

# REQUIRED ANNUAL USDA PROGRAM CIVIL RIGHTS TRAINING

2023



Every USDA agency **AND their staff/volunteers** must participate in this annual training to ensure they are aware of civil rights issues associated with a food program.

# What is stereotyping?

It is any **PRECONCEIVED BELIEFS** or **oversimplified generalizations about a particular group.**

# What is prejudice?

*It is a set of rigid and unfavorable attitudes toward a particular group, formed without considering facts*

# What is discrimination?

It is any **DIFFERENT** treatment of a client that makes a distinction between one person or a group of persons from another. It can be INTENTIONAL, an act of NEGLECT, or happen through action or inaction. It can be based on a person's:

**RACE \* COLOR \* NATIONAL ORIGIN \* AGE \* SEX (Including Sexual orientation or gender identity) \* DISABILITY**

# Public Notification Requirement

Your agency must have an obvious, easily accessible “public notification” area, where any client can easily access information about :

- **Your program availability and rights and responsibilities**
  - Lets clients know who is eligible and their responsibilities in receiving assistance
- **Your policy of Non-Discrimination**
  - Must be posted and visible at your location - if you have a website FOR YOUR FOOD PROGRAM it must also be posted there.
- **Your procedure for filing a complaint**
  - Must be posted and visible so client has clear directions about how to file a complaint

# Public Notification Additional Requirements

- Your agency must have a means for making your program's information and requirements available to the public *IF REQUESTED*
- If your program changes in some significant way that can impact a client, you must have some means of informing current or potential clients (ie: a poster at the point of contact, a public notice if those are used, your church bulletin)
- **If you advertise your food program in any way, including digitally (ie Facebook page, church website) you must always include information about its “equal opportunity,” availability to EVERYONE regardless of age, sex, religion, etc.**
- You must always make such information available in alternative forms (ie: in Spanish) as appropriate.

NOTE that we await a NEW “And Justice for All Poster” but it has not yet been released

**The Food Bank will let you know when the new poster is available**

**THERE IS ALSO A **NEW** NON-DISCRIMINATION STATEMENT**

**IT IS AVAILABLE ON OUR WEBSITE / AGENCY ZONE**

**Make SURE you PRINT IT and IT IS POSTED!!**



# DO YOU HAVE THE NEWEST NON- DISCRIMINATION STATEMENT?

GO TO AGENCY ZONE and print  
one out!!

MAKE SURE you take down  
your old one and put in this  
new one!!



# HOW are you addressing non-English speaking clients?

You must assess the need for these services among your current or potential clients, and provide language services if indicated

If there is ANY chance at ALL that any of your current or likely clients do not speak English as their primary language, you must make accommodations.

- **Do you keep copies of our Eligibility Form in SPANISH?** They are available on our website and must be made available to your clients as needed.
- Do you make other accommodations for non-English speaking clients as needed (for instance, having a volunteer on hand who speaks Spanish?)
- **USDA forbids agencies from meeting this requirement by:**
  - Asking clients to bring their own interpreter
  - Asking **children** to serve as interpreter (ie: for parent)

## HOW are you addressing DISABLED clients?

Your agency cannot exclude or discriminate against an individual from receiving your services based on their disability

Clients must be provided with “reasonable accommodations” for disabilities. This means things like:

- **Handicap accessibility to your pantry (ramps, etc).** In the absence of ramps to accommodate wheelchairs, you must provide another means for getting the food (which can be as simple as taking it to their car).
- **Sign Language interpreters if needed.**
- **LARGE PRINT key forms if needed** (ex: a large print version of the Eligibility Form if requested or required by certain clients)
- **Permitting certified service animals to accompany a client.**

**IF A CLIENT WERE TO REQUEST THESE KINDS OF REASONABLE ACCOMODATIONS AND YOU DO NOT MAKE THEM, IT CAN BE GROUNDS FOR A DISCRIMINATION COMPLAINT. But the key is “Reasonable Accomodation.”**

## What “counts” as a disability?

*You may be surprised!*

- A person with a physical impairment that limits one or more life activities, who has a record of such an impairment or “**is regarded**” as having an impairment (*means you can’t require proof*)
- A person with a MENTAL impairment that limits one or more life activities.
- THE ADA also includes these as recognized disabilities:
  - Functions of the immune system, of normal cell growth, of digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine and reproductive functions.

