

Civil Rights Training for Summer Food Service Program Sponsors

Wisconsin Department of Public Instruction (DPI)

Summer Food Service Program

<https://dpi.wi.gov/community-nutrition/sfsp>



Welcome to the USDA Civil Rights Training for staff and volunteers that work with the Summer Food Service Program. This Power Point Presentation has been created by the Wisconsin Department of Public Instruction (DPI), Community Nutrition Team.

Why Civil Rights Training?

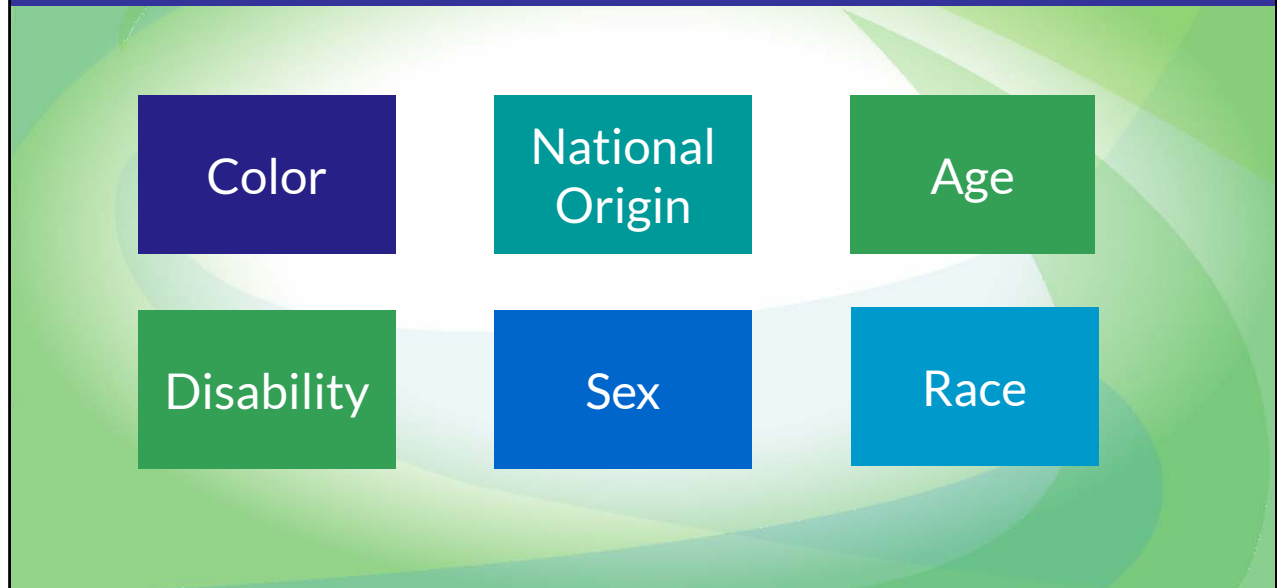
USDA requires civil rights training on an annual basis so that all levels of administration of programs receiving Federal financial assistance understand civil rights related laws, regulations, procedures, and directives.

USDA requires Civil Rights Training on an annual basis so that all levels of administration of programs receiving Federal financial assistance understand civil rights related laws, regulations, procedures, and directives.

All sponsors that participate in the USDA Child Nutrition Programs must comply with Federal civil rights requirements and regulations. These regulations are intended to ensure that the benefits of the Child Nutrition Programs are made available to all eligible people in a nondiscriminatory manner.

This training outlines the specific civil rights regulations that govern the Child Nutrition Programs and is meant for all who interact with Child Nutrition Program participants to inform and educate them of their rights and responsibilities as administrators of these programs.

Federal Law Prohibits Discrimination on the Basis of These Protected Classes:



It is the policy of USDA to prohibit discrimination in all of its programs and activities on the basis of protected classes and to provide fair and equitable treatment to every customer.

