

# **Civil Rights Training**

## **Nutrition Education and Obesity Prevention Branch (NEOPB)**

### **California Department of Public Health**



This material was produced by institutions that represent SNAP-Ed in California, known as CalFresh, with funding from USDA SNAP-Ed. These institutions, the California Department of Social Services, the California Department of Public Health, UC CalFresh, the California Department of Aging and Catholic Charities of California, are equal opportunity providers and employers. CalFresh provides assistance to low-income households and can help buy nutritious food for better health. For CalFresh information, call 1-877-847-3663



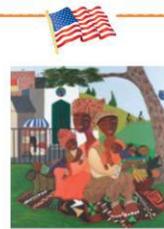
# News Bulletin

August 2014

## Annual Mandatory Civil Rights Training

Requirement of All SNAP-Ed Funded Staff

**USDA prohibits  
discrimination in all its  
programs and activities**



## Welcome to Civil Rights Training

This is a annual mandatory training designed for all California Supplemental Nutrition Assistance Program Education (SNAP-Ed) staff.

Before you begin, please read the training instructions on page 3 in order to properly save and track your answers for record keeping.

# Training Instructions

**STEP ONE:** Save and Rename this Document. Save a copy of this training to your computer by selecting the '*save as*' command from the File Menu *before* you begin. Rename it with your name or initials to identify you as the trainee. This is the copy you will be using to save and turn-in your work.

**STEP TWO:** Open the Document saved to your computer. Type in your name and today's date in the spaces provided below.

**STEP THREE:** You will be asked to complete 3 activities. When you have reviewed all of the Power Point and have finished answering the activity questions, '*save*' your answers before closing the document. When you have completed the course and the evaluation, you will receive a Certificate of Completion. Submit the completed copy of the Certificate of Completion to your Supervisor, Project Director, or Training Coordinator.

**Name:**

**Date:**

# Training Objectives

**As a result of participating in this training, you will:**

- ❖ Recognize and prevent discrimination based on any of the protected classes
- ❖ Understand civil rights compliance procedures
- ❖ Describe the components of civil rights public notification
- ❖ Identify the language assistance requirements for people with Limited English Proficiency (LEP)
- ❖ Describe how to accommodate people with disabilities
- ❖ Understand the collecting and reporting of data on ethnicity and race
- ❖ Acknowledge the importance of providing good customer service and conflict resolution
- ❖ Define the necessary complaint procedures



# Why is this training required?



SNAP-Ed receives federal funding from Food and Nutrition Service (FNS), through the United States Department of Agriculture (USDA). All programs receiving this funding are required to demonstrate compliance with Federal civil rights requirements.

To satisfy this requirement, the State SNAP-Ed (CDPH and CDSS) program must institute a mandatory annual civil rights training for all state and local implementing agency staff delivering SNAP-Ed services, and create a system for responding to client complaints on the basis of perceived or actual discrimination. Completion of this training meets these obligations.

# How are the Civil Rights training requirements for all SNAP-Ed funded programs met?



The FNS Regional Office of Civil Rights and State Implementing Agencies (SIAs) will be responsible for training State agency staff.

All SIAs are responsible for training local agencies.

Local agencies are responsible for training their staff, including frontline staff and sub-grantees.

All frontline staff who interact with program applicants or participants, and those who supervise frontline staff, must be provided civil rights training on an annual basis.

# Compliance Reviews



The civil rights compliance review process examines the activities of the State agency, local agency, or other sub grantees to determine that FNS programs are being administered in compliance with civil rights requirements.

The review process assures that these civil rights requirements are met:

- Discrimination based on any of the protected classes is prevented
- Civil rights compliance procedures are in place
- Public notification requirements are met
- The language assistance requirements for people with Limited English Proficiency (LEP) are met
- Accommodation of people with disabilities is followed
- Data on ethnicity and race is collected and reported
- Good customer service and conflict resolution are provided
- The necessary complaint procedures are in place

## What are Civil Rights?



Civil Rights are the rights of individuals to receive equal treatment based on certain legally protected classes.



