# Iowa Civil Rights Training



**Bureau of Nutrition and Health Services Iowa Department of Education** 



#### **Civil Rights Compliance and Enforcement**

#### USDA 7 CFR Parts 210, 215, 220, 225 and 226.

#### FNS 113-1

#### Iowa Code sections 216.7 and 216.9.







#### What are Civil Rights

The non political rights of a citizen. The rights of personal liberty are guaranteed to United State citizens by the 13th and 14<sup>th</sup> Amendments to the United **States Constitution and the** acts of congress.



# What is Discrimination

**Discrimination is defined as** the act of distinguishing one person or group of persons from others, either intentionally, by neglect, or by the effect of actions, or lack of actions based on their protected classes.

#### Requirements



#### PROVIDE PUBLIC NOTIFICATION

ION AND ETHNIC HANDLE CIVI

PROVIDE REASONABLE ACCOMMODATIONS \* LEP \*DISABILITY HANDLE CIVIL RIGHTS COMPLAINTS APPROPRIATELY

**COLLECT AND** 

**REPORT RACIAL** 

CONDUCT ANNUAL CIVIL RIGHTS TRAINING

CONDUCT COMPLIANCE REVIEWS



**Purpose and Authority Ensures understanding**, compliance, and enforcement to prohibit discrimination in all nutrition programs.

# **Federal Protected Classes USDA (Federal) Protected Classes** for Child Nutrition Programs COLOR RACE AGE NATIONAL ORIGIN DISABILITY

#### **Iowa Protected Classes**



Adds protections for persons with regard to issues related to sexual orientation, gender identity, religion or creed.

All Federal Child Nutrition Programs operating in the state of Iowa must adopt both Federal and State protected classes.

# **Public Notification**

# Inform applicants, participants, and potentially eligible persons of:

POLICY OF NONDISCRIMINATION PROCEDURE FOR FILING A COMPLAINT

PROGRAM RIGHTS AND RESPONSIBILITIES

PROGRAM AVAILABILITY

### Public Notification-Program Information



Inform applicants, potentially eligible persons, participants and grassroots institutions of program or changes in the program. Includes information pertaining to: LOCATION OF LOCAL FACILITIES HOURS OF ELIGIBILITY SERVICES BENEFITS OR SERVICE SERVICE DELIVERY POINTS

#### **Public Notification- Media Release**

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#### **Public Release**

The loss Department of Education, Bureau of Nutrition and Health Seniese, today anneanced its policy for free and neduced price meaks for children unable to pay the full price of meaks served under the National School Lunch Program, School Breakfast Pregram and the Alterutoci Care Secaki Pregram.

State and Local school officials have adopted the following family size and income orberia for determining eligibility:

#### INCOME ELIGIBILITY GUIDELINES

| Household<br>Size                               | Free Meals |         |               | Reduced Price Meals   |       |        |         |               |                       |        |
|---|------------|---------|---------------|-----------------------|-------|--------|---------|---------------|-----------------------|--------|
|   | Yearty     | Monthly | Twice a Month | Every<br>two<br>weeks | WHENY | Tearly | Monthly | Twice a Month | Durry<br>Two<br>weeks | Weekby |
| 1   | 25,444     | 1,287   | 664           | 594                   | 297   | 21,978 | 1,832   | 916           | 846                   | 423    |
| 2   | 20,826     | 1,736   | 868           | 801                   | 401   | 29,637 | 2,470   | 1,235         | 1,140                 | 570    |
| 3   | 26,208     | 2,184   | 1,092         | 1,008                 | 504   | 37,295 | 3,308   | 1,554         | 1,435                 | 718    |
| 4   | 31,590     | 2,633   | 1,317         | 1,215                 | 608   | 44,955 | 3,747   | 1,874         | 1,790                 | 865    |
| 5   | 36,972     | 3,081   | 1,541         | 1,422                 | 711   | 52,614 | 4,385   | 2,193         | 2,024                 | 1,012  |
| 6   | 42,354     | 3,530   | 1,765         | 1,629                 | 815   | 60,273 | 5,023   | 2,512         | 2,319                 | 1,160  |
| 7   | 47,749     | 3,960   | 1,990         | 1,837                 | 919   | 67,951 | 5,663   | 2,832         | 2,614                 | 1,307  |
| 8   | 53,157     | 4,430   | 2,215         | 2,045                 | 1,023 | 75,647 | 6,304   | 3,152         | 2,910                 | 1,455  |
| For each<br>additional<br>family<br>member add: | 5,408      | 451     | 226           | 208                   | 104   | 7,696  | 642     | 321           | 296                   | 148    |

Households may be eligible for free or reduced price meal benefits one of four ways listed below.

- Households whose income is at or below the levels shown are eligible for notaxed price meals or free meals, if they complete an Application for free and fleedood Price School Meals/Mills. Households may complete one application listing all children and intum it to your child's school. When completing an application, only the last four digits of the social security number of the household's primary wage earner or another adult household member is needed.
- 2. Food Auditance households and children receiving bearfits under the Family Investment Program (FH) are eighte for thee meaks. Most children from Food Auditance and FP households will be qualified for free meaks automatically. These households will receive a letter from their children's school configing them of their bearefits. Households that receive a letter from the school need to do nothing more for their children's obsolve free meaks. No further application is necessary. If any children are not listed on the notice of eligibility, the household should contact the school to have free meak benefits extended to them.
- Some Food Assistance and RP households will rearise a letter from the Department of Human Services (DHS) which will qualify the children listed on the letter for free meals. Parents must take this letter to the child's school to receive free meals.
- 4. Food Assistance or FIP households receiving benefits that do not receive a letter from DHS must complete an application with the abstraviated information as indicated on the application and instructions, for their children to receive free mails. When the application lists an Assistance Program?'s case number for any household member, eligibility for free benefits is entended to all children in a household.

Eighting from the previous year will continue within the same school for up to 30 operating days into the new school year. When the carry-over period ends, units the household is institled that their children are directly certified or the household studmis an application that is approved, the children must pay full price for school meak and the school will not send a reminder or a notice of expirate eightliny. An application cannot be approved unless complete eightliny information is submitted. Applications may be submitted at any time during the year. If a family member becomes unremployed if the family should contact the school to complete an application. Households notified of their children's eightliny must contact the school of the household chooses to decline the free meal banefits.