Federal Law Prohibits Discrimination on the Basis of These Protected Classes:
Race, Color, National Origin, Sex, Disability and Age

Discrimination is defined as different treatment which makes a distinction of one person or group of persons from others; either intentionally, by neglect, or by actions or lack of actions based on the protected classes. Some examples are:

- delaying or denying benefits/services to an individual or group that other individuals or groups receive
- treating individuals or groups differently than others, which puts them at a disadvantage
- Reprisal or retaliation for prior Civil Rights activity

The basis of the civil rights laws originate from some of the following Acts:

- Title VI, Civil Rights Act of 1964 prohibits discrimination based on national origin, race and color;
- Title IX of Education Amendments of 1972 prohibits discrimination based on sex;
- Section 504 and the ADA prevents discrimination based on disability;
- The Age Discrimination Act of 1975;
- Americans with Disabilities Act Amendments Act of 2008

Additional Wisconsin Protections

- Pregnancy
- Marital Status
- Parental Status
- Religion
- Creed
- Ancestry

The additional State of Wisconsin protections include:

- Pregnancy
- Marital status
- Parental status
- Religion
- Creed
- Ancestry

All federal Child Nutrition Programs operating in *public entities* in Wisconsin must adopt both federal and state protected classes. Private organizations must only adopt the Federal protected classes.

Notification to the Community

- Description of Program benefits
- Program availability, location, and hours of service
- The Income Eligibility Guidelines – camps and enrolled sites that require a free meal application
- Nondiscrimination statement
- The procedures for filing a complaint
- Applicants' rights and responsibilities
- Any other programmatic changes

All agencies that participate in the USDA Child Nutrition Programs must include a public notification system. The purpose of this is to inform potential participants of the program availability, program rights and responsibilities, policy of nondiscrimination, and procedure for filing a complaint. State agencies may issue the media release for all sponsors operating SFSP sites as long as the notification meets these requirements. Therefore, DPI will submit the media release on behalf of all SFSP sponsors starting in 2023.

The media release will include the following information:

- A description of the SFSP and benefits
- A list of all current SFSP sponsors and sites
- The location, dates of operation, and meal service times for all open and restricted open sites.
- The Income Eligibility Guidelines will be included for camps and enrolled sites that require a household application to be submitted as part of Program participation.
- The Nondiscrimination statement
- The procedures for filing a complaint
- And, any other programmatic changes (e.g., changing location of a meal site)

The media release will be posted to the DPI website, annually.

Notification to the Community - Outreach

Local news media

Grassroots organizations

Major employers contemplating or experiencing large layoffs, unemployment offices, etc.

SFSP Promotional Materials

Order
Promo
Materials
Online!

Although DPI will now be issuing a state-wide media release on behalf of all sponsors, sponsors that have open and restricted open sites should continue to ensure the community is made aware of the meal sites, dates of operation and times of meal services. It is highly recommended that sponsors continue to contact:

- The local news media, which could include the local newspaper, radio, television, or internet.
- Grassroots organizations that reach minority or underrepresented groups. Examples include local/community colleges, churches, refugee/immigrant settlement services, laundromats, social service agencies, libraries, grocery stores, food pantries, physician offices/clinics, or Community Action Program Agencies.
- Major employers contemplating or experiencing large layoffs
- Outreach may also be included in bulletins, letters, brochures, posters, lawn signs, banners, etc.

For a list of promotional materials available free from DPI and more ideas for marketing your SFSP, visit the [SFSP Outreach Materials](#) page.

“And Justice for All” Poster

Current USDA nondiscrimination poster must be displayed in a visible and readable location where program participants have access.

Where? In cafeteria, meal service line, on the cooler, on a display board

Ensure the current version in the 11 x 17 format is displayed - [Order Online](#)



The USDA “And Justice for All” poster must be placed in a prominent, visible location wherever meals or snacks are provided, such as the cafeteria or food service area. The SFSP also requires that the poster be located within a sponsor’s administrative office.

For meals that are served in the classroom, it is sufficient for the poster to be located in an area of the building that the participants would pass by at some point in the day.