This is a photograph of President Lyndon Johnson signing the Civil Rights Act, July 2, 1964 with Martin Luther King standing directly behind him and key members of congress. (Sac Bee 7/2/14)

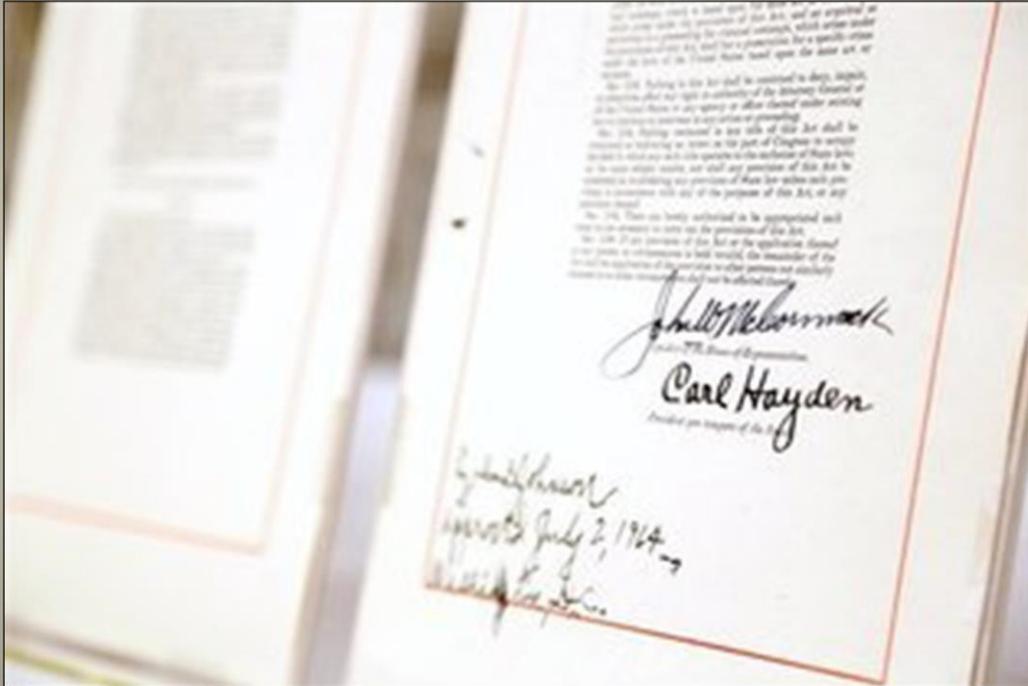
This law made it illegal to discriminate on the basis of race, color, religion, sex, or national origin, and barred unequal application of voter registration requirements.

It banned racial discrimination in hotels, theaters, restaurants and other public accommodations, as well as many workplaces, and gave the federal government new powers to enforce the law.

The Civil Rights Act of 1964 is considered one of the most celebrated legislative achievements in U.S. history.

Seven days after the assassination of Martin Luther King Jr., Johnson signed the Civil Rights Act of 1968, which provided equal housing opportunities regardless of race, color, religion, sex, disability, familial status, or national origin.

# Pages of the Civil Rights Act of 1964



This photo taken June 17, 2014 shows pages of the Civil Rights Act of 1964 shown in the basement of the National Archives in Washington. They are on display at the National Archives to honor the 50th anniversary of their signing in 1964. (Sac Bee 7/2/14)

## What are the Protected Classes?



**Discrimination is prohibited against any program participant or employee based on:**

- Age
- Race
- Color
- Sex
- Disability
- Religious creed
- National Origin
- Political Beliefs

The Supplemental Nutrition Assistance Program (SNAP) (as described in the amended Food Stamp Act of 1977) is an entitlement program available to all low-income individuals and families who meet the income, resource, and eligibility requirements as specified under the Act and corresponding regulations. The Act also prohibits discrimination against any applicant or participant in any aspect of program administration for reasons of age, race, color, sex, disability, religious creed, national origin, or political beliefs. These are referred to as the “Protected Classes.”

