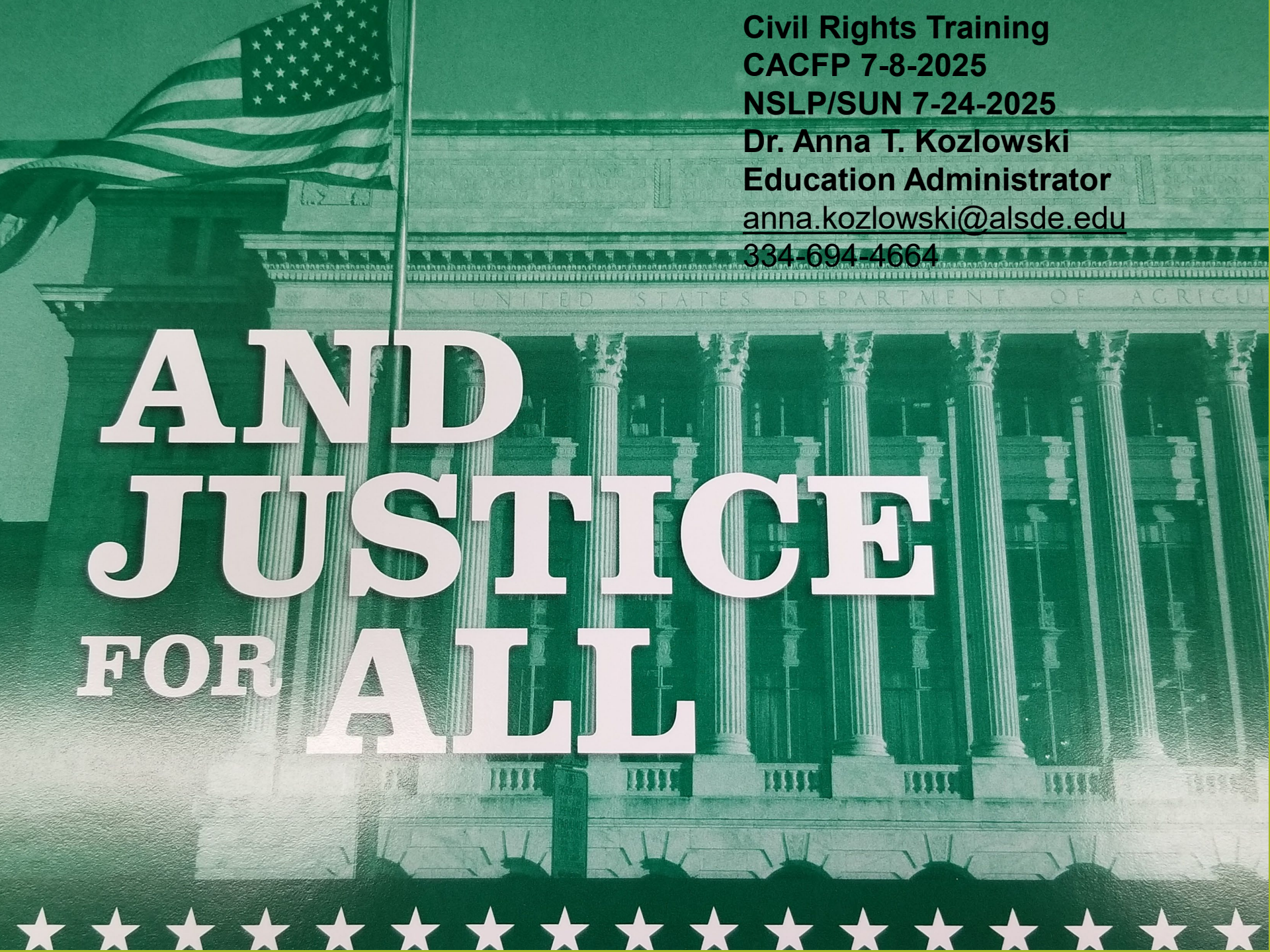




Civil Rights Training

CACFP 7-8-2025

NSLP/SUN 7-24-2025

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Education Administrator

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334-694-4664

**AND
JUSTICE
FOR ALL**



Webex Recording

Click [here](#) to access the Civil Rights Training Webex Recording.