Four children are eigible for free meal benefits. Some foute children will be qualified for free meals automatically through the State Direct Certification process. Their host family will excise norification of these benefits. Families that receive the software from the school need to do nothing more for their fouter children to receive free meals. If a family has foster children living with them and does not receive notification and wishes to apply for such meals, instructions for making application for such children are contained on the application form. A foster children in faster care as household price meals, may be also paply for benefits for other children. Including children in faster care as household price methics, it does not prevent a foster child from receiving benefits. Special Supplement Martinion Program for Women, Infants, and Children (MIC) participants may be eligible for free or reduced price meals based on a completed application.

When known by the school, households will be notified of any child eligible for free meaks if the children are enclosed in the Head Start/Even Start Program or are considered homeles, migrate or numaway. Hary children are not illised on the notion of eligibility, contact the school for assistance in receiving benefits. If households are dissatisfied with the application approval done by the officials, they may make a formal appeal either orally or in writing to the school's designated bearing official. The Poley Statement on file at the school contains an outline of the bearing proceedings. School officials may writip the information in the application, and that deliberate misspresentation of information may subject the applicant to prosecution under applicable State and Federal oriminal statutes. Households bould contact their local school formation.

There will be no discrimination against individuals with Limited English Proficiency (LEP) in the school meal programs.

#### Nondiscrimination Statement: This explains what to do if you believe you have been treated unfairly.

In accordance with Tedenci Cell rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employee, and invituations participating in our administering USDA programs are prohibited from discriminating based on new, so ber, microard antigit, and, studibility, ago, or reprirad or relativistic for prior civil rights antibyto in any programs are invitive conducted of Lunded by USDA.

Process with dual-lifes who require absensible neares of communication for program information (e.g. Basile, Jarge print, audiotape, American Sign Language, etc.), should contain the Agency States on local where the waypable for beachin. Individual who are deal, had of hearing or have speech distabilities may contract USDA through the Federal Relay Service at (800) 877-8338. Additionally, program information may be made matching in Language other han Freglish.

To the aprogram complete of discrimination, complete the USDA Program Discrimination Completer Form, IA6-1021 Found online at: http://www.accuradis.gov/completing.flleg.catal.fmli, and at any USDA Office, or well a letter addressed of USDA and provide in the letter al the information requested in the form. To request a copy of the completer form, call (IEGE) 602-95922. Submit your completed form or letter to USDA by:

- (1) Mait U.S. Department of Agriculture
  - Office of the Assistant Secretary for Chill Rights 1400 Independence Avenue, SW Washington, D.C. 2025D-0410; Fair (2020) 090-7442; or
- (3) Ernall: program.intake@uscla.gov.
- This institution is an equal opportunity provider.

Jowa Nondiscrimination Notice. "It is the policy of this CNP provider not to distribute on the basis of next-read, color, see, sexual colerations, gender identity, natives origin, duality, ang, or religion in program, activities, or employment practices as required by the lowa Code section 216.6, 226.7, and 216.0. If you have questions or private resonance related to compliance with this policy by this CNP Provider, plane contact the lowa CNP Rights Communice, fortune 515-5211-45124, 2000-457-4412, while hits policy by this CNP Provider 1515-5211-45124, 2000-457-4412, while hits policy have number 515-5211-45124.

### Federal Non-Discrimination 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, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

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 Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may 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 complaint of discrimination, complete the <u>USDA Program Discrimination</u> <u>Complaint Form</u>, (AD-3027) found online at: <u>http://www.ascr.usda.gov/complaint\_filing\_cust.html</u>, 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 .

This institution is an equal opportunity provider.



# Iowa Non-Discrimination Statement

It is the policy of this CNP provider not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, disability, age, or religion in its programs, activities, or employment practices as required by the lowa Code section 216.6, 216.7, and 216.9. If you have questions or grievances related to compliance with this policy by this CNP Provider, please contact the Iowa Civil Rights Commission, Grimes State Office Building, 400 E. 14th St., Des Moines, IA 50319-1004; phone number 515-281-4121, 800-457-4416; website: https://icrc.iowa.gov/

## **Non-Discrimination Statement**



If the material is too small to permit the full statement to be included, one page or smaller, the material will at a minimum include:

"This institution is an equal opportunity provider".

Also allowed for Internet, radio and TV public service announcements.

Print size for either statement shall be no smaller than font size 9.

# Public Notification Convey Equal Opportunity



## POSTINGS



http://www.fns.usda.gov/cr/and-justice-all-posters

http://www.fns.usda.gov/sites/default/files//Build4Future.pdf

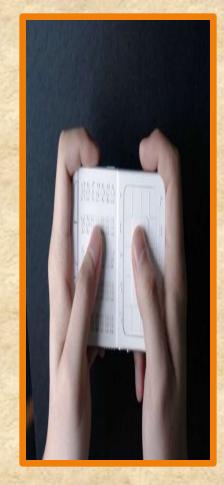


# Sections Added to Civil Rights (November 2005)

Limited English Proficiency (LEP)

- DEFINITION: Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.
  - Reasonable steps must be taken to ensure meaningful access to the information and services provided for persons with limited English proficiency.

#### Sections Added to Civil Rights (November 2005)



#### **Reasonable Steps are contingent on:**

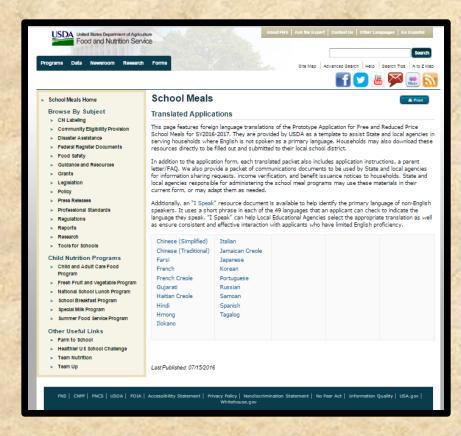
- Number or proportion of LEP persons served or encountered in the eligible population
- Frequency with which LEP individuals come in contact with the program
- Nature and importance of the program, activity, or service provided by the program
- Resources available to the recipient and costs