**While not specifically covered in USDA Policy, other Federal and State laws add additional Protected Classes. They are :**

- Marital or family status
- Parental status
- Sexual orientation
- Genetic information
- Receipt of public assistance

## Public Notification

**The purpose of public notification is to ensure that people understand:**

- Program availability
- Rights and responsibilities
- Policy of nondiscrimination
- Procedure for filing a complaint



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.

**The public notification system must include the following three basic elements:**

**1. Program Availability:** Each State agency, local agency, or other sub-grantee that distributes program benefits and services must take specific action to inform applicants, participants, and potentially eligible persons of their program rights and responsibilities and the steps necessary for participation.

**2. Complaint Information:** Applicants and participants must be advised at the service delivery point of their right to file a complaint, how to file a complaint, and the complaint procedures.

**3. Nondiscrimination Statement:** All information materials and sources, including Web sites, used by FNS, State agencies, local agencies, or other sub-grantees to inform the public about FNS programs must contain a nondiscrimination statement

## Components of Public Notification



One component of public notification requires that photos and graphics reflect diversity.

## Components of Public Notification



Public notification also requires that the USDA nondiscrimination poster "**And Justice for All,**" (<http://www.fns.usda.gov/cr/and-justice-all-posters>) or an FNS approved substitute is prominently displayed in classrooms and other locations where interventions are frequently held, except in family day care homes.

If a State agency elects to produce its own posters, either due to unavailability from USDA/FNS or State agency preference, the reproduction must be approximately the same size as the applicable "And Justice for All" poster (11" width and 17" height).

When SNAP-Ed programs are provided at organizations (like CalFresh offices, schools or WIC centers) that operate other FNS Programs, it's probable that these locations already have the poster displayed.

## Components of Public Notification

**Communicate to all eligible participants  
pertinent program information**

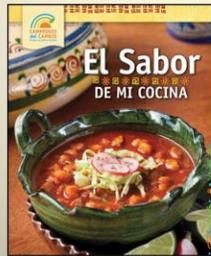
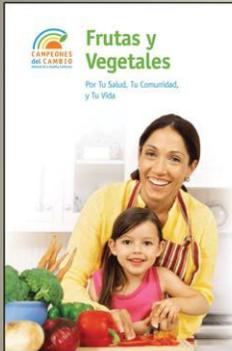


Public notification also requires that potentially eligible SNAP participants will be informed about programs or changes in programs. This includes information pertaining to eligibility, benefits, and services, the location of local facilities or service delivery points, and hours of service. This information can be communicated by methods such as, but are not limited to, internet, newspaper articles, radio and television announcements, letters, leaflets, brochures, computer-based applications, and bulletins.

Public notification also includes the requirement for complaint information. Applicants and participants must be advised of their right to file a complaint, how to file a complaint, and the complaint procedures.

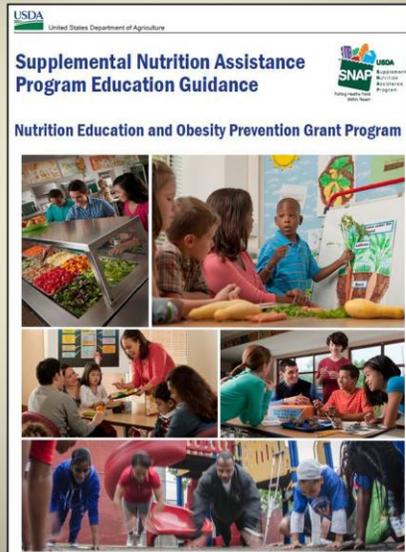
Details of the complaint process will be discussed further along in the training.

## Components of Public Notification



Public notification also requires that information in other languages is provided, and that SNAP-Ed sites are physically accessible to people with disabilities.

# Components of Public Notification Nondiscrimination Statement



Public notification requires that materials developed or reprinted with SNAP-Ed funds must include the USDA approved nondiscrimination statement. There is one version of the Nondiscrimination statement: <http://www.fns.usda.gov/fns-nondiscrimination-statement>

Materials developed with SNAP funds must include this nondiscrimination statement. There are no print size requirements if the full Civil Rights statement in the file is used. If the material is too small for the full statement to be included, the material must at a minimum include the statement:

[ENGLISH] "This institution is an equal opportunity provider and employer."

