

# Civil Rights Training For TEFAP and CSFP Programs

Updated  
July 2018



# Civil Rights and Household Food Distribution

Any program that receives Federal funding must comply with Civil Rights laws, regulations, instructions, and guidance.

The Emergency Food Assistance Program (TEFAP) and the Commodity Supplemental Food Program (CSFP) are federally funded.

Civil Rights guidance for USDA Foods program can be found in FNS-113



# Civil Rights and Protected Classes

Civil Rights are non-political rights.

Discrimination based on these traits is prohibited by law.

Protected classes are:

- Race
- Color
- National Origin
- Sex
- Disability
- Age (CSFP is legal eligibility requirement)

# Discrimination

Discrimination is the unfair treatment of a person or group of persons, based on their protected class. It can be intentional or through neglect.

Disparate treatment is an intentional act. For example, members of a specific religious group are denied service.

Disparate impact is an unintentional action that has a negative results to a protected class. If local immigrants are asked to wait until the end of the day when an interpreter is available, the food might run out (only this group is affected).

Reprisal/Retaliation is negative treatment of a member, or family members, of a protected class in response to previous civil rights activity. Someone makes a complaint and then they are not served at the next distribution.

# Goals of Civil Rights

---

Equal and consistent treatment for all applicants and participants.

Provide knowledge of rights and responsibilities.

Elimination of illegal barriers that prevent or deter people from receiving benefits.

Promote dignity and respect for everyone.



# Training Expectations

---

Recipient agencies are responsible for training annually.

All levels of supervisors AND staff/volunteers who interact directly with participants must receive annual civil rights training.

Agencies are required to document the training and maintain the documentation for three years, plus the current year.



**SOUTH MICHIGAN  
FOOD BANK**

MEMBER OF  
**FEEDING  
AMERICA**



**MICHIGAN**  
Department of  
**Education**

## Collection and Use of Data

---

All collected information must be kept secure and confidential.

CSFP regulations require annual reporting of participants' racial and ethnic data. (FNS-191 Report)

Participants should self-declare racial/ethnic data.

If a participant refuses to provide data they are to be advised that the information will be collected based on observation.

Maintain all records for three years, plus the current year.

# Public Notification

All agencies are required to send out public notifications of their program to potentially eligible persons.

Special efforts should be made to reach underserved groups who may qualify for services using appropriate media.

List locations, hours of distribution and contact information.

Provide information in different formats and languages.

All materials must contain the non-discrimination statement.

Convey the message of equal opportunity through photos and graphics.



# Non-Discrimination Statement

---

The USDA non-discrimination statement must be included on all materials that mention USDA food programs.

There is a long version and a short version.

Font size for the long version can be smaller than the rest of the publication but must be readable.



# 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 [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: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.



# Non-Discrimination Statement Short Version

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

May be used where the longer statement does not fit.

Must be in font size no smaller than font size used in rest of publication.

May not be used in place of long statement on clients' rights documents .



## “And Justice for All” Poster

---

Prominently display the poster where participants can see easily it during certification and distribution.

This poster serves as a trademark indicating the site provides a USDA program without discrimination.

Poster must be the most recent (green) one and the correct size (11 x 18).

Agencies may request posters from MDE.



# Complaints

---

Everyone has the right to file a discrimination complaint.

All staff and volunteers need to know what to do if someone wants to file a complaint.

Complaints may be based on any of the protected classes: race, color, national origin, age, sex, and disability.

Complaints may be written or verbal. Provide forms for written complaints and take detailed notes if verbal.

Never discourage anyone from filing a complaint or voicing concerns of discrimination.

In Michigan complaints may be sent to

---

Regional Director, Civil Rights/EEO  
USDA, Food and Nutrition Service  
Midwest Region  
77 W. Jackson Blvd., Floor 20  
Chicago, IL 60604-3591

or call 312-353-6657



# Compliance Reviews

---

The State and Federal governments are required to conduct reviews to determine compliance with Civil Rights regulations and requirements.

Agencies are reviewed either every other year or every fourth year, depending on the program. Civil Rights compliance is part of the review.



# Resolution of Noncompliance

---

Corrective actions may result from findings during the review process.

Agencies are required to cease inappropriate actions and institute appropriate procedures.



# Reasonable Accommodation for People with Disabilities

---

If facility is not handicap accessible - parking, entrances, hallways, elevators, restrooms, etc. – then assistance must be provided by the agency.

Proxy, delivery out to vehicle, home delivery or other alternative arrangements.

Allowing service animals at facility (required).



## Language Assistance

Limited English Proficiency (LEP) – Individuals whose primary language is not English; limited ability to read, speak, write, or understand English

Language assistance is required, but there is some flexibility on methods used.

Volunteers may be used as interpreters and must maintain participant confidentiality. Children should not be used as interpreters.

Visit [www.lep.gov](http://www.lep.gov) for more information.

# Factors for Limited English Proficiency Plan

Shortage of resources does not eliminate requirement

Proportion of persons served or in eligible local population

Frequency of LEP persons' contact with program

Nature of program, activity, or service

Some level of language assistance is necessary



# Customer Service

Treat everyone with dignity and respect and make people feel welcomed. Smile when appropriate.

Be patient and polite.

Make sure all participants receive equal treatment and service.

Equal does not mean identical. i.e. one participant receives corn, another receives green beans.

Accommodations for people with disabilities or language needs are not special favors.

# Customer Service

Find tools and techniques to improve customer services.

Recognize that participants have varied needs and (sometimes) few resources.

Develop good listening skills.

Learn to put yourself in their place when necessary.

Ask yourself, “Am I treating this person in the same manner I treat others?”



**SOUTH MICHIGAN  
FOOD BANK**

Member of  
**FEEDING  
AMERICA**



# Conflict Resolution

Remain calm.

Listen and be empathetic. Use the information to determine what the issue is.

When appropriate, apologize for the situation.

Explain the situation (rules, expectations).

Offer solutions and follow up.

Get help, especially if threats or if violence is possible.

## Additional Resources

[www.Michigan.gov/mde-fdp](http://www.Michigan.gov/mde-fdp) - MI's Food Distribution Programs

[www.fns.usda.gov/civil-rights](http://www.fns.usda.gov/civil-rights) - USDA Civil Rights Division

[www.ascr.usda.gov](http://www.ascr.usda.gov) - Office of the Secretary for Civil Rights

[www.lep.gov](http://www.lep.gov) - Limited English Proficiency

