

ADMINISTERING THE SUMMER FOOD SERVICE PROGRAM: CIVIL RIGHTS

www.sde.ok.gov/sde/summerfood



USDA CIVIL RIGHTS

- Benefits of SFSP are made available to all eligible participants in a non-discriminatory manner.
- All sponsors must implement Civil Rights requirements.



DISCRIMINATION IS....

- Different treatment
- Makes distinction from others
- Either intentionally, by neglect or by the actions or lack of actions
- Based on the protected classes



SIX PROTECTED CLASSES

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



Discrimination Occurs...



**The 4
“D”s**

...when an individual or group of individuals are:

- ✓ Delayed benefits or services
- ✓ Denied benefits or services
- ✓ Treated Differently than others to their disadvantage
- ✓ Given Disparate Treatment

Submitting Civil Right Complaint

- Verbally
- In Writing



Where are Complaints Sent?

- USDA directly; or
- OSDE CNP directly; or
- Notify the sponsor of their complaint
- If a Sponsor receives a discrimination complaint regarding the SFSP, the Sponsor must forward to OSDE CNP within three working days



How Long to File a Complaint

File a complaint within 180 days
of the alleged discriminatory action.



Complaint Procedure Plan

Sponsors are required to **develop** and **implement** a written procedure to handle any discrimination complaint that may be received



Civil Rights Complaint Procedure

- Civil Rights
- Complaint Documented in Civil Rights Complaint Log
- Civil Rights Complaint form completed
- **If the Civil Rights complaint form is returned to Sponsor, Sponsor forwards complaint form to SA within 3 working days**



Civil Right Complaint Form

- Civil Rights Complaint Form readily available at all sites
- Sponsor must make every attempt to help complainant
- Reasonable accommodation for complainant with disability



Civil Rights Complaint Log

Log must be dated and kept for 3 years plus the current year, even if no complaints have been received



Nondiscrimination Statement – Short Version

***“This institution is an equal
opportunity provider.”***



NON-DISCRIMINATION STATEMENT (LONG VERSION)

For all other FNS nutrition assistance programs, State or local agencies, and their subrecipients, must post the following Nondiscrimination Statement:

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, 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.

This institution is an equal opportunity provider.



Examples of Informational Material

- Enrollment Forms
- Employee Handbooks
- Brochures
- Parent/Student Handbooks
- Print or Broadcast Advertisements
- Menus
- Newsletters
- Flyers
- Websites



Limited English Proficiency (LEP)

- Individuals who have a limited ability to read, speak, write, or understand English.
- Responsibility to take reasonable steps to ensure meaningful access to their programs and activities



Limited English Proficiency (LEP)

Primary factors to consider when determining reasonable steps:

- Number or proportion in the eligible service population
- Frequency of contact in the programs
- Importance of the service provided by the programs
- Resources available to the recipient/costs



Racial and Ethnic Data Reporting

- Sponsor must collect and maintain data annually
- The SA will check Racial and Ethnic data during Administrative Reviews
- Please do not send information to OSDE, unless requested
- Use specific reporting forms for SFSP



Racial and Ethnic Data Collection

- It is optional for participants to provide Sponsors with Racial and Ethnic information
- However, it is a requirement for Sponsors to collect Racial and Ethnic Data annually



Race and Ethnic Categories Data Collection

Two-Step Process

Separate categories will be used when collecting and reporting Race and Ethnicity.

Step 1 - **Ethnicity** Determined

Step 2 - **Racial** Designations



Civil Rights - “Must Do List”

- Offer any Child Nutrition Program in a Non-Discriminatory Manner
- Train staff annually on Civil Rights and complete the training form
- Develop & fully implement sponsor’s Civil Rights Complaint Procedure
- Make available to all staff complaint forms, log and complaint procedure



Civil Rights - “Must Do List”

- Prominently display the *And Justice for All* poster
- Non-discrimination statement must be on all printed and electronic materials available to the public which mention USDA and/or Child Nutrition Program meals and snacks
- Must offer meals to all participants
- Collect Annual Racial/Ethnic Data Info



QUESTIONS

CONTACT THE STATE AGENCY @ 405-521-3327