[SPANISH] "USDA es un proveedor y empleador que ofrece oportunidad igual para todos."

## Activity #1



### Scenario 1

Your SNAP-Ed site has moved to a new location.

To comply with civil rights public notification requirements, CHECK all of the INCORRECT components of public notification:

- A. Photos and graphics on your materials reflect diversity of that participant population
- B. Inform SNAP participants of the change in your location
- C. Provide information about the curriculum used in the nutrition class
- D. Provide information in other languages and be physically accessible to people with disabilities
- E. Prominently display the USDA nondiscrimination poster "And Justice For All"
- F. Ensure that all of your materials include the USDA approved non-discrimination statement

## Answer to Activity #1

Provide information about the curriculum used in the nutrition class is not a component of public notification.

All of the other options are required components of public notification.



## Limited English Proficiency (LEP) Requirements



State and local agencies have a responsibility to take reasonable steps to ensure meaningful access to their program information and services by persons with Limited English Proficiency (LEP)

These services may include:

- Providing interpreters
- Providing printed materials in different languages

Bilingual staff are provided as needed; minimally, the presenter/educator has a way to communicate with all participants. Staff should also consider when a language line or interpreter service is reasonable and necessary.

## Language Assistance for LEP

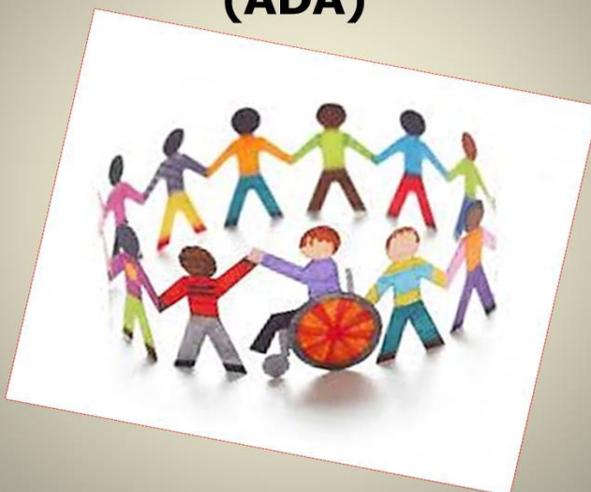


### Who is protected by LEP?

Individuals for whom English is not their primary language and who have a limited ability to read, speak, write, or understand English.

State agencies, local agencies, or other sub-grantees that fail to provide services to Limited English Proficiency (LEP) potentially eligible persons, applicants, and participants, or deny them access to federally assisted programs and activities, may be discriminating on the basis of national origin.

## **Americans with Disabilities Act (ADA)**



### **What is it?**

The Americans with Disabilities Act (ADA) is the most comprehensive federal legislation that prohibits discrimination against people with disabilities.

### **Who is protected by ADA?**

ADA protects individuals with disabilities. A disability is a physical or mental impairment that substantially limits an individual's major life activities.

It is important to note that there may be SNAP-Ed participants with food allergies that have a disability as defined by the ADA. This would include individuals who have a physician-diagnosed medical condition where there are life-threatening reactions when exposed to the food(s) to which they have problems. Symptoms of which may include difficulty swallowing and breathing, asthma, or anaphylactic shock.

Nutrition educators should know about potential hazards, particularly when conducting a class or food demonstration. Nutrition educators can provide an ingredient list or label to participants for the items to be tasted, and be careful not to cross-contaminate foods used in their demonstration. When there are individuals in a class who report a medical diagnosis of severe food allergies, nutrition educators can provide a reasonable accommodation to use recipes that use alternative ingredients. If a participant needs medical guidance, refer them to their physician or a Registered Dietitian (RD).