Legal Authorities—Civil Rights Statutes

Title VI of the Civil Rights Act of 1964

- Race, Color, and National Origin

Civil Rights Restoration Act of 1987

- Clarifies the scope of the Civil Rights Act of 1964

Section 504 of the Rehabilitation Act of 1973 & Americans with Disabilities Act (ADA) of 1990 and ADA Amendments Act of 2008

- Disability

Title IX of the Education Amendments of 1972

- Sex

Age Discrimination Act of 1975

- Age

CFR Title 7, Agriculture

7 CFR 15(a)(b)(c)

- USDA implementing regulation for Federally assisted programs

7 CFR 16, "Equal Opportunity for Religious Organizations"

- Gives equal footing to religiously affiliated organizations

CFR Title 28, Chapter 1

Department of Justice

28 CFR 35

- Covers nondiscrimination on the bases of disability in State and local government services (public entities)

28 CFR 36

- Covers nondiscrimination on the basis of disability in public accommodation services

28 CFR 42

- Covers nondiscrimination in federally assisted programs

Program Authorities

- Richard B. Russell National School Lunch Act of 1946
- Child Nutrition Act of 1966
- 7 CFR 210 National School Lunch Program (NSLP)
- 7 CFR 220 School Breakfast Program (SBP)
- 7 CFR 225 Summer Food Service Program (SFSP)
- 7 CFR 226 Child and Adult Care Food Program (CACFP)

Protected Classes and Discrimination

Protected class is a legal term that describes characteristics or factors which cannot be targeted for discrimination or harassment.

Race

Color

National
Origin

Disability

Sex

Age

What is discrimination?

Different treatment which makes a distinction of one person or a group of persons from others; either intentionally, by neglect, or by the actions or lack of actions based on a protected class.

Areas of Compliance

- Civil Rights Assurances
- Public Notification, Outreach, and Engagement
- Race and Ethnicity Data Collection and Reporting
- Complaints of Discrimination
- Compliance Reviews
- Resolution of Noncompliance
- Civil Rights Training
- Disability Access
- Language Access

Civil Rights Assurances

To qualify for federal financial assistance, an application must be accompanied by a written assurance that the entity to receive financial assistance will operate in compliance with all nondiscrimination laws and regulations.

Civil Rights Assurances- Agreements

A Civil Rights assurance statement must be incorporated in all agreements between:



Federal agencies and state agencies



State agencies and their local agencies or subrecipients



Local agencies and their subrecipients (if applicable)

Public Notification, Outreach, and Engagement

FNS assistance programs must include a public notification system that informs applicants, participants, and potentially-eligible persons of:



Program
Availability



Policy of
Nondiscrimination



Procedure for Filing
a Complaint

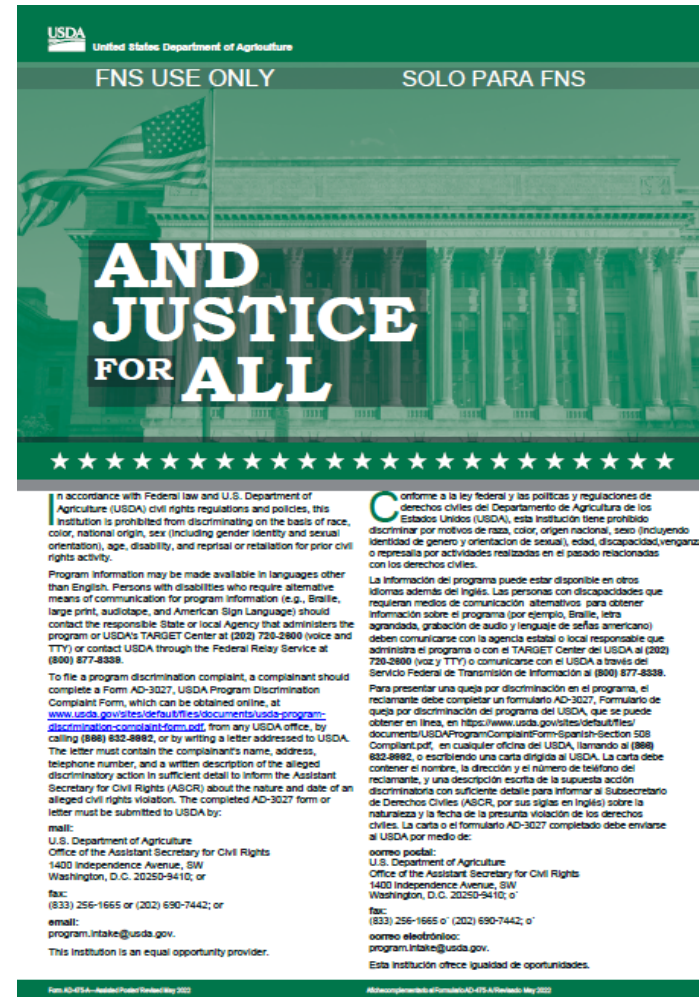
Methods of Public Notification— Requirements