## **I SPEAK Survey**

#### http://www.fns.usda.gov/sites/default/files/cnd/lspeak.pdf

| USDA   Speak Statements                               | Speak Statements                                    |
|---|---|
| Unë flas shqip. (Albanian)                            | Mówię po polsku, (Polish)                           |
| ר איזכל איזלאטי≈ (Amharic)                            | Eu falo Português, (Portuguese)                     |
| ကျွန်ုပ်သည် <b>ခြန်းဘာသာမထား</b> ပြောပါသည်။ (Burmese) | Я говорю по-русски. (Russian)                       |
| □ 我说中文。(Chinese)                                      | Ja govorim srpsko - hrvatski. (Serbo-Croatian)      |
| Ja govorim hrvatski, (Croatian)                       | Waxaan ku hadlaa Somali, (Somali)                   |
| Je parle français, (French)                           | Yo hablo español. (Spanish)                         |
| Lch spreche Deutsch. (German)                         | Marunong po akong magsalita ng Tagalog. (Tagalog)   |
| 🔲 Μιλάω ελληνικά, (Greek)                             | <ul> <li>ชักษรักษุค ภาษาไทธ (Thai)</li> </ul>       |
| Mwen pale Kreyöl, (Haitian Creole)                    | Konuştuğum dil Türkçedir. (Turkish)                 |
| 🗌 मैं हिंदी चोलता ह्यूँ (Hindi)                       | Tôi nói tiếng Việt. (Vietnamese)                    |
| Kuv hais lus hmoob. (Hmong)                           | Mońsę dd Yoruba)                                    |
| A nam agų Igbo. (lgbo)                                |   |
| Parlo italiano, (Italian)                             | ان أنكام اللغة العربية. (Arabic)                    |
| □ 私は日本語を話します。 (Japanese)                              | اینجانب به زبان فارسی محبت می کنم. (Farsi)          |
| ្ត៍ដំណាយការក <b>ទឹងចុល</b> (Khmer)                    | (Hebrew) אני דובר <i>שברית</i> . (Hebrew)           |
| □ 본인의 모국어는 한국어입니다. (Korean)                           | تەززمەتى كوردى دەئاخەم. (Kurdish)                   |
| 🔲 ຂ້າພະເຈົ້າເວົ້າ ພາສາລາວ. (Lao)                      | 🔲 میں <b>اردو</b> بولتا/ بولتی موں . (Urdu)         |
| Aš kalbu <i>lietuvlškai.</i> (Lithuanian)             |   |
| 3борувам македонски. (Macedonian)                     | 8   |
| USDA is an equal opportunity provider and employer,   | USDA is an equal opportunity provider and employer. |

### **Website for Translated Applications**



#### http://www.fns.usda.gov/schoolmeals/translated-applications

### **Sections Added to Civil Rights**



Resource factors to consider in serving LEP:

- Accessibility of a translator
- Availability of materials in various languages
- Language line phone service may be available for a subscription fee through your local telephone service provider
- Translated applications on USDA web site

#### **Assistance for Hearing Impaired**



**Hearing impaired individuals** can find available assistance by going to: www.relayiowa.com/ for relay services www.iowastaterid.org/ for sign language interpretation

### **Sections Added to Civil Rights**



#### **Equal Opportunity for Religious institutions**

 CNPs encourage the participation of religious institutions on an equal footing with other kinds of local institutions and avoids barriers that would make their participation difficult.

#### **SECTIONS ADDED TO CIVIL RIGHTS**

**Equal Opportunity for Religious** 

institutions by:



Prohibiting discrimination on the basis of religion, religious belief, or religious character in the administration of Federal funds.

Allowing a religious institution that participates in USDA programs to retain its independence and continue to carry out its mission.

### **Sections Added to Civil Rights**

USDA funds cannot support any inherently religious activities such as worship, religious instruction, or proselytization.

Faith-based institutions can use space in their facilities to provide USDA-funded service without removing religious art, icons, scriptures, or other religious symbols.

No institution that receives direct financial assistance from the USDA can discriminate against a program beneficiary, on the basis of religion or religious belief.



### **Equal Access**

# All participants must have equal access

To withhold the program from any eligible age group is considered age discrimination

Infants must be offered infant food and formula at the child care facility or school.

Parents can not be asked or required to supply these items.

### **Equal Access- Diet Modification**



- All sponsors participating in Child Nutrition Programs are required to provide food substitutions or modifications if:
  - A physicians statement is on file that describes the participant's disability (a disability as defined in Federal regulations) that prevents the participant from eating the regularly offered foods
  - The physician has indicated the substitutions or modifications that the participant needs
- The Diet Modification form from the physician must be kept on file at the facility/school/kitchen

The USDA Special Diet Guidance can be found at

http://www.fns.usda.gov/sites/default/files/special\_dietary\_need s.pdf

The Center for Disease Control has developed this resource:

http://www.cdc.gov/healthyyouth/foodallergies/pdf/13\_24313 5\_A\_Food\_Allergy\_Web\_508.pdf

### **DIET MODIFICATION FORM**

#### Available in IowaCNP

#### Diet Modification Request Form

Modifications are required by The United States Department of Agriculture (USDA) to accommodate a disability. Under Section 504, the ADA, and Departmental Regulations of 7 CFR part 15b define a person with disability as any person who has a physical or mental impairment thinks buschartially limits one or more major life advilles. This as record of sub impairment, or its regarded as having such an impairment. "Major life activities" are toroadly defined and include, but are not limited to, caring for one-sett, performing manual tasks, seeling, hearing, esting, alseping, validing, standing, ultifung, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. "Najor life activities" also include operation of a major bodity function, including but not limited to, curicino of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

This form must be completed by a "medical authority" that is authorized by state law to write medical prescriptions: in lowa this includes only Medical Doctors (MD), Doctors of Osleopathic Medicine (DO), Physician's Assistants (PA), or Advanced Registered Nurse Practitioners (ARNP).

Return the completed form to your organization or provider: (Head Start, Summer (Mex Powider, Day Care, Home Powider, or School)

Participant's Name: \_\_\_Birth Date: \_\_\_\_\_ Grade;

Parent/Guardian:

|  | (Name)                  | (Phone or emaily |              |  |
|--|-------------------------|------------------|--------------|--|
| <ol> <li>Describe the medical need related to the diet order and 'major life activity' (see above) affected.<br/>Example: Allergy to pearuits affects activy to preame.</li> </ol> |                         |                  |              |  |
| <ol> <li>Explain what must be done to</li> </ol>   | accommodate the r       | nedical need:    |              |  |
| Food(s) or Formula to Omit:  |                         |                  | Food(a       | ) or Formula to Substitute:                                |
|  |                         |                  |              |  |
|  |                         |                  |              |  |
|  |                         |                  |              |  |
|  | Comple                  | te the back to   | provide addi | tional details   |
| Modified Texture:  | Not Applicable          | Chopped          | Ground       | Pureed   |
| Modified Thickness of Liquids:   | Not Applicable          | Nectar           | Honey        | Spoon or Pudding Thick                                     |
| Special Feeding Equipment:   | Not Applicable          | Equipment        | t Needed:    |  |
| (Example: large handled spoon, sippy cup, etc.)  |                         |                  |              |  |
| infants under one year of age m  | ust receive iron-fortif | led infant form  | ula or breas | t milk unless a Diet Modification Request Form is on file. |
|  |                         |                  |              |  |

Licensed prescribing medical professional:

(Signature of medical professional)

The program must make accommodations for disabilities. Accommodation is encouraged for other medical conditions.