## ADA Mandates Reasonable Accommodation



Reasonable accommodation is a modification or adjustment to enable individuals with disabilities to have equal access to benefits and privileges of a service or program such as:

- Changing existing facilities to make them accessible or usable
- Acquiring or modifying equipment
- Modifying tests, training materials, or policies to accommodate program participants with disabilities

## Data Collection



Systems for collecting racial and ethnic information must be established and maintained in all SNAP-Ed programs.

## Data Collection



It is important to understand the difference between “**Ethnicity**” and “**Race**” when collecting data. **Race** refers to a person's physical appearance, such as skin color, eye color, hair color, bone/jaw structure etc. **Ethnicity** relates to cultural factors such as nationality, culture, ancestry, language and beliefs. **The minimum designations for collection are:**

### A. Ethnicity:

1. *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.”
2. *Not Hispanic or Latino*

### B. Race:

1. *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.
2. *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.
3. *Black or African American*. A person having origins in any of the black racial groups of Africa.
4. *Native Hawaiian or Other Pacific Islander*. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
5. *White*. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

## Why do we collect data?



SNAP-Ed programs are required to collect the following information on each participant at each direct education event:

- Age
- Gender
- Race/ethnicity
- CalFresh participation status

The data is compiled into an annual report to USDA. The Education and Administrative Reporting System (EARS) is necessary to inform management decisions and support policy initiatives. EARS tracks SNAP-Ed participation and evaluates whether SNAP-Ed is reaching potential eligible persons.

# SNAP-Ed Data Card

**Please Share a Little**

We would like to learn about people who attend our activities to help us improve services. Your answers are combined with everyone else's and cannot be used to identify you. Everyone here today should fill out one of these forms. Thank you for your help!

**1) Do you participate in CalFresh (Food Stamps, SNAP, EBT)?**  
 Yes (**SKIP TO QUESTION 3**)     No

**2) Check any programs you take part in:**

<input type="checkbox"/> California Food Assistance Program (CFAP)	<input type="checkbox"/> Reduced Price School Meal
<input type="checkbox"/> CalWORKS	<input type="checkbox"/> Section 8 Public Housing
<input type="checkbox"/> Child & Adult Care Food Program (CACFP)	<input type="checkbox"/> Summer Food Program
<input type="checkbox"/> Head Start	<input type="checkbox"/> Supplemental Security Income (SSI)
<input type="checkbox"/> Medi-Cal	<input type="checkbox"/> Women, Infants, & Children (WIC Program)

**3) Please check your age range:**     0-4 years     5-17 years     18-59 years     60+

**4) Please check your sex:**     Female     Male

**5) Is this the first time you have filled out this form since October 1, 2013?**  
 Yes (**GO TO QUESTION 6**)     No/Don't know (**STOP HERE**)

The information collected on SNAP –Ed Data Cards must be completed for all participants receiving direct education, either at the introduction or conclusion of the event.

What is “direct education”? A planned nutrition education event designed to increase knowledge and/or skills (not just awareness), based on an activity or lesson plan where participants are actively engaged in the learning process with an educator for at least 15 minutes. In-person education should be provided at accessible location (convenient to public transportation, free parking, etc.) and on days and times that are convenient for audience participation.

Age, gender, race/ethnicity, and CalFresh participation status must be collected in order to report the participant under direct education. If all four criteria are not collected, the participant will be reported as indirect education (participants without data cards).

Data collection is not required with direct education to students at schools or preschools.

Staff should explain that the collection of the data is for statistical reporting requirements and has no effect on the determination of their eligibility to participate in the program.

Data cards and class sign-in sheets should provide confidentiality for the collection of racial/ethnic information. Class sign-in sheets should not contain information for protected classes, including race, ethnicity or date of birth. All of this information should be collected confidentially through the data cards.

## SNAP-Ed Data Card Cont.

### Important Points



There is no identifying information on the card such as name, date of birth or social security number so the information cannot be linked back to the participant.

Self-identification by the participant is the preferred method of obtaining data. Where a participant does not provide this information, the data collector shall through visual observation record the information where possible.

Data cards are only collected from participants to whom the activity was directed. For example, if an event was for adults only but some children were in attendance, data cards should not be collected on the children.

