



**CENTRAL
TEXAS
FOOD
BANK**

WELCOME TO CIVIL RIGHTS & FOOD SAFETY TRAINING

The mission of the Central Texas Food Bank is to nourish hungry people and lead the community in ending hunger.



INTRODUCTION TO CIVIL RIGHTS

- We have put together this training on Civil Rights for our Network of Agencies.
- CTFB enforces program requirements to remain in compliance with TDA.
- This training is to be taken **annually** to continue to receive resources from Federal Programs, Feeding America, and Central Texas Food Bank.
- This training should be taken by all staff/volunteers who handle intake and client personal information.
 - If staff/volunteers do not handle client information, they should review the limited civil rights training.



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CIVIL RIGHTS BASICS

What are Civil Rights Laws?

Guarantee rights for individuals to receive equal treatment and prohibit discrimination in a number of settings, including education, employment, housing, and more.

Federal dollars fund food and nutrition programs across the United States with USDA serving as a pass-through agency. These monies are drawn from taxpayers nationwide, and as a result, everyone is entitled to equal use of the programs since tax dollars are intended for the benefit of ALL eligible persons.



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CIVIL RIGHTS LEGISLATION

The following laws and regulations guide us on how to best be fair and equitable to our neighbors:

- Race, Color, & National Origin – The majority of Civil Rights legislation stems from Title VI of the Civil Rights Act of 1964, which was a landmark act prohibiting discrimination on the basis of race, color, and national origin in any programs and activities receiving Federal financial assistance.
- Sex – Title IX of the Education Amendments of 1972 and 7 CFR 15a, prohibits discrimination from any education program or activity receiving Federal assistance, based on sex.
- Disability – Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990 as amended by the Americans with Disabilities Act Amendments Act (ADAAA) of 2008, 7 CFR 15b, Title II (28 CFR 35), and Title III (28 CFR 36) of the ADAAA.
- Age - Age Discrimination Act of 1975 (45CFR 91 and 7 CFR 15c) prohibits discrimination based on age in programs or activities receiving Federal financial assistance.
- National Origin – Executive Order 13166 was signed in August 2000 and USDA LEP Policy Guidance (79 Fed. Reg. No. 229) issued in 2002, requires Federal agencies to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries to ensure that they do not discriminate on the basis of national origin.
- Religion – In April 2016, the USDA published the final rule in regard to 7 CFR 16, which is the overarching regulation for religious organizations to participate in USDA assistance programs. This regulation sets forth USDA policy regarding equal opportunity for religious organizations to participate in USDA assistance programs for which other private organizations are eligible.

* CFR – Code of Federal Regulations – All of the legislation mentioned in this training is referenced from the Code of Federal Regulations, which is more commonly known as the CFR.

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CIVIL RIGHTS LEGISLATION CONT.

- These are the laws the U.S. Department of Agriculture used to established their program(s) protected classes.

It is against the law to discriminate against people based on:

- Race
- Color
- National origin
- Age
- Sex
- Disability



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DISCRIMINATION

For the purpose of this training, discrimination is defined as the determination of access to services or actions taken in a way as to create a systemic disadvantage to people or persons based on a characteristic listed as a protected class. Simply put, it is illegal to be unfair to people based on **race, sex, color, age, national origin, or disability**.

Discrimination can occur from deliberate actions as well as by accident. In short, it is an adverse act against a person based on one or more of the protected classes.

It is also unlawful to retaliate against someone who made a civil rights complaint. They must be treated the same as everyone else, regardless of previous issues.



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THE 4 Ds OF DISCRIMINATION

There are 4 Ds to remember when evaluating discrimination against an individual or group because of their protected class.

An individual or group:

- receives **delayed** benefits or services,
- is **denied** benefits or services,
- receives **different** treatment than others that is to their disadvantage, and/or
- receives **disparate** treatment (intentional) or disparate impact (unintentional effects) meaning there is inconsistent application of policies or rules based on their protected class.



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EXAMPLES OF DISCRIMINATION

- Serving men larger portions of food than women.
- Failing to provide building accessibility for clients with disabilities.
- Failing to provide program information in a language specific to the population of the service area.
- Delaying service due to a client due a language barrier.
- Treating a client differently due to their race.



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CIVIL RIGHTS COMPLAINT

- Civil rights complaints **MUST** be handled separately from standard complaints.
- The person making the complaint must make the decision if they are raising a concern, making a formal complaint, or making a civil rights complaint.

USDA CIVIL RIGHTS COMPLAINT

1. This USDA Civil Rights complaint form that is filled out and turned in to the TDA
2. CTFB will contact the Agency/Client to gather information about the alleged incident
3. Complaints may result in an unannounced Agency site visit
4. After a full investigation, CTFB will take corrective action, if necessary
5. The conclusions of the investigation will be sent to the Agency, in writing, and placed in its file

Final Decision:

Any necessary and appropriate actions will be taken to correct any bad practices or behavior, which will be determined on a case by case basis. If it is concluded that the Agency was not in the wrong, the complaint will be dismissed.

