



# FOOD BANK OF NORTH ALABAMA

## 2025-2026 Civil Rights Training

### Civil Rights

The 13th and 14th Amendments of the Constitution, along with Acts of Congress, guarantee personal liberty rights.

It's important to note that the terms "civil rights" and "equal employment opportunity (EEO)" are not synonymous.

### Civil Rights Training: Purpose

Civil right training is required so that individuals involved in all levels of administration of programs understand federal laws, regulations, instructions, policies, and other guidance.

To guarantee that all eligible individuals participating in TEFAP or CSFP are treated with dignity and respect.

# Civil Rights Training Requirements

Agency Partners are tasked with the responsibility of training their staff and volunteers every year.

- The new training program is offered annually, beginning no later than June. Training should be conducted all year as new volunteers/employees are onboarded.
- Participation in the training is mandatory for everyone, regardless of whether they completed it the previous year; it is an annual requirement.
- Anyone working with the public, or supervising those who do must complete this training.
- Volunteers are required to receive training that is appropriate for their specific roles and responsibilities.
- To receive credit for the training, please complete the online form provided at the end of this training session.

## Civil Rights Concepts

- **Stereotyping**
  - Can be positive OR negative
  - Preconceived beliefs or oversimplified generalizations about a particular group
- **Prejudice**
  - A fixed and negative set of attitudes directed towards a specific group, developed without taking factual information into account.
- **Discrimination**
  - Unequal treatment that sets one individual or group apart from others, whether through intentional actions, neglect, or the presence or absence of actions related to a protected class.

## Protected Classes

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

*\*\*CSFP Exception*

*CSFP is restricted to individuals who are at least 60 years of age and meet the income eligibility requirements.*

# Reprisal/Retaliation

Anyone can allege reprisal or retaliation

Retaliation or reprisal refers to the act of intimidating, threatening, coercing, or unlawfully discriminating against any individual for:

- Filing a complaint
- Testifying
- Assisting
- Participating in any investigation, proceeding, or hearing

This includes any other rights or privileges protected by the Civil Rights statutes and regulations enforced by FNS.

## Assurances:

**Phrasing that instills confidence is often referred to as "assurance." In this context, it guarantees that a recipient will not face discrimination based on protected classes.**

- To be eligible for federal financial support, an application must include a written guarantee that the recipient receiving the funds (food for distribution) will comply with all nondiscrimination laws, regulations, instructions, policies, and guidelines.
- A Civil Rights Assurance must be included in all agreements between state and local agencies.
  - *For program-specific assurance language, refer to FNS Instruction 113-1, Appendix B, and Form FNS-74.*
- Agreements between the Food Bank of North Alabama and eligible Agency Partners must also include a Civil Rights assurance of nondiscrimination.
  - For instance, a food bank may establish an agreement with a pantry or local agent to distribute food. The food bank holds the responsibility to ensure that each pantry or local agent adheres to civil rights requirements.
- These assurances are binding for the program applicant (agency partner leadership) and their successors, transferees, and assignees, provided they continue to receive USDA resources or maintain possession of any resources from USDA.

# Elements of Public Notification

## Program Availability

- Ensure that applicants, participants, and those who may be eligible are informed about their rights and responsibilities within the program, as well as the necessary steps for participation.

## Complaint Information

- Inform applicants and participants at the service delivery point about their right to file a complaint, the process to do so, and the established complaint procedures.

## **Nondiscrimination Statement (NDS)**

All informational materials and sources, including websites, must include a USDA nondiscrimination statement.

This statement may not be changed or altered in ANY WAY.

### **At a minimum, the full version of the NDS must be on: USDA Nondiscrimination Statement: Short Version**

- Application form(s)
- Notification of eligibility or ineligibility
- Notice of adverse action form
- Program (home) webpage
- Public information, including program literature
- Complaint forms
- It is not necessary for this statement to appear on every page of the program website.
  - At a minimum, the NDS or a link to it should be present on the homepage of the program information.
- Can only be used in special circumstances, such as calendar of days, pamphlets, bulletins -things that have to do with the organization , but not on items that include information regarding the food assistance program with application information.
- Prior approval is not necessary but recommended if not sure if it is appropriate to use the short statement.
  - Requests should be sent to the Regional FNS Civil Rights Officer for approval.