Mobile sites can display the poster on the back of the delivery vehicle, as long as it is visible to the participants during service. Other ideas include on the cooler or display board that can be propped up outside the vehicle during meal service.

The poster must be the most current version and be in the 11” X 17” format.

Posters are available free of charge from DPI. To place an order, complete the order form located on the SFSP Outreach page.

Nondiscrimination Statement

The USDA nondiscrimination statement must be included on program materials, including websites, used to inform the public about the USDA Child Nutrition Programs

All materials and resources, including websites, used to inform the public about the USDA Child Nutrition Programs must contain the current USDA nondiscrimination statement.

There are two nondiscrimination statements: the full, official statement and the shortened statement.

Either statement:

- Must use exact wording and cannot be changed in any way;
- Cannot be altered and must use the exact formatting; and
- The shortened NDS must be the same size font as the rest of the document. The full statement must be legible and is recommended to be no less than 8 point.

A State of Wisconsin nondiscrimination statement is not required to be posted.

Full USDA 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, 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>, 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.

This full version of the USDA nondiscrimination Statement must be included on program materials including parent handbooks, program websites, employee handbooks, free and reduced price meal applications, and letters to the households. Please note, the Nondiscrimination Statement was updated in May 2022 to clarify that the definition of sex includes gender identity and sexual orientation.

It is not required that the nondiscrimination statement be included on every page of a program website. At a minimum, the nondiscrimination statement, or a link to it, must be included on the home page of the program information. A link on a website to the "And Justice for All Poster" does not meet this requirement.

Shortened USDA Nondiscrimination Statement

“This institution is an equal opportunity provider.”

The full version of the nondiscrimination statement should always be used on all vital documents, however the shortened version of the nondiscrimination statement ***This institution is an equal opportunity provider*** may be used in limited circumstances only. This could include menus, flyers, certain brochures, etc. If unsure if the shortened version can be used, contact sfsp@dpi.wi.gov or your assigned consultant.

Requesting a Religious Exemption

Under U.S. Department of Agriculture (USDA) regulation 7 CFR 15a.205, educational institutions and other entities may claim an exemption from the provisions of Title IX by submitting a written declaration to the Secretary of Agriculture identifying the provisions that conflict with a specific tenet of the religious organization.



USDA's Postal Service mailing address is:

U.S. Department of Agriculture

1400 Independence Ave., S.W.

Washington, DC 20250

Under U.S. Department of Agriculture (USDA) regulation found in 7 CFR 15a.205, educational institutions and other entities may claim an exemption from the provisions of Title IX by submitting a written declaration to the Secretary of Agriculture identifying the provisions that conflict with a specific tenet of the religious organization. The request should be submitted to the address listed on the slide.

Other Things to Consider...

To convey the message of equal opportunity, show diversity and inclusion in all program or program-related information, photos, and graphics.



To convey the message of equal opportunity, show diversity and inclusion in all program or program-related information, photos, and graphics.



Now we will discuss civil rights & how it relates to customer service.

Civil Rights and Customer Service

Allow equal
access

Treat in the
same
manner

Understand
differences

Use
respectful
language

Civil rights impacts all areas of Child Nutrition Programs from production to service, and every participant must be treated equally.

Within Child Nutrition Programs:

- All participants must be allowed equal access to participate in the Child Nutrition Programs.
- All participants must be treated in the same manner.
 - Examples include: seating arrangements, serving lines, services and facilities, assignment of eating periods, child/staff interactions, etc.
- It is also important to understand differences and use respectful language. Examples include:
 - Putting the **person** first (for example, “person with a disability” NOT “disabled person”)
 - Using culturally sensitive language (for example, “Asian” NOT “Oriental”)
 - Use inclusive/respectful terms (for example, “chairperson” NOT “chairman”)


Interacting with Program Participants

- How would I want to be addressed?
- Am I treating this person in the same manner I treat others?
- Have I informed this person of exactly what information I need to decide on the application?
- Have I given this person the opportunity to clarify any questions?
- Have I provided this person with information they need to make necessary decisions?