(Name, print or type)

The parent/guardian may request a nutritionally equivalent substitute for fluid milk without direction from a medical professional. This site chooses to offer this nutritionally equivalent product. Check here if you would like to request the milk substitute \_\_\_\_. Check here if you would like to request the milk substitute Isted in place of fluid milk and list the reason for the request. USDA allows a parent/guardian to supply substitute foods. Check here if you wish to provide the substitute foods:

(76e)

(Date)

Parent/Guardian signature; Date

(To document choices and permission to share with appropriate start as peeded to make accommoditions |

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Developed by the Iowa Department of Education, Bureau of Nutrition and Health Services 11/2017

#### Check the box in front of food groups that should NOT be served and list the foods to be served instead.

| Lactose/milk - Do not serve the items checked below:  | Serve these items instead: |
|---|----------------------------|
| Fluid milk as a beverage or on cereal? ¼ cup of fluid milk to be  |                            |
| used on cereal?yesno  |                            |
| Milk based desserts such as ice cream and pudding   |                            |
| Hot entrees with cheese as a prime ingredient such as   |                            |
| grilled cheese, cheese pizza, or macaroni & cheese  |                            |
| Cheese baked in products such as a casserole or on meat pizza   |                            |
| Cold cheese such as string cheese or sliced cheese on a<br>sandwich                                       |                            |
| <ul> <li>Milk In food products such as breads, mashed potatoes, cookles<br/>or graham crackers</li> </ul> |                            |
| Soy - Do not serve the items checked below:   | Serve these items instead: |
| Protein products extended with soy  |                            |
| Processed Items cooked in soy oil   |                            |
| Food products with soy as one of the first three ingredients  |                            |
| Food products with soy listed as the fourth ingredient or   |                            |
| further down the list   |                            |
| Egg - Do not serve the Items checked below:   | Serve these items instead: |
| Cooked eggs such as scrambled eggs or hard cooked   |                            |
| eggs served hot or cold   |                            |
| Eggs used in breading or coating of products  |                            |
| Baked products with eggs such as breads or desserts   |                            |
| Seafood - Do not serve the items checked below:   | Serve these items instead: |
| Fish (Cod, tuna, tilapla, haddock, salmon, etc.)  |                            |
| Shrimp  |                            |
| Other   |                            |
| Peanuta - Do nor serve the Items checked below:   | Serve these items instead: |
| Peanuts, Individually or as an Ingredient   |                            |
| Foods containing peanut oil   |                            |
| Foods items identified as manufactured in a plant that  |                            |
| also handles peanuts  |                            |
| Tree nuts - Do not serve the items checked below:   | Serve these items instead: |
| All nuts  |                            |
| Food items identified as manufactured in a plant that also  |                            |
| handles nuts  |                            |
| Other   |                            |
| Grains - Do not serve the items checked below:  | Serve these items instead: |
| Foods containing wheat  |                            |
| Foods containing gluten   |                            |
| □ Oats  |                            |
| Other   |                            |
|   |                            |

Developed by the Jowa Department of Education, Bureau of Nutrition and Health Services 11/2017

#### **COLLECTING AND REPORTING PARTICIPANT DATA** Income Eligibility Application

| OPTIONAL Children's Racial and Ethnic Identities<br>We are required to ask for information about your children's race and ethnicity. This<br>your children's eligibility for free or reduced price meals. | s information is important and helps to make sure we are  | fully serving our community. Responding to this section is optional and does not affect         |  |  |  |  |
|---|---|---|--|--|--|--|
| Ethnicity (check one): 🔲 Hispanic or Latino 🛛 🔲 Not Hispanic o  | or Latino   |   |  |  |  |  |
| Race (check one or more): 🔲 American Indian or Alaskan Native 🔲 Asian 🔲 Black or African American 🔲 Native Hawaiian or Other Pacific Islander 🔲 White   |   |   |  |  |  |  |
| Iowa Income Eligibility         Application         Racial Ethnic Identities         Section  | your dikkiens elgölik for the or reduced price meas.  Ethnisity (abeek one):  Hispanic or Latino  Rade (abeek one) or omore):  Ministration of the original of the original or a listical or Latino  Rade (abeek one) or omore):  Ministration of the original or a listical or listical or listical or listical  Accord the alth Insurance for Children  If your children do not have health insurance, many families getting free or schools to share your free and reduced price meal eligibility information who may be eligibility information who are the eligibility information who may be eligibility information who are the eligibility information who are unaber or difference for a barrier child or you who who are unaber or difference for a barrier child or you who who are unaber or difference for a barrier child or you eligibility information with eligibility information who are unaber or difference for a barrier child or you eligibility information who requires the archity and archited or a difference or eligibility information who are discustions of program rules.  Using a contractional of statement: In accordance with Federal citil right and the eligibility information with eligibility information with eligibility information with eligibility information with eligibility information areachity program rules.  Using a corigi | alton from my free and reduced price meal application with Medicaid or hawk-(         Signature |  |  |  |  |

## ETHNIC/RACIAL DISTRIBUTION REPORTING FORM



04/16

| 04/16  |  |                             |                                      |                    |  |  |
|--|--|-----------------------------|--------------------------------------|--------------------|--|--|
|  | Ethnic/Racial Distribution<br>From the Iowa Eligibility Applications |                             |                                      |                    |  |  |
|  |  | 20 20 Sch                   | nool Year                            |                    |  |  |
|  |  | (Name of Local Educatio     | on Agency)                           |                    |  |  |
|  |  | (Agreement Num              | ber)                                 |                    |  |  |
| Ethnic Identities                            | Total<br>Applicants  | Awarded Free<br>Meal Status | Awarded Reduced<br>Price Meal Status | Did Not<br>Qualify |  |  |
| Hispanic or Latino                           |  |                             |                                      |                    |  |  |
| Not Hispanic or Latino                       |  |                             |                                      |                    |  |  |
| Totals                                       |  |                             |                                      |                    |  |  |
| Racial Identities                            |  |                             |                                      |                    |  |  |
| White  |  |                             |                                      |                    |  |  |
| Black or African American                    |  |                             |                                      |                    |  |  |
| American Indian or<br>Alaskan Native         |  |                             |                                      |                    |  |  |
| Asian  |  |                             |                                      |                    |  |  |
| Native Hawaiian or<br>Other Pacific Islander |  |                             |                                      |                    |  |  |
| Totals                                       |  |                             |                                      |                    |  |  |