Translations are available in other languages on the FNS website at:

<https://www.fns.usda.gov/cr/fns-nondiscrimination-statement>.

# 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, 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](https://www.usda.gov/sites/default/files/documents/ad-3027.pdf) online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.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:** (202) 690-7442; or

**3. Email:** [program.intake@usda.gov](mailto:program.intake@usda.gov).

*This institution is an equal opportunity provider.*

# Nondiscrimination Statement: Spanish Translation

De acuerdo con la ley federal de derechos civiles y las normas y políticas de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta entidad está prohibida de discriminar por motivos de raza, color, origen nacional, sexo (incluyendo identidad de género y orientación sexual), discapacidad, edad, o represalia o retorsión por actividades previas de derechos civiles.

La información sobre el programa puede estar disponible en otros idiomas que no sean el inglés. Las personas con discapacidades que requieren medios alternos de comunicación para obtener la información del programa (por ejemplo, Braille, letra grande, cinta de audio, lenguaje de señas americano (ASL), etc.) deben comunicarse con la agencia local o estatal responsable de administrar el programa o con el Centro TARGET del USDA al (202) 720-2600 (voz y TTY) o comuníquese con el USDA a través del Servicio Federal de Retransmisión al (800) 877-8339.

Para presentar una queja por discriminación en el programa, el reclamante debe llenar un formulario AD-3027, [formulario de queja por discriminación en el programa del USDA](https://www.usda.gov/sites/default/files/documents/ad-3027s.pdf), el cual puede obtenerse en línea en: <https://www.usda.gov/sites/default/files/documents/ad-3027s.pdf>, de cualquier oficina de USDA, llamando al (866) 632-9992, o escribiendo una carta dirigida a USDA. La carta debe contener el nombre del demandante, la dirección, el número de teléfono y una descripción escrita de la acción discriminatoria alegada con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR) sobre la naturaleza y fecha de una presunta violación de derechos civiles. El formulario AD-3027 completado o la carta debe presentarse a USDA por:

**1. Correo:**

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

**2. Fax:**

(833) 256-165 o (202) 690-7442; o

**3. Correo Electrónico:**

program.intake@usda.gov.

*Esta institución es un proveedor que ofrece igualdad de oportunidades.*

## USDA Nondiscrimination Statement: Short Version

### English:

This institution is an equal opportunity provider.

### Spanish:

Esta institución es un proveedor que ofrece igualdad de oportunidades.

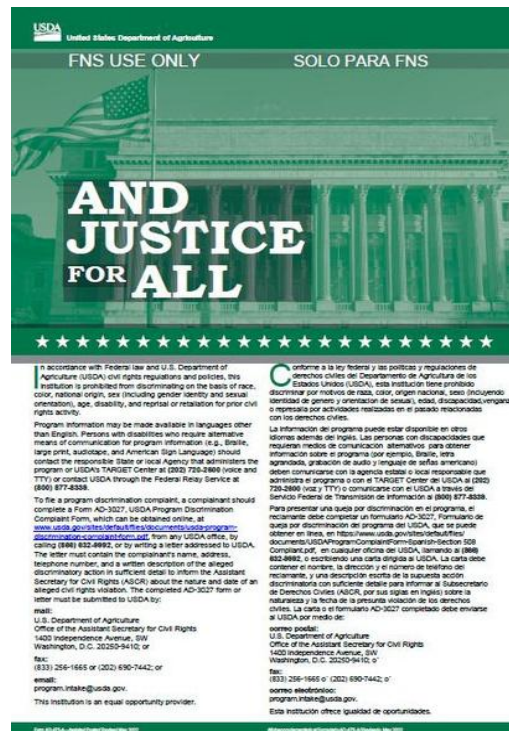
# Methods of Public Notification

## Agency Partners MUST:

- Make program information available to the public upon request
- Prominently display the *And Justice for All* poster at service delivery points where it is easily seen by recipients, even for Mobile Distributions.
- Inform applicants or participants of programs or changes in programs
- Provide information in alternative formats and languages as necessary
- Convey a message of equal opportunity in all photographic or pictorial program information.
- Notify persons with disabilities about the availability of reasonable modifications and auxiliary aids and services.
- Notify persons with limited English proficiency (LEP) of their right to free language assistance services.