To further enhance your cultural sensitivity, here are some more questions to ask yourself and your staff:

- How would I want to be addressed?
- Am I treating this person in the same manner I treat others?
- Have I informed this person of exactly what information I need to make a determination on the application?
- Have I given this person the opportunity to clarify any questions?
- Have I provided this person with information (s)he needs to make necessary decisions?

If you are listening to this presentation as part of a group, it may be helpful to pause and discuss these questions.



CIVIL RIGHTS AND THE HOUSEHOLD APPLICATION APPROVAL PROCESS FOR CAMPS AND ENROLLED SITES

Now we will discuss how Civil Rights affects the Free/Reduced Price Meal Application Approval Process that camps and some closed enrolled sites must follow.

Overt Identification

Overt identification is any action that may result in a child being recognized as income eligible for the SFSP.

Overt Identification is any action that may result in a child being recognized income eligible for SFSP meals.

Sponsors must ensure that a child's eligibility status is not disclosed at any point in the process of providing meals, including:

- During certification eligibility;
- During the provision of meals in the cafeteria;
- At the point of service;
- During the provision of additional services, such as educational services to low income children

Confidentiality and Sharing of Income Eligibility Status

- Information provided by parents/guardians on the household meal application must not be used for any purpose other than determining and verifying income eligibility for the SFSP.
- Parental written consent is always required to disclose children's eligibility status for any other purposes, such as fee waivers and other local programs
- Contact DPI for further information on parental consent and disclosure agreements, if needed.

- The information provided by parents and guardians on the household meal application must not be used for any purpose other than determining and verifying if a child is income eligible for the SFSP.
- The sponsor must seek written consent from the parent or guardian to use the information provided on the application for non-program purposes. This includes fee waivers, holiday baskets, other local programs, and other requests for sharing of eligibility information.
- Contact DPI for further information on parental consent and disclosure agreements, if needed.

Disclosure Requirements

- The release of data by a sponsor is always optional, not required
- Aggregate information will often meet the needs of the requestor
- Eligibility information should only be released to those that have a legitimate “need to know” or “direct connection” with the program
- A disclosure agreement or memorandum of understanding must be completed before sharing information
- For more information on disclosing eligibility information, see the *Eligibility Manual for School Meals*

- The release of data by a sponsor is always optional, not required
- Aggregate information will often meet the needs of the requestor
- Eligibility information should only be released to those that have legitimate “need to know” or “direct connection” with the program
- A disclosure agreement or memorandum of understanding must be completed before sharing information
- For more information on disclosing eligibility information, see the Eligibility Manual or check the Free and Reduced Meal Eligibility webpage for a template disclosure agreement



CIVIL RIGHTS AND REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Civil rights and reasonable accommodations for persons with disabilities

What is a Disability?

The Americans with Disabilities Act Amendments Act of 2008 and Section 504 of the Rehabilitation Act define a person with a disability as any person who has a physical or mental impairment which substantially limits one or more “major life activities” (physical and mental impairments).

Includes conditions that impair immune, digestive, neurological, and bowel functions, as well as many others.

The Americans with Disabilities Act Amendments Act of 2008 and Section 504 of the Rehabilitation Act made important changes to the meaning and interpretation of the term “disability”.

Under the ADA, anything that substantially limits a major life activity (most mental and physical impairments) constitutes a disability. This includes conditions that impair immune, digestive, neurological, and bowel functions, as well as many others.

General health concerns such as a parent's preference that a child eat a gluten free diet because the parent believes it is healthier for the child does not constitute a disability and does not require modification. We will go over what is required to document a disability in the next few slides.

For more information, see USDA memorandum SP 26-2017 and SP 59-2016 which includes more information on the definition of a disability and a Q&A on program requirements for students who have a documented disability.

What Is a Sponsor's Responsibility to Children with Disabilities?