# What does this mean for our Food Pantry operation?

## What is “reasonable accommodation” versus “unreasonable”?

*A couple examples:*

### REASONABLE:

A person with **heart disease** can be considered disabled and it would be considered a “reasonable accommodation” to take the food to their car to keep them from walking the length of your building, if requested.

### UNREASONABLE:

That same person with heart disease cannot REQUIRE you to drive the food to their home, or ONLY provide them with fresh fruit or vegetables when you would not normally have those items on hand.

### REASONABLE:

A person who is **deaf** can ask you to provide all program materials in writing, such as the Eligibility Form, a list of your pantry operation dates and times, etc.


### TRICKY TERRITORY:

**Age itself is not considered a “disability**, though you must carefully guard against **discriminating based on age**. An able-bodied 70 year-old, for instance, is not necessarily disabled in any way, but you may be unknowingly discriminating against them if you were to offer them only soft foods or things like “Ensure,” while younger clients can get meat and snack foods. There’s nothing wrong with offering those items to older clients if they want them - it cannot be strictly based on their age.

# ARE YOU TRACKING RACE / ETHNICITY?

The Food Bank's Client Eligibility form very specifically **does NOT** ask for race/ ethnicity information.

We do not *forbid* agencies from collecting this information for their own purposes, but **IF YOU DO, it must meet very SPECIFIC CRITERIA**



## RULES FOR TRACKING RACE / ETHNICITY:

**IF** you collect this info (and if you ARE, do you really NEED TO???)

- Providing it must be *strictly voluntary and noted as such* - you cannot ask a client to complete that information if they left it off
- You can **ONLY** use the data for statistical purposes, or for purposes such as adding a volunteer to address specific race/ethnicity-related needs (like a Spanish interpreter)
- A client providing or NOT providing this information can in **NO WAY** impact their eligibility to receive aid.
- The data must be **PROTECTED** from access by unauthorized individuals.
- You cannot request Race/Ethnicity info on **CHILDREN**
- Your question about race/ethnicity must conform to **ONLY THESE TWO EXACT FORMATS** - any other format is a violation.

ETHNICITY:      Hispanic or Latino  
                     Not Hispanic or Latino

RACE:            American Indian or Alaska Native  
                     Asian  
                     Black or African American  
                     Native Hawaiian or Other Pacific Islander  
                     White

# HANDLING **DISCRIMINATION** COMPLAINTS

- 1) If a client wants to lodge a discrimination complaint, first provide them with specific information (already posted at your location) about how to do that.
- 2) A client can file a complaint in writing, verbally or anonymously.
- 3) You may develop your own form for this, but clients can also simply refer to the USDA-provided statement for info about how to file one online.
- 4) Clients have 180 days from the day of the “incident” to file a complaint.
- 5) You must maintain FULL RECORDS onsite of any complaints filed, even if they later prove to be unfounded. (even if complaint is anonymously filed, USDA will alert you to it at some point).
- 6) You and your volunteers/staff must maintain FULL CONFIDENTIALITY about the complaint and the complainant.

# HANDLING CONFLICTS

- If you have a CONFLICT with a client, do you have a standard method/means for resolving it? **At the very least, you should:**
  - IDENTIFY the problem, based on the info the client gives you
  - DETERMINE A SOLUTION: Depending on the specifics of the conversation, it may involve getting back with the client again or later
  - GAIN APPROVAL from the client – if they don't agree with the solution, you've gotten nowhere!
  - FOLLOW UP: Get back with them and gauge satisfaction



# QUESTIONS?

After you review this presentation PLEASE SEE YOUR PROGRAM DIRECTOR for any questions about the material!

If he/she cannot answer those questions, they will forward them to the Food Bank for assistance.

**SEE FINAL PAGE / SLIDE**





**IMPORTANT!!!**



**To GET CREDIT for having reviewed this and met the training requirement, you must return to GOOGLE FORM your director received via email to enter your info and get credit for the training!**