## And Justice for All Poster

- All sites must display posters in a prominent location for all recipients to view during food distributions
- Currently required version for TEFAP and CSFP programs
  - AD-475A , September 2019 (visible on footer of poster)
- An updated version is expected
  - (No, we don't know when)



# Complaints of Discrimination

Anyone can allege different treatment based on protected class(es) or for reprisal or retaliation.

## ***Protected Classes: Race, Color, National Origin, Age, Sex, and Disability***

Applicants and participants must file within 180 days of the alleged action, with exception

- Complaints may be written, verbal, or anonymous
- Confidentiality is extremely important
- USDA process for filing a complaint and complaint form:
  - [Filing a Civil Rights Complaint \(English\) or https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf](https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf)
  - [Spanish version or Departamento de Estado Unidos denuncia de discriminación de la agricultura forma \(usda.gov\)](https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf)

# Civil Rights Complaints Process

Complaints should include:

- Name, address, and telephone number of complainant
- The location and name of the organization or office
- The nature of the incident or action
- The names, titles, and business addresses of persons who may have knowledge of the discriminatory action
- The date(s) during which the alleged discriminatory actions occurred
- The basis for the alleged discrimination

# Complaint Procedures

Process complaints in accordance with FNS Instruction 113-1 and the FNS State Agency Complaints Processing MOU.

- **Agency Partners** will forward ALL Civil Rights complaints to the Agency Relations Department of the Food Bank of North Alabama.
- The Food Bank of North Alabama will forward complaints based on race, color, national origin, sex, disability, and reprisal/retaliation to the ALSDE.
- ALSDE forwards complaints based on race, color, national origin, sex, disability, and reprisal/retaliation to FNS Civil Rights Division, Regional Civil Rights Officer, within 5 calendar days of receipt.
- **Complaints based on age (or a combination of age and other bases)**
  - Agency Partners forward age complaints to FNS Civil Rights Division within 5 working days of receipt regardless of complaint procedure utilized above.
  - Age complaints are *mediated before investigated*.
- *Complaint log*
  - *Civil rights complaints must be kept confidential and maintained in a log separate from program complaints, this will be maintained by Agency Relations at the Food Bank of North Alabama.*
  - *All Civil rights complaints should be forwarded to Agency Relations at FBNA.*

## Limited English Proficiency (LEP) and Program Access

### Who are persons with LEP?

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English because of their national origin.

- **Recipients of Federal financial assistance have a responsibility to take reasonable steps to ensure meaningful access to their programs and activities by persons with LEP.**
  - Meaningful access is providing reasonable, timely, appropriate, and competent language services at no cost to individuals with LEP.
- **Failure to provide “meaningful” access to persons with LEP could be discrimination based on national origin.**
- **Factors in ensuring “meaningful” access include:**
  - Conducting a self-assessment of need and available resources.
  - Using the **four-factor analysis** is a “starting point” to help determine what type of language assistance is reasonable when ensuring meaningful access.
- Title VI and its USDA implementing regulations at [7 CFR 15, Executive Order 13166, and USDA LEP Guidance, and USDA Language Access Plan](#)
- Recipients must develop a Language Access Plan with policies and procedures to ensure meaningful access that coincides with the ALSDE’s plan, policies, and procedures (<https://www.usda.gov/oascr/languageaccess>)

# LEP: Four Factor Analysis

1

**Identify the LEP communities in your area.**

*Recognize that LEP communities extend beyond just Spanish speakers*

2

**Assess how often LEP individuals engage with the program.**

3

**Evaluate the significance and impact of the program, activity, or service on people's lives.**

4

**Identify available resources and associated costs.**

## LEP and Program Access

**All frontline staff and volunteers must be trained on how to provide LEP populations with meaningful access and the available language assistance resources.**

- **Language Assistance Services:**

- Provide and offer qualified, competent language assistance services free of charge to individuals with LEP.
- Utilize qualified and competent interpreters to communicate with LEP persons involving discussion of vital information and presenting details about FNS programs.
  - ***A person who is a qualified interpreter may or may not be competent to translate.***

- **Translation of all vital documents is required.**

- **“Qualified Translator”** is a highly trained individual who is able to render text from a source language into a target language while preserving meaning and adhering to generally accepted translator ethics and principles, including confidentiality.