- Ensure access to facilities for participants with disabilities
- Provide appropriate information in alternative formats for persons with disabilities
- Provide meal modifications or food substitutions for students with disabilities when documented in writing by a State licensed healthcare professional
- Non-dairy fluid milk substitutions must be supported by documentation from a licensed healthcare professional unless approved by DPI

The sponsor's responsibility for participants with a documented disability includes:

- Ensuring access to facilities for participants with disabilities including: accessible parking lots, entrances and exits, halls, elevators, rest rooms, allowing service animals, Braille signage, and alternative arrangements for service.
- Providing information in alternative formats, if needed. For example: Braille program materials and sign language interpreters.
- Providing meal modifications for participants with disabilities when documented in writing by a State licensed healthcare professional. Meal modifications must be related to the disability or limitations caused by the disability. Any meal modification that can be made within the meal pattern does not require a documented statement from a State licensed healthcare professional. Sponsors must obtain a written medical statement from a State licensed healthcare professional in order to receive reimbursement for meal modifications when the modified meal does not meet Program meal pattern requirements.
- The process of providing modified meals for participants with disabilities should be as inclusive as possible. It is essential to work collaboratively with parents and guardians to ensure participants receive a safe meal and have equal opportunity to participate in the meal service.

Who can write a medical statement?

“Practitioner” is defined by Wisconsin State Statute 118.29(1) (e) as:

- Physician
- Dentist
- Optometrist
- Physician Assistant
- Advanced Practice Nurse Prescriber
- Podiatrist licensed in any state

As mentioned in the prior slide, sponsors must obtain a written medical statement from a State licensed healthcare professional in order to receive reimbursement for meal or milk modifications when the modification does not meet Program meal pattern requirements.

A State licensed healthcare professional or “Practitioner” is defined by Wisconsin State Statute 118.29(1) (e) as a:

- Physician
- Dentist
- Optometrist
- Physician assistant
- Advanced practice nurse prescriber
- Podiatrist licensed in any state

Medical Statement Requirements

- Explanation of how the child's physical or mental impairment restricts the child's diet
- Explanation of what must be done to accommodate the child
- The food(s) that must be omitted and the recommended alternatives
- A template Medical Statement Form is available on our website.

In situations where a medical statement is required, the following information must be included:

- An explanation of how the child's physical or mental impairment restricts the child's diet
- An explanation of what must be done to accommodate the child
- The food or foods that must be omitted and the recommended alternatives, if appropriate

A sample medical statement form is located on DPI's Special Dietary Needs webpage (<https://dpi.wi.gov/school-nutrition/program-requirements/special-dietary-needs>). This form is also available in Hmong and Spanish.

For schools, if the child's IEP or 504 plan includes the same information required in the medical statement it is not necessary for the SFA to obtain a separate medical statement.

If a medical statement is received that does not include all the required information, do not delay in making the accommodation and work with the students, parents, or guardian to clarify the meal modification requirements. This document is required to be maintained on file in the school nutrition department and only needs to be updated if there is a change to the student's dietary requirements.

Non-disability Accommodations

The Use of Offer
versus Serve (OVS)

Offering a Variety
of Menu Options

Sponsors may make accommodations for participants without documented disabilities (e.g., preferences, religious, ethnic or moral reasons). These substitutions must be within the meal pattern requirements to be reimbursable. Offer vs Serve may be helpful in accommodating many dietary preferences. For example, a student with a lactose intolerance without a signed medical statement may decline the milk component and still be offered and select a reimbursable meal. Offering a variety of menu options may also allow students to meet their dietary preferences within the meal pattern and planned menu.



Civil Rights and Language Assistance.

Limited English Proficiency (LEP)

Organizations participating in Child Nutrition Programs have a responsibility to take “reasonable steps” to ensure meaningful access to their programs and activities by those with LEP.

Organizations participating in the USDA Child Nutrition Programs have a responsibility to take reasonable steps to ensure meaningful access to their programs and activities by those with Limited English Proficiency.