Instructions for completion: 1. This information is based on STUDENTS, not APPLICATIONS. Include only those students who applied for meal benefits. 2. Each student will have an ethnic <u>and</u> a racial identity. Use self-identification if possible; if the parent/guardian does not identify ethnic and/or racial status on the Iowa Eligibility Application, the LEA must identify based on best available information. 3. The totals in each column for Ethnic Identities should equal the totals for Racial Identities. "Total applicants" for both ethnic and racial identifies should be the sum of "awarded free meal status," "awarded reduced price meal status," and "did not qualify." 4. File with processed applications and update throughout the year.

#### https://www.educateiowa.gov/documents/iowaincome-eligibility/2016/05/ethnic-racial-form



## DEFINITION OF "NONCOMPLIANCE"

A factual finding that any civil rights requirement, as provided by Federal and State law, regulation, policy, instruction, or guidelines, is not being adhered to.

#### **EXAMPLES OF NONCOMPLIANCE**



- Denying an individual or household the opportunity to apply for FNS program benefits or services on the basis of a protected class.
- Providing FNS program services or benefits in a dissimilar manner on the basis of a protected class (except as a disability accommodation).
- Selecting FNS program sites or facilities in a manner that denies an individual access to FNS program benefits, assistance, or services on the basis of a protected class.



#### **COMPLAINTS INFORMATION 2 Procedures for Complaints**

1. Complaint filed directly with USDA. (The institution or complainant bypasses the State Agency).

#### 2. Complaint filed with Institution or State Agency

- Complete the USDA complaint form.
- Forward completed form to the address or link on the non-discrimination statement.
- The institution shall work with the complainant to try to resolve the issue at the local level as quickly as possible.
- If the complaint is resolved the institution will forward the resolution information to the address or link on the non-discrimination statement.

#### Note: Complaints are no longer forwarded to the State Agency

### COMPLAINTS PROCEDURE TEMPLATE



#### USDA Child Nutrition Programs in Iowa

#### Procedures for Handling a Civil Rights Complaint

Civil rights complaints related to the National School Lunch Program, School Breakfast Program, Afterschool Care Snack Program, or Child and Adult Care Food Program are written or verbal allegations of discrimination based on USDA protected classes of race, color, national origin, sex, age, and disability. Any person claiming discrimination has a right to file a complaint within 180 days of the alleged discrimination. See below for additional lowa Civil Rights information. A civil rights complaint based on the protected classes above must be forwarded to the address on the nondiscrimination statement. All complaints, whether written or verbal, must be accepted by the School Food Authority (SFA) and forwarded to USDA at the address or link on the nondiscrimination statement. An anonymous complaint should be handled the same way as any other. Complaint forms may be developed, but their use cannot be required. If the complainant makes the allegations verbally or in a telephone conversation and is reluctant or refuses to put them in writing, the person who handles the complaint must document the description of the complaint.

There must be enough information to identify the agency or individual toward which the complaint is directed and indicate the possibility of a violation. Every effort should be made to obtain at least the following information:

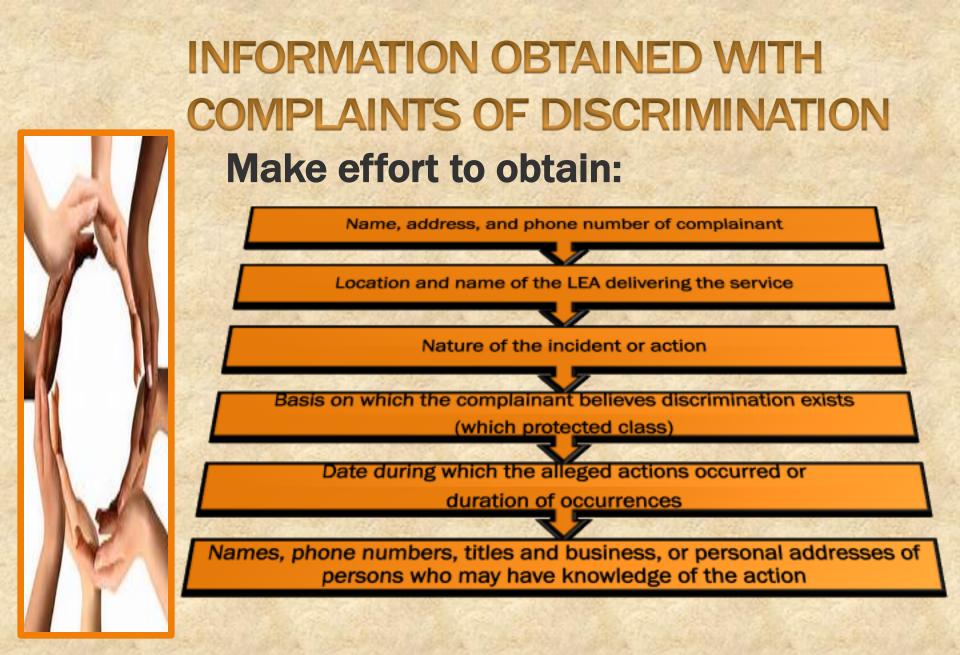
Name, address and telephone number or other means of contacting the complainant; The specific location and name of the organization delivering the program service or benefit; The nature of the incident(s) or action(s) that led the complainant to feel there was discrimination; The basis on which the complainant feels discrimination occurred (race, color, national origin, sex, age, or disability);

The names, titles, and addresses of people who may have knowledge of the discriminatory action(s); and The date(s) when the alleged discriminatory action(s) occurred or, if continuing, the duration of such action(s).