- **Interpretation services are also required.**

- A **“Qualified Interpreter”** is a highly trained individual who mediates spoken communication between people speaking different languages without adding, omitting, or distorting meaning, or editorializing.

# Language Assistance Resources

- **“I Speak” document.**
  - Presents recipients with a list of languages in their native translation as well as English, allowing them to point out which language they are most comfortable with.
  - Available on the Agency Zone USDA website as well as:
    - <https://www.fns.usda.gov/civil-rights/ispeak>
      - ਇ ਸੁਪੇਆਕ ਪੰਜਾਬੀ (Punjabi)
      - Cunosc limba **Română**. (Romanian)
      - Я говорю **по-русски**. (Russian)
      - Ou te tautala **faaSamoa**. (Samoan)
      - Govorim **srpski**. (Serbian)
- **Language Line: 334-694-4656**
  - Over the phone or video interpretations for interpretation services for LEP
    - *“If you have difficulty understanding English or have a disability, free language assistance or other aids and services are available upon request.  
Please call: (334) 694-4656.”*

## LEP Problem: Accuracy of Machine Translations

- Software or online applications that automatically translate written material from one language to another without the involvement of a human translator or reviewer
- Reduces the accuracy of posted information when read in translated form

*Example: Google , Phone Translations*

## LEP Solution: Having Bilingual Staff/Volunteers

- When particular languages are encountered often, hiring bilingual staff offers one of the best, and often most economical, options.
- Competency requires more than self-identification as bilingual.
- Some bilingual persons may communicate effectively when communicating information directly in a non-English language but not be competent to interpret (or translate) in and out of English.

## **LEP: Family, Friends and Children**

- Do not plan to rely on a LEP person's family members, friends, or informal interpreters.
- Do not ask LEP persons to bring their own interpreters.
- If necessary, allow the use of family and friends, but only after offering free language assistance.
- Keep in mind that concerns regarding confidentiality, privacy, competency, or conflicts of interest may also surface
- Do not use minor children as interpreters unless there is not a qualified available.

## **LEP Access to Websites and Digital Services**

- Agency partners are required to provide access to their websites and digital services for individuals with Limited English Proficiency (LEP), including:
  - Online applications and digital services
  - Websites and forms
  - Brochures
- At the very least, essential information on websites and digital services must be available to LEP individuals in a language they can comprehend by providing:
  - Translated websites and hyperlinks
  - Multilingual taglines that guide LEP individuals on how to obtain vital information in their primary language

# What is the definition of disability?

- Section 504, the ADA, and the USDA regulations for Section 504 at 7 CFR Part 15b **define a person with a disability as:**
  - A 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 impairment
    - **Major life activity** means functions such as caring for oneself, performing manual tasks, walking, seeing, eating, hearing, speaking, breathing, learning, reading and working.
  - Functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, immune, respiratory, circulatory, cardiovascular, endocrine, and reproductive functions. (ADAAA of 2008)

## Examples of Disability Discrimination

- Examples include (not an exclusive list):
  - Denying benefits or opportunity to participate
  - Segregating individuals with disabilities
  - Aiding, perpetuating, or contracting with others that discriminate
- Failure to provide a reasonable modification
- Ineffective communication
- Inaccessible facilities

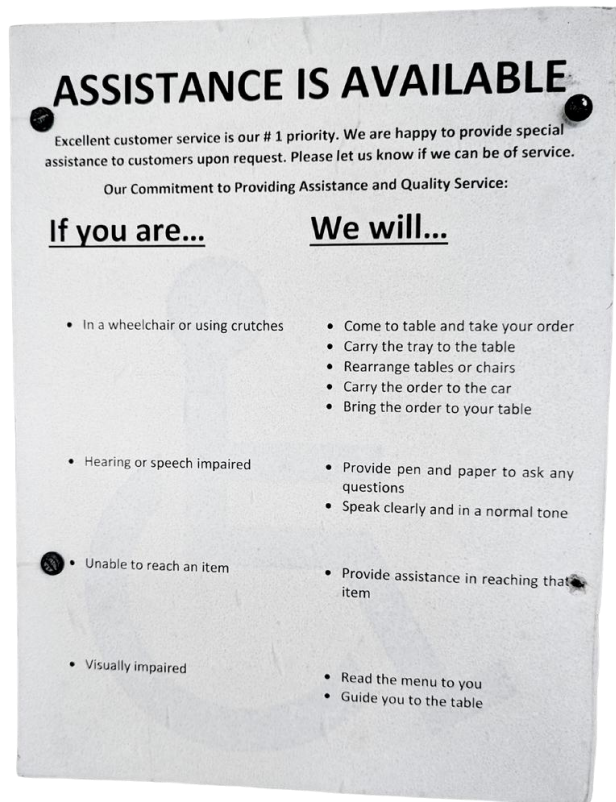
*Section 504 of the Rehabilitation Act prohibits discrimination on the basis of disability in programs and activities that receive Federal financial assistance, such as CNP.*