Persons with Limited English Proficiency (LEP) are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

Utilize the following when determining the need for LEP services:

- The number and proportion of LEP persons served or encountered by the program;
- The frequency with which LEP individuals come into contact with program;
- Determine the importance to LEP persons of your program activities and services;
- Determine the resources available to the recipient and costs

For more information see USDA Memorandum SP 37-2016.

Limited English Proficiency

- Language Interpreters
- Translated Household Application Materials – camps and some enrolled sites
- USDA SP 37-2016 Meaningful Access for Persons Memo with Limited English Proficiency (LEP) in the School Meal Programs: Guidance and Q&As

Interpreters (including volunteers) must be competent (demonstrate ability to communicate information accurately in both English and the other language). They must also understand and follow confidentiality and impartiality rules.

For example, a staff member that speaks Spanish may assist a household application for camp, but the translator needs to be trained on the importance of keeping this information confidential. Children should not be used as interpreters.

The USDA provides the household application in over thirty three languages. If the required language is not available, translation services are an allowable expense.

The following are suggestions for providing assistance to populations with Limited English Proficiency:

- Verbally inform adults of households known to have Limited English Proficiency of program benefits.
- Provide an interpreter to assist applicants with Limited English Proficiency in completing the household application

For more information see the USDA Memorandum SP 37-2016 titled *Meaningful Access for Persons with Limited English proficiency (LEP) in the School Meal Programs: Guidance and Q&As*.



Civil Rights and Racial and Ethnic Data Collection.

Racial and Ethnic Data Collection

Requirements and Purpose

1. Each year, sponsors must determine the number of potentially eligible participants by racial/ethnic category for the area served and report on the SFSP application.
2. The sponsor must also collect race and ethnicity data of actual participants each year for each of the sites operating. Camp sites must collect and maintain this information separately for each session of camp
 - Data collection is used to determine how effectively your program is reaching potentially eligible children and if outreach is needed

Each year, sponsors must determine the number of potentially eligible participants by racial/ethnic category for the area served and submit it within the contract application. This information may be obtained from census data, public school enrollment data, or data collected for actual participants in the prior year.

The sponsor must also collect race and ethnicity data of actual participants each year for each of the sites operating. Sponsors that have residential camp sites must collect and maintain this information separately for each session of camp.

The purpose of this requirement is to determine how effectively FNS programs are reaching potential eligible persons and beneficiaries. The data may be used to identify areas where additional outreach is needed, determine any barriers to access, and assess the institutions and sponsor's compliance. This data is also used to analyze the impact of policy changes (during the Civil Rights Impact Analysis process) on participants and for investigating program discrimination complaints.

The data collection systems must ensure that data collected and retained is:

- Collected and retained by each program site;
- Based on documented records;
- Kept secure and confidential;
- Submitted, if requested, to FNS Regional or Headquarters Offices;
- Kept on file for 3 years plus the current program year;
- Identify all sources of information used. Examples include: free and reduced applications, student information systems.

Ethnic and Racial Data Collection

Categories include:

- Ethnic data
- Racial data

Collection Process:

1. Use registration data or other records if available
2. Collect the data from parents/guardians. DPI has a sample data collection form on the [SFSP Materials & Resources](#) page, under the Civil Rights section.
3. Use a combination of 1 and 2
4. Use aggregate data if data cannot be collected from the parents/guardian. Aggregate data may be obtained from:
 - [Census' American Community Survey](#)
 - [National Center for Education Statistics Common Core of Data](#) database

Complete the [Race and Ethnicity Form](#) provided by DPI

There are two categories for data collection: ethnicity and race. The ethnicity category includes Hispanic or Latino and Non-Hispanic or Non-Latino. The racial categories are:

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or other Pacific Islander
- White

Participants may choose one or more racial categories.

