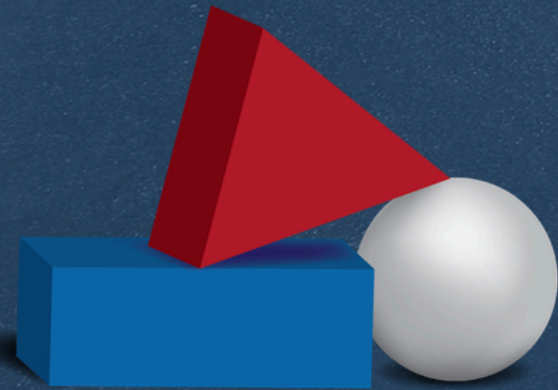
Rescinded: Updated Nondiscrimination Statement and "And Justice for All" Poster

In May 2022 the USDA released new nondiscrimination guidance and a new "And Justice for All" poster. Find details here.

 National CACFP Association / May 16, 2022

USDA PROGRAM DISCRIMINATION COMPLAINT FORM

CCRC CACFP CONTACT:



child care
RESOURCE CENTER

THIS INSTITUTION IS AN EQUAL OPPORTUNITY
PROVIDER.

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