State agencies and their sub-recipients must:

- Make program information available to the public upon request in a language and/or format they can understand.
- Prominently display the *And Justice for All* poster.
- Inform potentially eligible persons, applicants, participants, and community organizations of programs or changes in programs.
- Convey the message of opportunity free of discrimination in all photos and other graphics that are used to provide program or program-related information.

And Justice for All Poster

- All sites must display the current poster in a prominent location for all to view
- AD-475A
- Current required version for CNP is shown, but a new edition is expected.

The poster is titled "AND JUSTICE FOR ALL" in large, bold, white letters against a green background. Above the title, it says "FNS USE ONLY" and "SOLO PARA FNS". Below the title, there is a row of stars. The background of the poster features a faint image of the Lincoln Memorial and an American flag. The text on the poster is in both English and Spanish, providing information about the USDA's civil rights regulations and how to file a complaint. The poster is labeled "Form AD-475A - And Justice for All Poster (May 2022)" at the bottom left and "And Justice for All Form AD-475A (Revised May 2022)" at the bottom right.

USDA United States Department of Agriculture

FNS USE ONLY SOLO PARA FNS

AND JUSTICE FOR ALL

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (800) 720-2800 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8338.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at www.usda.gov/sites/default/files/documents/usda-program-discrimination-complaint-form.pdf, from any USDA office, by calling (866) 832-8982, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
fax:
(833) 256-1665 or (202) 690-7442; or
email:
program.intake@usda.gov.

This institution is an equal opportunity provider.

Conforme a la ley federal y las políticas y regulaciones de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta institución tiene prohibido discriminar por motivos de raza, color, origen nacional, sexo (incluyendo identidad de género y orientación de sexual), edad, discapacidad, venganza o represalia por actividades realizadas en el pasado relacionadas con los derechos civiles.

La información del programa puede estar disponible en otros idiomas además del inglés. Las personas con discapacidades que requieran medios de comunicación alternativos para obtener información sobre el programa (por ejemplo, Braille, letra agrandada, grabación de audio y lenguaje de señas americano) deben comunicarse con la agencia estatal o local responsable que administra el programa o con el TARGET Center del USDA al (800) 720-2800 (voz y TTY) o comunicarse con el USDA a través del Servicio Federal de Transmisión de Información al (800) 877-8338.

Para presentar una queja por discriminación en el programa, el reclamante debe completar un formulario AD-3027, Formulario de queja por discriminación del programa del USDA, que se puede obtener en línea, en <https://www.usda.gov/sites/default/files/documents/USDA-Program-Complaint-Form-Spanish-Section-528-Complaint.pdf>, en cualquier oficina del USDA, llamando al (866) 832-8982, o escribiendo una carta dirigida al USDA. La carta debe contener el nombre, la dirección y el número de teléfono del reclamante, y una descripción escrita de la supuesta acción discriminatoria con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR, por sus siglas en inglés) sobre la naturaleza y la fecha de la presunta violación de los derechos civiles. La carta o el formulario AD-3027 completado debe enviarse al USDA por medio de:

código postal:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; o
fax:
(833) 256-1665 o (202) 690-7442; o
correo electrónico:
program.intake@usda.gov.

Esta institución ofrece igualdad de oportunidades.