Agency Complaints:

If your Agency has recurring problems with a client, please notify CTFB so that we are aware of the situation. We may be able to help or advise how to best handle the problem.

Retaliation:

CTFB has a zero-tolerance policy against retaliation of any kind. A client will not be discriminated against, harassed, or suffer any reprisals as a result of filing a grievance.

United States Department of Agriculture:

Submitting the complaint may require disclosure of personal information. Civil Rights Complaints should be filed directly with the USDA. The information is listed at the end of this form.

Agency Name _____ Agency # _____
 Date of Occurrence _____ Date Complaint is Filed _____
 Complainant Name _____
 Complainant Address _____
 City _____ State _____ Zip Code _____
 Phone # _____ Email _____

Which protected class do you feel was violated? (check all that apply)

Color		National Origin	
Race		Disability	
Age		Sex	



6500 Metropolis Dr., Austin, TX 78744 | 512-282-2111 | centraltexasfoodbank.org

Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Be sure to include how you were treated differently from others. (Please attach another sheet if necessary.)

Please list any witnesses, if known, whom we may contact for additional information regarding this grievance.

Name	Phone Number

What is the most convenient time for us to contact you regarding this complaint?

Morning Afternoon Evening

What remedy are you seeking for this complaint?

Is this the first time you have had a complaint about this agency? Yes _____ No _____

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 Adjudication, 1400 Independence Avenue, SW, Washington, D.C., 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.

Signature of Person Filing Complaint

Printed Name of Person Filing Complaint

Date Received

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Federal Nutrition Programs Civil Rights Complaint Procedure

Civil Rights complaint (verbal or written) is received by either:

1. CTFB
2. Site staff or volunteers

The individual that receives the complaint will provide the complainant the Civil Rights Complaint form. The complainant will be directed to return the form to the CE, call the number below, or mail the form to:

US Department of Agriculture
Office of the Assistance Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410

(202) 752-5964
(found on ... *and Justice for All* poster)

If the form is returned to the CE, the CE must inform the Texas Department of Agriculture of the complaint before the close of business.

The form must be mailed to the following address within 5 working days:

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



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COLLECTION AND USE OF DATA

Federal Food & Nutrition Service (FNS) policy requires agencies and institutions at every level of our network to collect data relating to ethnicity and race from clients applying for their programs, **with the exception of those applying for The Emergency Food Assistance Program (TEFAP).**

All pantry organizations, on-site kitchens, and produce partners associated with CTFB are operating under the rules and regulations of TEFAP. **Partner organizations under Commodity Supplemental Food Program (CSFP), and Summer Food Service Program (SFSP) must adhere to the data collection standard.**



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COLLECTION AND USE OF DATA CONT.

This information is collected to:

- Determine how effectively the programs are reaching potential applicants and households in the area.
- Identify regions for additional outreach and resources.
- Assist in identifying areas for compliance reviews.




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PUBLIC NOTIFICATION

The following is required:

- Program availability
 - Program Guidelines
 - Program Rights and Responsibilities
 - Steps necessary for participation
 - Any changes in program
- Non-Discrimination Statement
 - Included on the intake form, the participant rights and responsibilities form, and “And Justice for All” poster
- Prominently displaying the “And Justice for All” poster
- Process for filing a complaint
 - Included on the “And Justice for All” poster
- Information should be made available on-site or listed on a website



AND JUSTICE FOR ALL

United States Department of Agriculture

In accordance with Federal 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, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and 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 www.usda.gov/sites/default/files/documents/usda-program-discrimination-complaint-form.pdf, from any USDA office, by calling (866) 632-8922, 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:

mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
fax:
(833) 256-1665 or (202) 690-7442;
email:
program.intake@usda.gov.
This institution is an equal opportunity provider.

Conforme a la ley federal y las políticas y regulaciones de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta institución tiene prohibido discriminar por motivos de raza, color, origen nacional, sexo, edad, discapacidad, venganza o represalia por actividades realizadas en el pasado relacionadas con los derechos civiles (no todos los principios de prohibición aplican a todos los programas).

La información del programa puede estar disponible en otros idiomas además del inglés. Las personas con discapacidades que requieren medios de comunicación alternativos para obtener información sobre el programa (por ejemplo, Braille, letra agrandada, grabación de audio y lenguaje de señas americano) deben comunicarse con la agencia estatal o local responsable que administra el programa o con el TARGET Center del USDA al (202) 720-2600 (voz y TTY) o comunicarse con el USDA a través del Servicio Federal de Transmisión de Información al (800) 877-8339.

Para presentar una queja por discriminación en el programa, el reclamante debe completar un formulario AD-3027, Formulario de queja por discriminación del programa del USDA, que se puede obtener en línea, en www.usda.gov/sites/default/files/documents/usda-program-discrimination-complaint-form.pdf, en cualquier oficina del USDA, llamando al (866) 632-8922, o escribiendo una carta dirigida al USDA. La carta debe contener el nombre, la dirección y el número de teléfono del reclamante, y una descripción escrita de la siguiente acción discriminatoria con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR, por sus siglas en inglés) sobre la naturaleza y la fecha de la presunta violación de los derechos civiles. La carta o el formulario AD-3027 completado debe enviarse al USDA por medio de:

correo postal:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; o
fax:
(833) 256-1665 o (202) 690-7442;
correo electrónico:
program.intake@usda.gov.
Esta institución ofrece igualdad de oportunidades.