*Title II of the Americans with Disability Act prohibits discrimination based on disability in the provision of State and local government services (public entities).*

*Title III of ADA prohibits discrimination based on disability by private entities that provide public accommodations.*

# Reasonable Modifications

- TEFAP and CSFP Distributors **must** provide reasonable modifications in policies and practices, and procedures to accommodate applicants and participants with disabilities when necessary.
- Reasonable modifications include:
  - A change or alteration in policies, practices, and/or procedures to accommodate a disability
  - Funded by the service provider, not by applicants and participants
  - Provides equal level of service to applicants and participants in an alternative way
  - Accommodates even where the person requesting modification believes more should be done
  - Must be related to the disability or limitation caused by the disability.
  - The individual with a disability does not carry a high burden of “proving” that they have a disability.



*Example of Reasonable Modifications posted at Pop's BBQ in Florence, Alabama*

# Program Accessibility

- **Electronic Accessibility**
  - Guarantee that agency websites and online application systems are accessible to individuals with visual impairments and other disabilities.
- **Physical Accessibility**
  - Eliminate architectural or structural barriers when feasible.
    - Cost-effective solutions include:
      - Installing ramps, buzzers, or intercoms
      - Implementing a proxy system
      - Displaying signage in the parking lot with a contact number for car-side assistance

# Service Animals

- A service animal is any dog that has been individually trained to perform tasks or work for the benefit of someone with a disability, which may include physical, sensory, psychiatric, intellectual, or other mental challenges.
- The tasks performed by a service animal must be directly related to the individual's specific disability.
- Additionally, state and local government agencies (public entities) are required to make reasonable accommodations in their policies, practices, or procedures to allow the use of a miniature horse that has been individually trained to assist a person with a disability.
- Agency Partners are prohibited from inquiring about the individual's disability, demanding medical documentation, requiring special identification or training documentation for the dog or miniature horse, or asking the animal to perform tasks on command.

# Equally Effective Communication

- Agency Partners must provide equally effective communication through the provision of auxiliary aids and services to individuals who are deaf, hard-of-hearing, blind and other disabilities that require communication assistance (i.e., interpreters, large print, etc.)
- Agency Partners **must give primary consideration** to the choice of aid or service requested and **honor the person's choice**, unless the agency can demonstrate that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration or an undue burden.
- Agency Partners are encouraged **to consult with the person with a disability** to discuss what aid or service is appropriate.
- **"Effective communication"** means that whatever is written or spoken must be clear and understandable to people with disabilities as it is for people who do not have disabilities.
- The key to communicating effectively is to consider the nature, length, complexity, and context of the communication and the person's normal method(s) of communication.
- ALSDE Staff must accept telephone calls placed through the TRS (telecommunications relay service) and VRS (video relay service).
- The DOJ "Effective Communication Rule" applies to communicating with the person who is receiving the covered entity's goods or services **as well as with that person's family or companion in appropriate circumstances**.
- The term "companion" includes any family member, friend, or associate of a person seeking or receiving an entity's goods or services who is an appropriate person with whom the entity should communicate.

# Auxiliary Aids & Services

**Auxiliary aids and services include, but are not limited to:**

- Accessible electronic and information technology
- Qualified interpreters on-site or through Video Remote (VRI) Interpreting services:
  - A qualified interpreter is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators.
- Voice, text, and video-based telecommunications products and systems
- Braille or tactile displays
- Screen reader software

## Language Assistance Resource

Alabama Relay is a service at no cost that enables people who are Deaf, Hard of Hearing, DeafBlind or those with a Speech Disability to place and receive phone calls.

