



Civil Rights Training

Family Day Care Home
Providers



Civil Rights Act of 1964

- Title VI of the Civil Rights act protects recipients of federal assistance programs, from discrimination on the basis of race, color, national origin, age, sex and disability.



Federal Financial Assistance

- Accepting Federal financial assistance requires compliance with civil rights rules in all aspects of operations



Protected Class

- A protected class is any person or group of people who have characteristics for which discrimination is prohibited based on a law, regulation, or executive order.
- The protected classes in CACFP are race, color, national origin, age, sex and disability.

Assurances

The agreements signed by State agencies, sponsors and facilities/homes include these assurances:

- ☑ Program will not discriminate based on race, color, national origin, age, sex, or disability
- ☑ Program will be operated in compliance with all nondiscrimination laws, regulations, instructions, policies, and guidelines
- ☑ Collect data, maintain records
- ☑ Allow reviews and access



Annual Training Requirements

- Collection and use of data;
- Public notification
- Complaint procedures
- Reasonable accommodation of persons with disabilities; language assistance



Annual Collection and Use of Data

Data must be collected using two separate questions

1. Ethnicity – All must indicate if Hispanic or Latino
2. Race – Individuals may select as many as applicable

The collection of this data is NOT optional.



Data Collection and Reporting

All participants are encouraged to self declare their ethnic and racial categories.

If someone refuses, advise them that you will do it for them

Advise participants that the information requested will not affect their eligibility and will help to ensure that benefits are distributed fairly.



Public Notification

- If you advertise your program and mention the CACFP you must include the non-discrimination statement and complaint procedures.

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 Ave., S.W., Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.



Nondiscrimination Statement

If the material is too small to permit the full statement you can use:

“This institution is an equal opportunity provider.”

Generally any material that mentions the CACFP must contain the statement.



Complaint Procedures

1. A complaint may be made on the basis of race, color, national origin, age, sex, or disability.
2. Allegations can be made verbally or in writing. If they are made verbally the person to whom the allegations are made must write up the elements of the complaint for the complainant, including contact info.
3. All allegations/complaints must be submitted to our Regional Civil Rights Director, Ellen Shannon: (609) 259-5123 or Ellen.Shannon@fns.usda.gov



Reasonable Accommodations

Ensures access for people with disabilities

If you get a request to that you are not able to accommodate contact your sponsoring organization.

The sponsoring organization will attempt to find an a provider equipped to accommodate the request.

If they are unable to fulfill the request they will contact the Mid-Atlantic Regional Office.



Definition of Disability

"Handicapped person" is defined in 7 CFR 15b.3(i) as any person who has "a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment."

"Major life activities" are defined in 7 CFR 15b.3(k) as "functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working."

School food authorities, institutions and sponsors participating in the Child Nutrition Programs are required to make substitutions or modifications to the meal patterns for those participants with handicaps who are unable to consume the meals offered to non-handicapped participants.

Each person with a disability has different needs. Therefore requests for reasonable accommodation are handled on a case-by-case basis.

SUBSTITUTIONS TO CACFP MEAL PATTERNS

- 1. Substitutions are required for disabled individuals and must be documented by a licensed physician**
- 2. Substitutions are permitted for medical or other special dietary and need documented by a medical authority**

Documentation

Disabled Individual-Physician's Statement

- Specify handicap and why it restricts diet,
- major life activity affected, and
- food(s) to be omitted and food(s) to be substituted.

Special Dietary Needs – Medical Authority

- Specify medical or special need and
- food(s) to be omitted and food(s) to be substituted.



Questions?

Please contact:

**Ellen Shannon, Regional Director of Civil Rights/EEO
U.S. Dept. of Agriculture, Food and Nutrition Service
Mid-Atlantic Regional Office**

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