Form AD-3027-A, Assisted Format Revised September 2019
Revisión septiembre 2019 de Formulario AD-3027-A y Formato Asistido Septiembre 2019



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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, religion, sex, gender identity (including gender expression), sexual orientation, 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, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or 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 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: (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.

Limited Nondiscrimination statement:

USDA is an equal opportunity provider, employer, and lender.



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REASONABLE ACCOMMODATION

- Agencies must take reasonable steps to provide appropriate information and services in alternative formats for persons with disabilities and in the locally appropriate language(s) for people with Limited English Proficiency (LEP) to grant meaningful access to services.
- Examples of Reasonable Accommodations for Disabilities:
 - Facility Enhancements such as installing a ramp, modifying restrooms, and or workspace/ service space
 - Ensuring computer or intake software is accessible
 - Making materials available in Braille or large print
 - Modifying policies to allow for service or emotional support animals



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PUBLIC NOTIFICATION: EXPECTATIONS ON LEP

Limited English Proficiency (LEP)

If English is not your primary language and you have difficulty communicating effectively in English, you may need an interpreter or document translation in order to have meaningful access to programs funded by the Department of Health and Human Services (HHS). Title VI of the Civil Rights Act of 1964 requires recipients of Federal financial assistance to take reasonable steps to make their programs, services, and activities accessible by eligible persons with limited English proficiency.



PUBLIC NOTIFICATION: EXPECTATIONS ON LEP

What constitutes reasonable steps to assure meaningful access will be contingent on a number of factors. Among the factors to be considered are:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
- The frequency with which LEP individuals come in contact with the program;
- The nature and importance of the program, activity, or service provided by the program to people's lives;
- And the resources available to the partner agency and costs



Annual Site Visits

Compliance Reviews are done routinely to verify that partner agencies are following all laws, regulations, and program policies to

- Uphold civil rights
- Ensure program compliance and standards
- Investigate reported problems
- Determine whether to operate a site during the following program year
- Verify and ensure proper use of USDA foods



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Annual Site Visits

- CTFB must record and track compliance or operational issues on their compliance monitor forms. If the monitor review reveals problems, CTFB must take appropriate action to correct the non-compliance. If a TEFAP non-compliance is found, a request for corrective action will be issued and will include the following:
 - A description of each finding
 - The policy citation associated with each finding (if necessary)
 - Recommendations for achieving corrective action
 - Due date of the corrective action



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CUSTOMER SERVICE

- Providing quality customer service is key to meeting the needs of your customers.
- For our programs, customers are: applicants, participants, and the public.
- Customer service is effectively communicating with your customers, responding to their needs, valuing their worth, and instilling excellence through courtesy, confidence, and enthusiasm.

CUSTOMER SERVICE

To ensure you provide excellent customer service, consider these best practices:

- Treat customers with respect and dignity.
- Exercise good listening skills by being attentive to the customer and their needs.
- Learn to empathize with the customer, when necessary.
- Respond to questions in a non-threatening manner ensuring your voice and tone are calm and clear.
- Communicate rules, rights, and responsibilities clearly and precisely.
- Recognize and appreciate that customers have many needs and few resources.
- Recognize changes in a customer's demeanor, because it often signals the person feels they have been treated in a rude, discourteous, or unfair manner.



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CONFLICT RESOLUTION

Using a win/win approach is about changing the conflict from an adversarial attack and defense to cooperation.

- Demonstrate empathy to help cultivate feelings of openness and positive rapport between people.
- Manage emotions internally and externally. It is vital to manage your own emotions and stick strictly to the facts of the complaint.
- Promote a willingness to resolve conflict by identifying barriers to resolution for each person involved in the situation.
- Remember the person and the conflict are not the same.
- If a customer files a Civil Rights complaint or participates in an investigation, it is unlawful to treat that person differently.



SOURCES

- East Texas Food Bank
- Texas Department of Agriculture | Food and Nutrition Division, Section 3, Managing the Program & Section 6, Civil Rights
- USDA, Civil Rights Division, Food and Nutrition Service, Webinar Session, March 5, 2020:
 - Civil Rights Training. The Emergency Food Assistance Program.
- USDA, Civil Rights Division, Food and Nutrition Service, Webinar Session, Date: Unknown: Civil Rights Training, Child Nutrition Programs
 - FNS Instruction 113-1
 - Institution of Child Nutrition. (2020). Civil Rights in Child Nutrition Programs.
 - University, MS: Author.
- Texas Department of Agriculture | The Emergency Food Assistance Program Handbook



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CIVIL RIGHTS TEST

Annual Civil Rights Training Test

- Must get an 80% to pass
- Network Standards and Capacity Team will issue you a certificate. Please keep training records in your file.



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THANK YOU FOR ALL YOU DO!