USDA is the cognizant agency for the Child Nutrition Programs listed and therefore is the first contact for the protected classes listed above for complaints received within 180 days. The link for submission of a complaint is: <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>

In Iowa, protected classes also include sexual orientation, gender identity, religion or creed and complaints can be filed up to 300 days of occurrence. The address for Iowa complaints is: Iowa Civil Rights Commission, Grimes State Office Building, 400 E. 14th St., Des Moines, IA 50319-1004; phone number 515-281-4121, 800-457-4416; website: <a href="https://crc.lowa.gov/">https://crc.lowa.gov/</a>.

https://www.educateiowa.gov/pk-12/nutrition-programs/quicklinks-nutrition/learning-tools-nutrition/civil-rights-training



### FEDERAL COMPLAINT FORM AND WEBSITE

| Remedies: How would ye      Theve you filed a complan     agency or with a court?      Yes: No:      If yes, with what agency o     when did you file?      Po   | Please check ( - ) the USDA Age<br>Federal financial assistance for<br>farm Service Agency  <br>Rural Development  <br>Forest Service  <br>2. What happened to you? Use a<br>supporting documents that with   | UNITED STATES DEFAETS<br>Office of the Assister<br>Program Discrim<br>First Name: Node 3<br>Mailing Address: State<br>City: State<br>5-mail address (if you have zer)<br>Telephone Number during with zero colo |
|--|---|---|
| Signature:<br>Hall Completel form Tei<br>UCA<br>Other of the Austral Eleven<br>Signature<br>100 Internetiones Aus, Sil<br>100 Internetiones Aus, Sil | When Bd the discrimination as     Date:     Herth I      Herth I      Herth I      Herth I      Herth I      Marth      Marth I      Marth      Marth      Marth      Mar | Alternatic Telephone Number automy<br>Best Time of the Day to Reach You<br>Day You Name a regresentation (Invent or<br>Y yes, pieces provide the following unit<br>Real Name:                                   |

USDA will determine if it has jurisdiction under the law to pr bases identified and in the programs involved. Reprild that it activity is prohibited. PROPERTY ADDRESS: 27 this complaint incluses a farm of that is not your current address, write in the address ?

#### property. Otherwise, this part of the form can be left blink. PLEASE READ IMPORTANT LEGAL INFORMATION BEL

CONSENT This USDA Program Disconnection Complaint form is pro Privacy Alt of 1974, 5 U.S.C. (552), and covariantic form to which this halks is attached. The United State Office of the Assesset Secretary for Cuil lights (15) purriculant to 7 CFR Part 15.

If the completed ferm is accepted as a complete care, it the investigation will be used to proceed your program do Conclosure is spluritary inpanser, taken to solds the

the form may result in disregal of your company, 2 will be natified. The information was provide to the which parties where all the information that devices the Department of Judios, the cash or other titles Whatel for purposes of inspiron, 2) sectors for or program that upgoan or improve, in wateral laws or Congressional affect if you have request out on the for congressional affect if you have requested that the four compliant or: 41 To the United States Coll Rep. inquest for information.

NUMERAL (NUTRIDATION) PROPERTYON No Agence, whice, employed, if upon it the solid. thick and its program, shall extended, models, in er offenselse register signed angest with his list i of the location is not save it is being an of descentration.

Over Carlos Number 2005-0082

#### UNCTED STATES DEPARTMENT OF AGRICULTURE (USDA) Office of the Assistant Secretary for Civil Rights 1504 Program Discrimination Complaint Form Instructions

(The complete form is below the instructions)

NAPOSE. The purpose of this form is to assist you in filling a USDA program. decrevation complext. For two tilling out the form, you may call any of the statute runtes keel it the lattern of the campiant form. Now are not required to on the company term. Now may write a latter instead. If you write a latter it must order at at the effortuation magnetical in the form and be signed by you or your infected epresentative. Dromplete information will delay the processing of your

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the new also send a completed by TAU ar e-must. Now must fame a signed copy of your ensues, as if you and your complete by e-mail, be sure to which the signed copy to my must branches internation or an unsigned form will delay the processing of

HUBB DADURE: A proper decrementar complete must be filed not later than lift den of the life who have a should have indeen of the alleged discrementation. the end of the end of the state of the SEA. Comparest and by read any considered when the time to filling it extended by SEA. Comparest and by read any considered but in the first the property was appear, unless the date on the complexit letter 

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https://www.ascr.usda.gov/filing-program-discriminationcomplaint-usda-customer

## TIMELINE FOR HANDLING FEDERAL COMPLAINTS OF DISCRIMINATION



#### Must be filed with in 180 days

- May be written or verbal
- May be anonymous

#### Collect information

 Use complaint form

#### **IOWA COMPLAINT FORM AND WEBSITE**

| The LEAST STREET REPORT OF M.<br>Parts for the large state of the Annual Annual<br>The Annual of The Street Street on Annual Annual<br>Street of The The Annual Annual Annual Annual<br>Street of The The Annual Annual Annual Annual<br>Street of The The Annual Annual Annual Annual Annual<br>Annual of The The Annual Annual Annual Annual Annual<br>Annual of The The Annual Annual Annual Annual Annual Annual<br>Annual Annual Annual Annual Annual Annual Annual Annual Annual<br>Annual Annual Annual Annual Annual Annual Annual Annual Annual<br>Annual Annual | Chair the law (much life) year of the ISON INCLUSE INCLUSE     Section 2014 (INCLUSE INCLUSE INCLUSE)     A Effective of the Annu chair vector in the Annu chair vecto | Mitte, what is start has child         Composition on the interfacional space feature of year massimple         Mitter, which year mass functional space feature of year massimple         Mitter, which year mass functional space feature of year massimple         Mitter, which year mass functional space feature of year massimple         Mitter, which year mass functional space feature of year massimple         Mitter, which year mass functional space feature of year massimple         Mitter, which year mass functional space feature of year massimple         Mitter, which year mass functional space feature of year mass massimple         Mitter, which year mass feature of year mass mass mass mass massimple         Mitter, which year mass feature of year mass mass mass mass mass mass massimple         Mitter, which year mass feature of year mass mass mass mass mass mass mass ma   | IOWA CIVIL RIGHTS COMMISSION COMPLAINT FORM<br>SIGHAD / NO.471466 / Par SI-540-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540-540 / (https://actions.gov           Sige ADD / NO.471466 / Par SI-540-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540 / (https://actions.gov           SIGE ADD / NO.471466 / Par SI-540 / (https://actions.gov           SIGE ADD / NO.47146 / (https://actions.gov                     |
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http://www.state.ia.us/government/crc/index.html

## TIMELINE FOR HANDLING IOWA COMPLAINTS OF DISCRIMINATION



#### Must be filed with in 300 days

- May be written or verbal
- May be <u>NOT</u> anonymous

# Collect information

# Use complaint form

#### **RESOLUTION OF NONCOMPLIANCE**



If noncompliance is indicated, corrective action must be taken immediately to achieve voluntary compliance within 60 days. If voluntary compliance is not achieved, the Regional Office will be involved.