Form AD-475A - And Justice for All Poster (May 2022) And Justice for All Form AD-475A (Revised May 2022)

Public Notification— Nondiscrimination Statement

At a minimum, the full program-appropriate Nondiscrimination Statement (NDS) must be on:



Application Form(s)



Eligibility or Ineligibility
Notifications



Adverse Action
Notifications



Program Webpage



Program Public
Information

Nondiscrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, **sex, disability**, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

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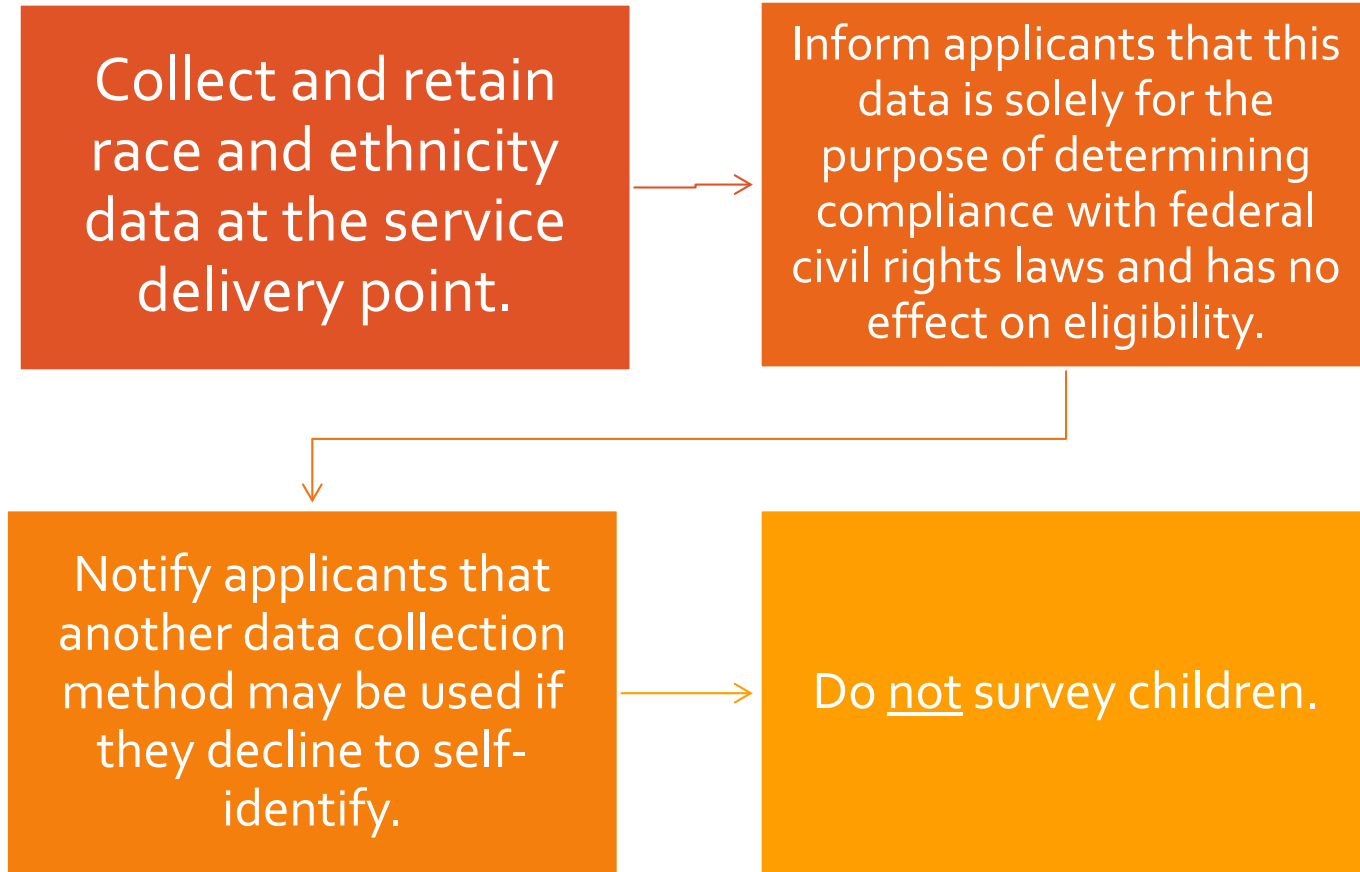
Race and Ethnicity Data Collection—Point of Service

Collect and retain race and ethnicity data at the service delivery point.

