

## Civil Rights Compliance

State agencies and child nutrition sponsoring agencies shall comply with the requirements of **Title VI of the Civil Rights Act of 1964; American with Disabilities Act (ADA); Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; and the Age Discrimination Act of 1975.**

## Nondiscrimination Policy Statement

All USDA Food and Nutrition Programs should include the required nondiscrimination statement on all appropriate FNS and agency publications, posters, and informational materials. The statement can be found below and at <https://www.fns.usda.gov/cr/fns-nondiscrimination-statement>.

### The long statement reads as follows:

*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 [USDA Program Discrimination Complaint Form](#), AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), 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: Call: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).*

*This institution is an equal opportunity provider.*

### The short statement reads as follows:

***“This institution is an equal opportunity provider.”***

*The shorter statement may be used if the material is too small to permit the long statement. However, the print size should be no smaller than the text of the document. Examples include: letters, memos, notices, menus, internet, public service announcements, television spots, or advertisements, recruitment and outreach correspondence.*

### The Spanish statement reads as follows:

*De conformidad con la Ley Federal de Derechos Civiles y los reglamentos y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA, por sus siglas en inglés), se prohíbe que el USDA, sus agencias, oficinas, empleados e instituciones que participan o administran programas del USDA discriminen sobre la base de raza, color, nacionalidad, sexo, discapacidad, edad, o en represalia o venganza por actividades previas de derechos civiles en algún programa o actividad realizados o financiados por el USDA.*

*Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano, etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las personas sordas, con dificultades de audición o discapacidades del habla pueden comunicarse con el USDA por medio del Federal Relay Service [Servicio Federal de*

*Retransmisión] al (800) 877-8339 . Además, la información del programa se puede proporcionar en otros idiomas.*

*Para presentar una denuncia de discriminación, complete el [Formulario de Denuncia de Discriminación del Programa del USDA](#), (AD-3027) que está disponible en línea en: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) y en cualquier oficina del USDA, o bien escriba una carta dirigida al USDA e incluya en la carta toda la información solicitada en el formulario. Para solicitar una copia del formulario de denuncia, llame al (866) 632-9992 Haga llegar su formulario lleno o carta al 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; (2) fax: (202) 690-7442; (3) correo electrónico: [program.intake@usda.gov](mailto:program.intake@usda.gov).*

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

## **Civil Rights Requirements for Child Nutrition Sponsors**

- Provide your Child Nutrition Program in a nondiscriminatory manner.
- Offer meals to all children and meal substitutions to participants with disabilities.
- Prominently display the nondiscrimination poster, “And Justice for All,” in areas where participants and potential participants have access.
- Annually complete the Civil Rights Data Collection (CACFP) and Compliance forms (CACFP, NSLP, and RCCI).
- Include the nondiscrimination statement on all materials available to the public, including websites.
- Provide informational materials in appropriate translations and language interpreters as needed.
- Annually conduct Civil Rights training for staff and keep documentation of training.
- Develop and implement your Civil Rights Complaint procedure.

## **Filing a Civil Rights Complaint**

### ***Filing a Civil Rights Complaint-Based on guidance from FNS 113-1 Appendix E***

A civil rights complaint can be filed using the sample form in FNS 113-1 Appendix E OR a complaint can be filed with a letter, that must include in the following information:

- Person Discriminated Against

- Agency and Department or Program that allegedly discriminated
- Type of Discrimination (Non-employment or Employment)
- Non-employment-discrimination in the delivery of services
- Employment-discrimination in employment by the department or agency
- Base(s) of discrimination
  - Race/Color
  - National Origin
  - Sex
  - Religion
  - Age
  - Disability
- Dates of alleged discrimination (to the best recollection)
- Complaints must be made within 180 days of last alleged discrimination. A waiver can be requested if this timeframe has been exceeded
- Detail of what happened, why you think it happened and who was involved

All FNS assistance programs must include a public notification system. The purpose of this system is to inform applicants, participants, and potentially eligible persons of the program availability, program rights and responsibilities, the policy of nondiscrimination, and the procedure for filing a complaint.

“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs, or disability.

“To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.”

## **Racial and Ethnic Categories**

The race and ethnic categories for data collection and reporting have been changed to the following:

### ***Racial Categories:***

**Black or African American** A person having origins in any of the black racial groups of Africa. Terms such as “Haitian” or “Negro” can be used in addition to ‘Black or African American.’

**Asian** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**American Indian or Alaskan Native** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.

**Native Hawaiian or Other Pacific Islander** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**White** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

***Ethnic Categories:***

**Hispanic or Latino** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term “Spanish origin” can be used in addition to “Hispanic or Latino.”

**Non-Hispanic or Non-Latino** A person other than Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.