2

# **COMPLIANCE REVIEWS**

# **Examines activities to determine adherence with civil rights requirements**

• Review the public release

Check for equal access

- Review complaint procedure
- Complete Civil Rights training with all staff
  with Child Nutrition Program responsibilities

## COMPLIANCE REVIEWS SELF ASSESSMENT



| comp | iance with Civil Rights requirements.   |             |        |
|------|---|-------------|--------|
|      |   | ст          |        |
|      |   | 51          |        |
|      | ck each activity that your organization always does or that needs improvement. Then   | Alv         | ī      |
|      | e a plan to correct activities that are not always done correctly. Resource materials<br>applicable forms are available in this manual or from other resources. | Always Done | Needed |
| 1.   | All households or participants are provided with information about Civil Rights   |             |        |
|      | requirements when they enroll or apply.   |             |        |
| 2.   | Households and participants who do not speak English or are hard of hearing are   |             |        |
|      | informed about the CNP. They are informed of the non-discriminatory nature of the   |             |        |
|      | Program in the appropriately translated material or translation services are used.  |             |        |
| 3.   | Ethnic and racial identities of participants are recorded and reported as required.   |             |        |
|      | The source documents used to collect racial/ethnic data are retained for three  |             |        |
|      | years. Confidentiality of the information is assured.   |             |        |
| 4.   | Racial Ethnic Distribution Form is completed and updated as needed annually.  |             |        |
| 5.   | The approved media release is made available to local news media annually.  |             |        |
| 6.   | Meals are offered to all participants without discrimination based on race, color,  |             |        |
|      | national origin, sex, age or disability, creed, sexual orientation, gender identity, or   |             |        |
|      | religion. The same meals are offered to all participants of approximately the same  |             |        |
|      | age according to program requirements.  |             |        |
| 7.   | The USDA "And Justice For All" poster is displayed as required.   |             |        |
| 8.   | The correct non-discrimination statements are in any material intended for public   |             |        |
|      | information. The statements related to USDA and Iowa are clearly identified. The  |             |        |
|      | font size of the notices is no smaller than the print on the page.  |             |        |
| 9.   | A complaint procedure policy is in place.   |             |        |
| 10.  | Staff know what to do in the event of a Civil Rights complaint.   |             |        |
| 11.  | Staff are trained on Civil Rights requirements annually. Training is documented   |             |        |
|      | with signatures, date, and training information. Documentation is kept for 3 years  |             |        |
|      | plus the current year.  |             | L      |
|      | PLAN FOR IMPROVEMENT  |             |        |
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|      |   |             |        |
|      | "This institution is an equal opportunity provider and en   | mploye      | ?r″.   |
|      |   |             |        |

is self-assessment tool may be used to monitor feeding sites, to assess a participating entity's

https://www.educateiowa.gov/pk-12/nutrition-programs/quicklinks-nutrition/learning-tools-nutrition/civil-rights-training

<u>42</u>

### **CIVIL RIGHTS TRAINING**

Specific subject matter required to be included in training, but not limited to:

| N.N.N.   | 1.1.1   | minica to.                 |                               |  |  |  |
|--|---|----------------------------|-------------------------------|--|--|--|
| A DESCRIPTION OF THE PARTY OF T | Training  | Collection and use of data | Effective public notification | Complaint<br>procedures  |  |  |
| The second se  | Knowledge<br>useful abilities.                      | Compliance<br>reviews      | Resolution of noncompliance   | Reasonable<br>accommodation<br>of persons with<br>disabilities |  |  |
| States - Charles - Charles   | useful ability<br>backbone of co<br>quired for a tr |                            | Conflict resolution           | Customer service   |  |  |

### **ANNUAL CIVIL RIGHTS TRAINING**



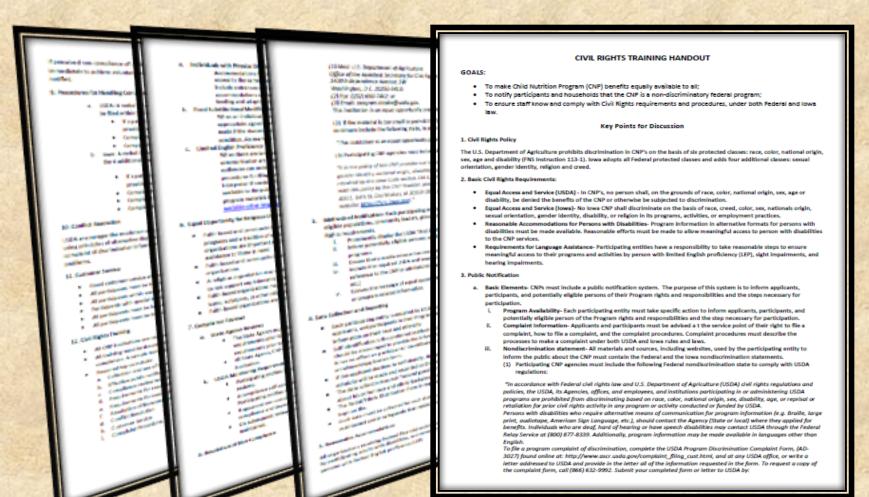
LEAs are responsible for annually training their front line staff and supervisors who interact with applicants or participants

- **Training must be documented** 
  - Staff Signatures
  - Training Date
  - Presenter
  - Length of Training

#### **ANNUAL CIVIL RIGHTS TRAINING**



#### **ANNUAL CIVIL RIGHTS TRAINING HANDOUT**



https://www.educateiowa.gov/pk-12/nutrition-programs/quicklinks-nutrition/learning-tools-nutrition/civil-rights-training

## STAFF TRAINING DOCUMENT SAMPLE



https://www.educateiowa.gov/pk-12/nutrition-programs/quicklinks-nutrition/learning-tools-nutrition/civil-rights-training