- Alabama Relay : <https://alabamarelay.com/>

# Procedural Safeguards For Filing Complaints

## Key Steps for Effective Communication and Grievance Procedures

- Provide Notice (in suitable languages and formats) of:
  - The process for requesting modifications
  - The decision made
  - Procedural rights
- The filer has the opportunity to review the record, file a grievance, and advance the complaint.
- A review procedure must be available as a means for appeal.

## Compliance Reviews

### AKA as “Site Visits” or “Site Audits”

- ALDSE Staff and/or the Food Bank of North Alabama conducts reviews on agency partners
  - These are the standard USDA Audits or FBNA Site Visits
- Significant findings must be provided in writing to the reviewed agency partner and the Food Bank of North Alabama.

## Types of Compliance Reviews

- Pre-award compliance reviews (application process)
- Routine (post-award) compliance reviews
  - at least 1 every 24 months, minimum.
- Special compliance reviews

# Routine/Post-Award Compliance Reviews

- The reviews evaluate all areas of civil rights compliance and could lead to significant findings.
- Sample site visit questions/observations:
  - Do the printed materials include the nondiscrimination statement?
  - Is the "And Justice For All" poster displayed correctly?
  - Are program informational materials accessible to everyone?
  - Is data on race and ethnicity collected in an appropriate manner? (CSFP ONLY)
  - How are applicants and participants informed of their right to file a civil rights discrimination complaint?
  - Are suitable modifications, including auxiliary aids and services, provided for individuals with disabilities?
  - Are appropriate language assistance services offered?
  - How are applicants and participants made aware of the availability of free language assistance services for individuals with limited English proficiency (LEP) and reasonable modifications and auxiliary aids for those with disabilities?
  - Does the entity being reviewed have a suitable complaints processing procedure in place?

# Special Compliance Reviews

- Are conducted by USDA's Office of the Assistant Secretary for Civil Rights independently or in conjunction with the Food Bank of North Alabama or ALSDE civil rights staff
- May be scheduled or unscheduled

## Purposes

- To follow-up on previous findings of noncompliance
- To investigate reports of noncompliance by other agencies, media, or grassroots organizations
- May be specific to an incident or policy
- History of statistical underrepresentation of a particular group or groups
- Pattern of complaints of discrimination

# Resolution of Noncompliance

- **Noncompliance:**
  - A factual determination that indicates an agency partner is not adhering to any civil rights requirement as stipulated by law, regulation, policy, instruction, or guidelines.
- **Immediate Action:**
  - Steps must be taken right away to achieve voluntary compliance.
- **Effective Date:**
  - The effective date of a finding is the date the agency partner is notified. It is essential to inform FNS CRD when corrective actions remain pending, in accordance with FNS Instruction 113-1.

## **Verification of Citizenship or Immigration Status** **NO VERIFICATION REQUIRED.**

An individual's eligibility to receive food assistance through the TEFAP/CSFP Program is **not** determined by citizenship or immigration status.

**Many complaints can be reduced or even prevented by providing your staff and volunteers with training in customer service skills and conflict resolution techniques.**

### **Example of Customer Service Training:**

**Service is:**

**Effectively communicating with customers,**

**Responding to their needs,**

**Valuing their worth, and**

**Instilling excellence through**

**Courtesy, confidence, and**

**Enthusiasm.**

## **Sample of Conflict Resolution Training**

- **IDENTIFY THE PROBLEM**

- Focus on the information provided by the recipient. **Listen** carefully, as many individuals in minor situations simply want to feel that their experiences or concerns have been acknowledged.

- **DETERMINE A SOLUTION**

- Based on the specifics of the conversation and your understanding of your organization, the solution may require reaching out to the recipient again.

- **GAIN APPROVAL FROM THE CUSTOMER**

- If the recipient does not agree with the proposed solution, it will lead to no resolution! Collaborate to find an agreeable solution.

- **FOLLOW UP**

- Personally ensure that the recipient is satisfied and be open to any feedback they may offer.

# CSFP DISTRIBUTION AGENCIES ONLY

The next two slides are relevant exclusively for our agency partners involved in distributing CSFP. If you are uncertain about your participation in the CSFP program, please consult your program director or contact us for clarification.

All other agency partners may proceed to the next section.