Visual observation cannot be used to collect race and ethnicity data. Instead, sponsors should use methods that are based on self-identification and self-reporting. A best practice for this would be obtaining the information from parents, or guardians or adult participants. Therefore, if the sponsor has collected this data for other purposes for program participants, that data already available may be used to complete the form. If not available for the specific children participating, the data may be collected from parents/guardians using the Race and Ethnicity Data Collection form, provided by DPI. If unable to obtain data from parents/guardians because they do not come to the site(s), aggregate data may be used. In this case, the race and ethnicity data may be obtained through the Census' American Community Survey and the National Center for Education Statistics Common Core of Data database.

Data is to be recorded on the Race and Ethnicity Data form, provided by DPI. Keep all supporting records on file for 3 years, plus the current year.



Civil Rights and complaint procedures.

Complaints of Discrimination

May be written, verbal, or anonymous.
USDA Discrimination Complaint Form (AD-3027)

USDA Complaint Form English:



<https://www.usda.gov/sites/default/files/documents/usda-program-discrimination-complaint-form.pdf>

USDA Complaint Form Spanish:

<https://www.ocio.usda.gov/sites/default/files/docs/2012/Spanish Form 508 Complaint 6 8 12 0.pdf>

- Any person or representative alleging discrimination based on a protected class has the right to file a complaint within 180 days of the alleged discriminatory action.
- Complaints may be written, verbal, or anonymous. If a complaint is received verbally, the individual listening to the complaint must write up the elements of the allegation for the complainant.
- Anonymous complaints should be handled as any other complaint.
- A complaint form is available from the USDA and the links for the English and Spanish forms are located on the slide. A link to the English form is also located on the School Nutrition Team's Civil Rights webpage.
- This form can assist a complainant in providing all the necessary information, but the form cannot be a prerequisite for acceptance of a complaint. An individual may write a letter containing all of the information requested on the complaint form instead.

Registering a Civil Rights Complaint

Complainants may contact either of the following offices:

United States Department of Agriculture (USDA)

Office of the Assistant Secretary
for Civil Rights
1400 Independence Avenue, SW,
Washington, D.C. 20250-9410

(866) 632-9992 (toll free)
(800) 877-8339
Fax (202) 690-7442

Wisconsin Department of Public Instruction (DPI)

Director, School Nutrition Team
125 South Webster Street
Madison, WI 53707-7841

Email: jessica.sharkus@dpi.wi.gov
Phone: (608) 267-9121

Complainants may directly contact any of the following offices to register a complaint:

- The U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, or
- Wisconsin Department of Public Instruction, School Nutrition Programs Director

Handling Civil Rights Complaints

Step 1: Document the Complaint

- Utilize the USDA Program Discrimination complaint form or try to obtain all required information

Step 2: Contact DPI

- All verbal or written complaints received by the SFA must be forwarded to the Wisconsin DPI, Community Nutrition Team Director within three days of receiving the complaint

Step 3: Maintain Records

- Have a central location where copies of civil rights complaints will be documented and kept confidential

If a complaint of discrimination is received at your district, the following procedures should be followed:

STEP 1: Document the Complaint

Utilize the USDA Program Discrimination complaint form or try to obtain all of the following information:

- Name, address, and phone number of complainant
- Specific name and location of entity delivering the benefit or service
- The nature of the incident, action, or method of administration that led the complainant to feel discriminated against
- The basis on which the complainant feels discriminated exists (race, color, national origin, sex, etc.)
- The names, titles, business addresses, and phone numbers of persons who may have knowledge of the discriminatory action
- The date(s) during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions

STEP 2: Contact DPI

All verbal or written complaints must be forwarded to the Wisconsin DPI, Community Nutrition Team Director *within three days* of receiving the complaint, using the contact information on the previous slide. The DPI will then forward the complaint to the USDA Midwest Regional Office for processing.

STEP 3: Maintain Records

Maintain a separate civil rights complaint log to record any discrimination complaints received. This log should be maintained in a confidential manner and only available to sponsor staff members who have a legitimate need to know.

Template civil rights complaint procedures and a complaint log are available on the SFSP Materials and Resources webpage, under the Civil Rights section.