#### **ANNUAL CIVIL RIGHTS TRAINING**

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|   | 872             | 10.     |
| This institution is an equal opportunity provider and employer. | <u>(1)</u>      | 11.     |
|   | $ \rightarrow $ | 12.     |

| me                              | (Signature)  |   | D   | ate  |
|---------------------------------|--|---|---|--|
| truc                            | tions: Select from th  | e terms listed below  | to answer the questions.  |  |
| Г                               | Reasonable Steps   | Civil Rights  | Disability  | 300 days   |
|                                 | Diet Modification  | Creed   | Racial Ethnic Distribution  | National Origin  |
|                                 | Color  | Noncompliance   | Sexual Orientation  | 180 days   |
|                                 | And Justice for All  | Age   | This institution is an equal<br>opportunity provider  | Religion   |
|                                 | Gender Identity  | Race  | Discrimination  | Sex  |
| 2.                              |  |   | 6al classes protected under lo  |  |
|                                 |  |   | ·   | wa civii taginta lawa.   |
| 2                               |  |   | 34  |  |
| 4<br>i                          | All employees with C   | Child Nutrition Progra  | 34<br>m responsibilities complete<br>g one person or group of person<br>of actions, or lack of actions  | training anı<br>sons from others, either   |
| 4<br>i                          | All employees with C<br>is th<br>intentionally, by neg<br>classes.   | Child Nutrition Progra<br>e act of distinguishing<br>lect, or by the effect o   | m responsibilities complete   | training and<br>sons from others, either<br>based on their protected   |
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A complaint must be filed within \_\_\_\_\_\_ based on a federally protected class.

12. A complaint must be filed within \_\_\_\_\_

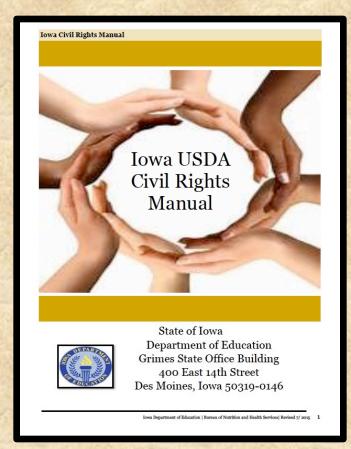
"This institution is an equal opportunity provider".

based on a state protected class.

https://www.educateiowa.gov/pk-12/nutrition-programs/quicklinks-nutrition/learning-tools-nutrition/civil-rights-training

### **USDA and IOWA CIVIL RIGHTS MANUALS**

| Food<br>Nuti<br>Sc | -        | FNS INSTRUCTION<br>U.S. DEPARTMENT OF AGRICULTURE<br>3101 PARK CENTER DRIVE<br>ALEXANDRIA, VA 2200-1500  | NUMBE<br>113-1 |
|--------------------|----------|--|----------------|
| INFOR              | MATIO    | N FOR: All FNS Employees and State Agencies  |                |
|                    | Civil Ri | ights Compliance and Enforcement - Nutrition Programs and Acti   | vities         |
|                    |          | TABLE OF CONTENTS  |                |
| I                  | PURPOS   | SE   | PAGE           |
| п                  | AUTHO    | RITY   | 1              |
| ш                  | POLICY   | ·  | 2              |
| IV                 | APPLIC   | ABILITY  | 3              |
| v                  | DEFINI   | TIONS  | 3              |
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| xv                 | COMPL    | AINTS OF DISCRIMINATION  | 29             |
| XVI                | GUIDEI   | INES FOR PROCESSING CIVIL RIGHTS COMPLAINTS  | 30             |
| DISTRIB            |          | MANAL MARTENANCE MSTRUCTIONS:<br>This instruction Beplaces FIS<br>Instructions 113-7, may 1, 113-2,<br>113-3, 113-4, 113-6, 113-7 and 113-8.<br>PREDVall PKS Instructions listed<br>here and replace with this<br>Instruction. | N AND 11 (0    |



HTTP://WWW.FNS.USDA.GOV/SITES/DEF AULT/FILES/113-1.PDF HTTPS://WWW.EDUCATEIOWA.GOV/PK-12/NUTRITION-PROGRAMS/QUICK-LINKS-NUTRITION/LEARNING-TOOLS-NUTRITION/CIVIL-RIGHTS-TRAINING

#### ADMINISTRATIVE REVIEW-800's Review Questions

| 800 | What is the non-discrimination statement used for appropriate Program materials?     Please provide exact language.  |
|-----|--|
| 801 | • Provide a copy of the School Food Authority's public release.  |
| 802 | <ul> <li>Is there a need for services for Limited English Proficient (LEP) households?</li> <li>If so, what services does the SFA provide?</li> </ul>  |
| 803 | <ul> <li>What is the SFA's procedure for receiving and processing complaints alleging discrimination within FNS School Meal Programs?</li> <li>If procedures are written, provide a copy.</li> </ul>   |
| 804 | <ul> <li>Has the School Food Authority received any written or verbal complaints alleging discrimination in FNS Programs in the current or prior school year?</li> <li>If yes, please provide the following information: date, nature of complaint, and agency complaint was reported to.</li> </ul> |
| 805 | How are students with special dietary needs accommodated?  |
| 806 | <ul> <li>When was the SFA's most recent civil rights training for staff who interact with program applicants or participants?</li> <li>Who attended these trainings?</li> <li>What topics were covered by the training?</li> <li>Provide supporting documentation for the responses.</li> </ul>      |
| 807 | <ul> <li>How does the SFA collect racial/ethnic data?</li> <li>How often is this information collected?</li> <li>Provide documentation to support the response.</li> </ul>   |

## **CUSTOMER SERVICE**



#### All participants must be treated in the same manner

- Each person receives the same menu items in the same amounts
- All persons are included in meals, snacks, activities, and discussions
- Each person receives positive comments, as well as constructive education regarding meal time, nutrition, manners, etc.
- Standards of behavior are not based on membership in a protected class

## **FOOD FOR THOUGHT**



In order to reduce the risk of a civil rights discrimination complaint, ask yourself the following questions each time an applicant and/or participant comes to your program for services:

- Am I treating this person in the same manner I treat others?
- Have I informed this person exactly what information I need to make a determination on the application?
- Have I given this person the opportunity to ask questions?
- Have I provided the person with the information he or she needs to make necessary decisions?

## **QUESTIONS???**



Patti Harding 515-281-4754 patti.harding@iowa.gov Assigned NSLP consultants Contact Bureau of Nutrition and Health Services for additional questions-515-281-5356