

Civil Rights

in the
Child Care Food Program (CCFP)

Why is Civil Rights important?

Ensures equal access to the
Child Care Food Program

What is Discrimination?

The act of distinguishing one person or group of persons from others, either intentionally, by neglect, or by the effect of actions or lack of actions based on their protected classes

Six Protected Classes

- Race
- Color
- National Origin
- Age
- Sex
- Disability

Civil Rights Assurances

A civil rights assurance is incorporated in all agreements between the state agency and contractor in order to ensure that ALL children have access to the child nutrition programs.

Agreements between sponsors and their facilities also include civil rights assurances.

Public Notification System



Display in a prominent place the
“**And Justice For All**” poster

(Does not pertain to day care home providers)

Request Posters from our Tallahassee office
by calling 850.245.4323

Public Notification System

Program Availability

Inform participants and prospective participants of their program rights and responsibilities and the steps necessary for participation.

Public Notification System

Nondiscrimination Statement

Include the nondiscrimination statement on all publications, including websites, that inform the public about the CCFP.

(Examples of where the statement is found: News Release, “And Justice for All” poster, “Building for the Future” letter, any CCFP materials provided to the public)

Public Notification System

Nondiscrimination Statement

Full Nondiscrimination Statement:

In accordance with federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the state or local agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, [AD-3027](#), found online at How to File a Program Discrimination Complaint 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:

Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Mail Stop 9410, Washington, D.C. 20250-9410;

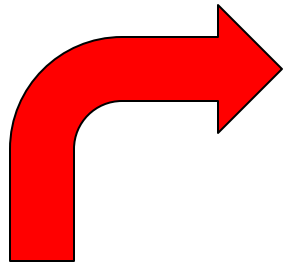
Fax: (202) 690-7442; or

Email: program.intake@usda.gov.

This institution is an equal opportunity provider.

Public Notification System

Nondiscrimination Statement



At a minimum, the nondiscrimination statement, or a link to it, must be included on the home page of the program information

Public Notification System

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Complaint Information

Participants must be advised of their rights and the complaint procedures including how to file a complaint

Handling Complaints

Right to File a Complaint:

Any person alleging discrimination based on race, color, national origin, age, sex, or disability has a right to file a complaint within 180 days of the alleged discriminatory action.

Complaints:

- Can be written or verbal
- Anonymous complaints should be handled as any other complaint
- State agencies can develop complaint forms, but the use of such forms cannot be a prerequisite for acceptance of a complaint

Handling Complaints

A complaint can be made to
any CCFP staff

All civil rights complaints must be
forwarded by CCFP staff to the
appropriate Regional or FNS Office
of Civil Rights Director

CCFP contractors must notify the state
agency of a civil rights complaint
immediately

Handling Complaints

The USDA Program Discrimination Complaint Form can be found next to this presentation on the CCFP website, or at:

https://www.ascr.usda.gov/sites/default/files/Complain_combined_6_8_12_508_0.pdf

Compliance Reviews

Civil rights compliance must be evaluated during:

- Pre-approval Reviews (Question on the pre-approval form and observation of practices)
- Post-award or Routine Compliance Reviews (Site, Sponsor and Provider Review forms)

Resolving Noncompliance

Noncompliance is a factual finding that any civil rights requirement, as provided by law, regulation, policy, instruction or guidelines, is not being adhered to by a contractor or its sponsored facilities

Noncompliance may be the result of:

- A review of civil rights compliance during routine reviews
- A special review or
- An investigation

Once noncompliance is determined, steps must be taken to immediately obtain voluntary compliance

Continued noncompliance may lead to suspension or final termination

Data Collection and Reporting

Each contractor is required to collect racial/ethnic data and maintain the data on file for three years plus the current year

This information is reported on site/provider information forms

Data Collection and Reporting

The purpose is to:

- Determine how effectively FNS programs are reaching potential eligible persons and beneficiaries
- Identify areas where additional outreach is needed
- Complete reports, as required

Language Assistance

Contractors have a responsibility to take steps to ensure meaningful access to their programs and activities by persons with Limited English Proficiency (LEP).

LEP describes individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

Some translated forms and documents are available from MIPS or the CCFP office

Reasonable accommodations for persons with disabilities

Americans with Disabilities Act – prohibits discrimination based on a disability in all services, programs, and activities provided to the public by State and local governments, except public transportation services. This means that agencies must ensure persons with disabilities have:

- Program accessibility (phone, mail, etc.)
- Effective communication with agency staff
- Easy access to the building itself

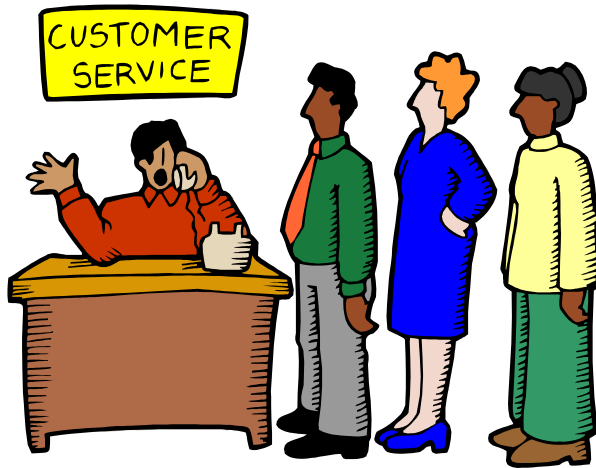
Equal opportunity for religious organizations

Ensures a level playing field for the participation of faith-based organizations and other community-based organizations (FB/CBO) in USDA programs

Creates new opportunities to serve more people in need

USDA is working to ensure that FB/CBO have equal access to USDA funding opportunities, especially those groups that have not partnered with the government before

Good Customer Service



Providing good customer service is key to avoiding the appearance or perception by anyone of unlawful discriminatory statements or actions

Resolving conflict

Conflict comes about from differences - in needs, values and motivations. Sometimes through these differences we complement each other, but sometimes we will conflict

Conflict is not a problem in itself - it is what we do with it that counts

For more information on strategies to resolve conflicts

- <http://www.crnhq.org>

Civil Rights Training

All staff must receive training on all aspects of civil rights compliance on an annual basis, including:

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

Thank You!

Florida Department of Health
Bureau of Child Care Food Programs
4052 Bald Cypress Way, Bin #A-17
Tallahassee, FL 32399-1727

Contact Us: 850-245-4323