There are two versions of the data cards:

- *Individual Data Card*: Used to collect the demographics of an individual participant.
- *Family Data Card*: Used to collect the demographics of people from the same household.

Both versions can be used at the same direct education event.

- The data cards are available in 4 languages; English, Spanish, Chinese, and Vietnamese.
- The data cards are to be kept on file for the duration of the grant in the event of an audit.
- The data cards cannot be used to qualify a site.
- The data cards cannot be used to disqualify a person from receiving government benefits, such as WIC, CalFresh, CalWORKs, etc.

## Activity #2



### Scenarios

#### 1. Scenario- Limited English Proficiency

A family comes to a SNAP-Ed class and does not speak English. They seem concerned about something and they have a few questions. The instructor cannot understand them and does not know what language they are speaking. What is his/her correct response to assisting this family? Check the correct answer:

- ( A. Use one of the commercially available telephonic interpretation services to obtain immediate interpreter services
- ( B. Write a note to the family saying that they need to return with an interpreter

#### 2. Scenario- Data Collection

Nutrition Educators are staffing a NEOP Champions for Change booth at a local health fair. They are conducting a food demonstration, passing out hand-outs on eating fruits and vegetables, and recipes. They must fill out a Data Card for each person that visits the booth.

Check the correct answer:

- ( A. True
- ( B. False

#### 3. Scenario- Direct Education and Data Collection

An instructor is giving a class on understanding food labels. A husband and wife and their 2 pre-school aged children attend the class. The instructor is required to collect data cards for each family member. Check the correct answer:

- ( A. True
- ( B. False

## Answers to Activity #2

### 1. The correct answer is A.

LEP services may include:

Providing interpreters

Providing printed materials in different languages

How a service is provided depends on:

Number and proportion of LEP persons served at that SNAP-Ed site

Frequency of LEP persons contact with the program

The nature and importance of the program, activity, or service

Resources available and costs

### 2. The correct answer is False

Direct education is defined as a planned nutrition education event designed to increase knowledge and/or skills (not just awareness), based on an activity or lesson plan where participants are actively engaged in the learning process with an educator for at least 15 minutes.

The food demo and hand-outs do not constitute a direct education event. A data card should not be filled out. However, the number of participants visiting your booth and receiving nutrition education materials must be counted and recorded on the Activity Tracking Form (ATF) as indirect education.

### 3. The correct answer is False

Data cards are only collected from participants for whom the activity was for. This class was intended for adults, data cards should not be collected on the children.



## Customer Service



### What is good customer service?

“Treat others the way you would want to be treated”

- Be patient and polite
- Be empathetic
- Do not be afraid to ask for help to resolve a situation
- Apologize where appropriate
- Treat everyone with dignity and respect
- Smile whenever possible

Oftentimes, it may be that a civil rights complaint is about having received poor customer service. For this reason, staff is encouraged to participate in additional sessions on good customer service techniques. Only a few are included here.

Not all complaints are civil rights related. Some participants may just complain about the SNAP-Ed program in general. A participant may complain about the quality of the class or the instructor, that they did not like the food demos, that the class was too long, the location or time of the class was not convenient, the instructor spoke too fast, or that the surveys were burdensome, etc. This would not be a civil rights complaint, but a program complaint. There should still be a procedure in place to address program complaints. All client feedback should be taken seriously and discussed with a supervisor if necessary.

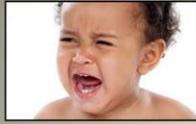
Good customer service also ensures that all in-person education should be provided at accessible locations (convenient to public transportation, free parking, etc.) and on days and times that are convenient for audience participation.

## Conflict Resolution



### **Conflicts can happen... Be prepared!**

- Try to remain calm and not mirror the behavior
- If you are unable to resolve the situation, obtain assistance from a manager
- If you feel threatened in any way, obtain assistance from others, protect yourself, and if necessary, call 911



## Complaints



A civil rights complaint must be based on one or more of the following:

- Race
- Color
- National Origin
- Sex
- Age
- Disability

If a person wishes to file a complaint they should complete the **USDA Program Discrimination Complaint Form** ([https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain\\_combined\\_6\\_8\\_12.pdf](https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf).) They or their authorized representative must sign the complaint form.