## ***Race and Ethnicity Data Collection***

### ***\*CSFP ONLY\**** Race and Ethnicity Data Collection

- **Data collection is mandatory.**
- Establish a system for the collection of race and ethnicity data for each person applying for and receiving benefits to monitor Civil Rights Compliance.
- This data is used to:
  - Determine how effectively FNS programs are reaching potentially eligible people and beneficiaries.
  - Identify areas where additional outreach is needed.
  - Assist in the selection of locations for compliance reviews.
  - Complete reports as required.
- Maintain data for at least 3 years
- Submit to FNS as requested
- Inform applicants:
  - Provision of race and ethnicity information is voluntary and kept confidential. **(Distributors may not guess based on their personal visual identification.)**
  - Information is required for and used for statistical purposes to determine how effectively FNS programs are reaching potentially eligible persons.
  - Provision of race and ethnicity data has no effect on eligibility for FNS programs.
  - May choose one category for ethnicity.
  - May choose more than one category for race.

# Race and Ethnicity Data: Format & Collection Methods

## Collect Data using a two-part question

### Part 1: Ethnicity

- Hispanic or Latino
- Not Hispanic or Latino

### Part 2: Race (*may select more than one*)

- American Indian / Alaska Native
- Black / African American
- Native Hawaiian / Other Pacific Islander
- Asian
- White

- If an applicant chooses not to voluntarily self-identify race & ethnicity, then the agency must collect this information using another method, if possible. ex: Driver's License
- Additionally, online applications must provide an opportunity for applicants/participants to self-identify.
- Collect and retain data at the service delivery point for each program as specified in the program regulations, instructions, policies and guidelines.
- Pose questions to parents/legal guardians.
  - Do not survey children.
- If disparities or incidents of underrepresentation exist, investigate the causes.
- If necessary, take action to ensure equal opportunity to participate in the program(s).

## Civil Rights Authorities Involved in Formulating This Policy

- Title VI of the Civil Rights of 1964
  - Race, Color, and National Origin
- Civil Rights Restoration Act of 1987
  - Clarifies the scope of the Civil Rights Act of 1964 to specify that entities receiving ANY AMOUNT of Federal funds must comply with civil rights legislation in all of their operations
- Section 504 of the Rehabilitation Act of 1973 & Americans with Disabilities Act (ADA) of 1990 and ADA Amendments Act of 2008
  - Disability
- Title IX of the Education Amendments of 1972
  - Sex
- Age Discrimination Act of 1975
- Executive Order 13166- "Improving Access to Services for Persons with Limited English Proficiency (LEP)" (August 11, 2000)
- USDA Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons With Limited English Proficiency" (79 Fed. Reg. No, 229, Friday, [p.7077-70784]
- 7 Code Federal Regulation (CFR) 15(a)(b)(c)
  - USDA implementing regulation for Federally assisted programs
- 7 CFR 16, "Equal Opportunity for Religious Organizations"
  - Gives equal footing to religiously affiliated organizations
- 28 Part 35
  - Covers nondiscrimination on the basis of disability in State/local
- 28 CFR 36
  - Covers nondiscrimination on the basis of disability in public accommodation services
- 28 CFR 41
  - Implementation of Executive Order 12250, Nondiscrimination on the Basis of Handicap in Federally Assisted Programs
- 28 CFR 42
  - Covers nondiscrimination in Federally Assisted Programs

## Civil Rights Authorities

- USDA Department Regulation 4330-002
  - Prohibits discrimination in programs and activities funded in whole or in part by the USDA
- USDA Departmental Regulation 4300-003
  - Equal Opportunity Public Notification Policy
- FNS Instruction 113-1 and Appendix B (CNP)
  - Civil Rights compliance and enforcement

## TEFAP and CSFP Authorities

- 7 CFR Part 251 The Emergency Food Assistance Program (TEFAP) --- commonly referred to as “USDA” amongst the Food Bank of North Alabama
- 7 CFR Part 247 Commodity Supplemental Food Program (CSFP)
  - Certify Eligible individuals on a waiting list based on the date of application on a first-come, first served basis.



**FOOD BANK OF  
NORTH ALABAMA**

### **This Concludes Your 2025-2026 TEFAP/CSFP Civil Rights Training**

**To receive credit for this training, please fill out  
the online form by visiting the Agency Zone or  
scanning the QR code:**

