



Office of the State Superintendent of Education

# Wellness and Nutrition Services

## NSLP Civil Rights Training for Frontline Foodservice Staff



# Outline

- Purpose of Civil Rights Training
- Protected Classes
- Limited English Proficiency (LEP)
- Accommodations for Persons with Disabilities
- Civil Rights Components (USDA and DC)
  - Assurances, Public Notification, Data Collection and Reporting, Customer Service, Complaints, Conflict Resolution



# Purpose of Civil Rights Training

- All employees of USDA feeding programs must:
  - understand the laws regarding civil rights
  - treat fellow employees and program participants with respect and in accordance with civil rights laws
  - understand the civil rights complaint process

# What is Discrimination?

- Treating one person (or a group of people) differently from others based upon their protected classes
- Discrimination can occur intentionally or by neglect, by actions or by lack of actions

# What are Civil Rights?

- Civil rights are the rights of personal liberty guaranteed to US citizens by the US Constitution and acts of Congress.
- Goals:
  - Equal treatment for all applicants and beneficiaries
  - Knowledge of rights and responsibilities
  - Elimination of illegal barriers that prevent or deter people from receiving benefits
  - Dignity and respect for all



# Protected Classes: USDA Discrimination Policy

- The USDA prohibits discrimination in Child Nutrition programs on the basis of:
  - Race
  - Color
  - National origin
  - Age
  - Sex
  - Disability



# DC Protected Classes

- Marital status
- Personal appearance
- Sexual orientation
- Gender identity or expression
- Family responsibilities
- Familial status
- Source of income
- Place of residence or business
- Genetic information
- Matriculation
- Political affiliation

# Limited English Proficiency (LEP)

- Individuals who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English
- Employees of Child Nutrition programs must assist persons with LEP

# Accommodations for Disabilities

- One is considered to have a disability if:
  - One has a physical or mental impairment that substantially limits one or more major life activities
  - One has a record of such impairment
  - One is regarded as having such an impairment

# Accommodations for Disabilities

- Accepting federal funds requires that accommodations be made for people with disabilities:
  - Ensure access (parking lot, entrances and exits, halls, elevators, restrooms, sign language interpreters, Braille signage, and service animals)
  - Alternative arrangements for service
  - Frontline staff may need assist those with disabilities access meals through the NSLP

# Documentation Required for NSLP Meal Substitutions

- Disabled Individuals
  - Specify disability and why it restricts diet,
  - Major life activities affected, and
  - Food(s) to be omitted and food(s) to be substituted
  - Physician’s statement required

# Documentation Required for NSLP Meal Substitutions

- Special Dietary Needs
  - Specify medical reason or special need and
  - Food(s) to be omitted and food(s) to be substituted
  - Statement of Medical Authority required

# Documentation Required for NSLP Meal Substitutions

- Milk Substitutions
  - Can be provided based upon written request from a medical authority or the student's parent or guardian.
  - State agency must be notified.



# Civil Rights Components

- Assurances
- Public Notification
- Data Collection and Reporting
- Customer Service
- Complaints
- Conflict Resolution

# Assurances = Promises

- In order to receive Federal funding, agencies must promise that they will abide by civil rights requirements in program delivery
- Program will be operated in compliance with all nondiscrimination laws, regulations, instructions, policies, and guidelines



# Public Notification

- If you advertise your program and mention NSLP you must include the nondiscrimination statement and complaint procedures

# Nondiscrimination Statement

- In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.
- To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410 or call 866/632-9992 (voice).
- Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at 800/877-8339; or 800/845-6136 (Spanish).
- USDA is an equal opportunity provider and employer.

# Nondiscrimination Statement

- Must be on all materials that mention USDA programs, including websites
- Does not need to be included on school menus
- When using graphics, reflect diversity and inclusion





# “And Justice for All” Poster

- Prominently displayed in each food service area so it is visible to participants



# Data Collection and Reporting

- Data is used to:
  - Determine how effectively FNS programs are reaching potential eligible persons and beneficiaries
  - Identify areas where additional outreach is needed
  - Assist in the selection of locations for compliance reviews
  - Complete reports as required

# Data Collection and Reporting

- Ethnicity
  - Hispanic or Latino
  - Not Hispanic or Latino
- Race
  - American Indian or Alaskan Native
  - Asian
  - Black or African American
  - Native Hawaiian or other Pacific Islander
  - White

# Data Collection and Reporting

- Data obtained by race and ethnic category
- Participants should self-report
- Participants should be encouraged to provide information
  - Statement on use of statistical data
- Staff can make visual observation if participant does not record (but cannot change an item recorded by a participant)



# Customer Service

- Be polite
- Be patient
- Avoid sarcasm
- Be empathetic
- Treat all people equally
- Smile
- Apologize
- No need to have the last word

# Complaints

- Any employee or participant alleging discrimination based on a prohibited basis has the right to file a claim within 180 days of the alleged discriminatory action.
- To file a complaint, go to [http://www.ascr.usda.gov/complaint\\_filing\\_program.html](http://www.ascr.usda.gov/complaint_filing_program.html)

# Conflict Resolution

- FNS utilizes the “alternative dispute resolution” or ADR method for conflict resolution.
- May include mediation, facilitation, neutral evaluation, conciliation, fact finding, use of an ombudsman, settlement conferences, mini-trials, and peer review.
- For more information go to [http://www.ascr.usda.gov/usda\\_employee\\_adr.html](http://www.ascr.usda.gov/usda_employee_adr.html)



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# Questions??

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