To file their complaint, they are not required to use the complaint form. They may write a letter instead. If they write a letter, it must contain all of the information requested in the form and be signed by them, the SNAP-Ed staff person, or their authorized representative. Incomplete information will delay the processing of the complaint.

↑The complaint must:

- Be against a component of the federal program
- Be filed within 180 days of the occurrence or notice

**USDA** **Complaint Form**  
 OMB Control Number 0508-0002

UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)  
 Office of the Assistant Secretary for Civil Rights  
 Program Discrimination Complaint Form

First Name: \_\_\_\_\_ Middle Initial: \_\_\_\_\_ Last Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_  
 E-mail address (if you have one): \_\_\_\_\_  
 Telephone Number starting with area code: \_\_\_\_\_  
 Alternate Telephone Number starting with area code: \_\_\_\_\_  
 Best Time of the Day to Reach You \_\_\_\_\_

Best Way to Reach You, (check one): Mail  Phone  E-mail  Other: \_\_\_\_\_  
 Do you have a representative (lawyer or other advocate) for this complaint? Yes  No   
 If yes, please provide the following information about your representative:  
 First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

1. Who do you believe discriminated against you? Use additional pages, if necessary.  
 Name(s) of person(s) involved in the alleged discrimination (if known): \_\_\_\_\_

This is the FNS version of the Program Discrimination Complaint Form.

USDA/Food and Nutrition Services (FNS) Headquarters and Regional Office of Civil rights (OCR), State agencies, local agencies, or other grantees may develop complaint forms.

It is recommended that complaint form format be collaboratively developed and coordinated among FNS, the State agency, local agency, and/or other sub- grantees.

## **Complaint Procedure**

**Forward the completed complaint form or letter  
by mail, fax, or email**

### **Mail**

U.S. Department of Agriculture  
Director, Office of Adjudication  
1400 Independence Avenue, SW  
Washington, DC 20250-9410

### **Fax**

(202) 690-7442

### **E-mail**

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

All complaints, written or verbal, must be forwarded to the appropriate Regional or FNS Office of Civil Rights (OCR) Director, unless an approved State complaint procedure is in place.

Anonymous complaints will be handled as any other complaints, to the extent feasible, based on the available information.

## Activity #3

### **Scenario**

A participant in a nutrition education class refuses to identify her race for data card collection. She gets upset and complains to the front desk staff that the instructor was rude and disrespectful. She believes that the instructor was discriminating against her because her clothing suggests that she held certain religious beliefs.

Check all of the appropriate activities the instructor should do to resolve the situation:

***Select all that apply:***

- ( A.If a participant refuses to identify her race, the instructor can choose for her.
- ( B.Explain to the participant that if she does not identify her race, she will lose her CalFresh benefits.
- ( C. Stay patient and polite.
- ( D. Do not involve their manager, the instructor should handle the situation.
- ( E. Apologize for any misunderstanding.
- ( F.Explain that the collection of the data is for statistical reporting requirements and has no effect on the determination of her eligibility to participate in the program.
- ( G.Advise her that if she would still like to file a complaint, she can either fill out the form provided or write a letter and that the instructor will be happy to provide her with the mailing address.

## Answers to Activity #3

**There are two incorrect and inappropriate activities to resolve the situation:**

“Explain to the participant that if she does not identify her race, she will lose her CalFresh benefits” and

“Do not involve your manager, handle the situation yourself.”

Benefits cannot be denied if a participant refuses to identify information for the data card, and it is always important to involve your manager in a situation when a participant is angry.



# Congratulations!



Congratulations for completing your annual civil rights training!

# Nutrition Education and Obesity Prevention Branch

## Certificate of Completion

Presented to

Date:

This certificate acknowledges completion of the NEOPB  
Annual Civil Rights Training



Please submit a copy of the Certificate of Completion with your full name and date to the Training Coordinator.