Civil Rights Complaints

Sponsors may not process civil rights complaints

Sponsors should attempt to resolve a situation occurring in real time

Sponsors must designate an employee who is responsible for USDA Civil Rights issues

If a complaint alleging discrimination is received:

- Sponsors may not process civil rights complaints; they must be forwarded on to the WI DPI
- Sponsors should attempt to resolve a situation occurring in real time
- Sponsors must designate an employee who is responsible for USDA Civil Rights issues
- If an individual states that they wish to file a Civil Rights complaint, the sponsor must provide them with the information necessary to do so and not impede an individual's right to file
- If the issue is resolved before the individual files a complaint, there is no need to report it to the State Agency

Conflict Resolution

- Provide conflict resolution training
- Can help prevent a complaint from escalating
- Conflict resolution techniques

Food service professionals should be familiar with conflict resolution techniques. Sponsors are encouraged to discuss procedures for resolving conflicts with customers with their employees. In many cases, conflict can be resolved, depending on how it is managed. Providing good customer service and knowing effective conflict resolution techniques will reduce or prevent a complaint from escalating into a civil rights issue. If the conflict involves a Civil Rights issue, and cannot be resolved, ultimately the customer can file a Civil Rights complaint.

Some conflict resolution strategies include:

- Stay Calm
- Listen to Understand
- Attack the problem, not the person
- Ask appropriate questions
- Keep the Individual Informed



Civil Rights Compliance Reviews and Resolutions of Non-Compliance

Noncompliance of Civil Rights Requirement

A finding of noncompliance may be the result of an Administrative Review, a special review, an investigation, or Desk Audit.

Examples of noncompliance may include:

- Denying an individual or household access to benefits
- Providing FNS program services or benefits in a dissimilar manner based on the protected classes
- Selecting FNS program sites or facilities in a manner that denies an individual access to FNS program benefits

A finding of noncompliance may be the result of a SFSP Review, a special review, an investigation, or Desk Audit.

Noncompliance is a factual finding that any civil rights requirement, as provided by law, regulation, policy, instruction, or guideline is not being adhered to. All instances of noncompliance are considered equally, no matter the level or severity of noncompliance.

Examples include:

- Denying an individual or household access to benefits
- Providing Food and Nutrition Services (FNS) program services or benefits in a dissimilar manner based on the protected classes
- Selecting FNS program sites or facilities in a manner that denies an individual access to FNS program benefits

If noncompliance is indicated, a corrective action plan must be implemented to achieve compliance. The corrective action plan describes the agency's actions to be taken to resolve noncompliance with civil rights requirements.

Civil Rights Resources

USDA FNS Instruction 113-1 <http://www.fns.usda.gov/sites/default/files/113-1.pdf>

SFSP Civil Rights webpage: <https://dpi.wi.gov/community-nutrition/sfsp/market>, see Civil Rights section

Eligibility Manual For School Meals: <https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/eligibility-manual.pdf>

There are several resources available for more information on civil rights requirements, including the USDA FNS Instruction 113-1; the SFSP Materials and Resources webpage; or the Eligibility Manual for School Meals.

CNT Contact Information



Wisconsin Department of Public Instruction
Community Nutrition Team
125 South Webster Street
P.O. Box 7841
Madison, WI 53707-7841
608-267-9228
<https://dpi.wi.gov/community-nutrition>
cnt@dpi.wi.gov

Thank you for participating in this the Civil Rights Training for the Summer Food Service Program. If you have any questions, please contact the Community Nutrition Team for assistance.

Attendance Record Required



Training
Participants:

Please sign off on
receiving this
information

Training Log templates can be found on the [SFSP website](#).

Persons that attended this training and/or review training materials must sign off on receiving this information. Maintain attendance records for this training along with other program materials for three years plus the current year.

Note: A training documentation record can be found on DPI's website: <https://dpi.wi.gov/community-nutrition/sfsp/market>, under the Training section.

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, 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>, 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.