Inform applicants that this data is solely for the purpose of determining compliance with federal civil rights laws and has no effect on eligibility.

Notify applicants that another data collection method may be used if they decline to self-identify.

Do not survey children.



Race and Ethnicity Data Collection —Purpose



To determine how effectively FNS programs are reaching potentially eligible persons and participants



To identify areas where additional outreach or services are needed



To assist in the selection of locations for compliance reviews

Race and Ethnicity Data Collection—Point of Service

The ALSDE must ensure local agencies and subrecipients collect and retain race and ethnicity data at the service delivery point.

Race and Ethnicity Data Collection—Data Management

Ensure	Ensure that access to data is limited to authorized personnel.
Complete	Complete reports, as required.
Retain	Retain data for current year plus three (3) fiscal years.

Race and Ethnicity Data Collection— Categories *(Changes are coming!)*

- **Part 1: Ethnicity** *(select only one)*
 - Hispanic or Latino
 - Not Hispanic or Latino
- **Part 2: Race** *(may select more than one)*
 - American Indian or Alaska Native
 - Asian
 - Black or African American
 - Native Hawaiian or Other Pacific Islander
 - White

Complaints of Discrimination

- Notify participants of the option to file a complaint directly with the USDA.
- Confidentiality is extremely important and must be maintained.
- Applicants and participants must file within 180 days of the alleged act of discrimination.
- Develop complaint forms (optional), but the use of such forms cannot be a prerequisite for acceptance.
- Maintain civil rights complaints in a log separate from other program complaints.

Complaints of Discrimination— Requirements

- Sponsors forward civil rights complaints based on race, color, national origin, sex, disability, and age to the ALSDE within five (5) days.
- The ALSDE forwards the complaints to the USDA Civil Rights Division (CRD) within five (5) days.

Complaints of Discrimination— Elements

Name, address, and
telephone number of
the complainant

The location and
name of the
organization or office

The nature of the
incident or action

The names, titles,
and business
addresses of persons
who may have
knowledge of the
discriminatory action

The date(s) during
which the alleged
discriminatory
actions occurred

The basis for the
alleged
discrimination

Complaints of Discrimination— Requirements

Accept

Accept civil rights complaints in written, verbal, or anonymous formats.

Five Calendar Days

Forward complaints based on race, color, national origin, sex, and disability to CRD within five (5) calendar days of receipt.

Five Business Days

Forward complaints based on age (or a combination of age and other bases) to CRD within five (5) business days of receipt.

Compliance Reviews: Overview

- Examine the activities of state agencies, local agencies, subrecipients, and local sites to determine Civil Rights compliance.
- FNS Civil Rights and FNS Program staff review the ALSDE.
- FNS staff and the ALSDE review local agencies.
- Local agencies review their subrecipients.
- Significant findings must be provided in writing to the reviewed entity and FNS.

Compliance Reviews—Types

Pre-award

Routine (post-award)

Special compliance reviews

Compliance Reviews—Pre-Award Reviews

- The ALSDE usually conducts these as desk reviews of information provided by potential recipients in their applications to operate an FNS program.
- No federal funds are provided to the ALSDE or other potential recipients until a pre-award compliance review determines the applicant complies with applicable federal Civil Rights statutes and regulations.

Compliance Reviews-- Routine/Post- Award Review Sample Questions

Do printed materials and websites contain the nondiscrimination statement?

How are applicants and participants advised of their right to file a civil rights complaint of discrimination?

Is the current *And Justice for All* poster prominently displayed?

Are reasonable modifications, including auxiliary aids and services, appropriately made for people with disabilities?

Are steps taken to ensure meaningful access for persons with limited English proficiency?

Resolution of Noncompliance

- A factual finding that any civil rights requirement, as provided by law, regulation, policy, instruction, or guidelines, is not being adhered to by a state agency, local agency or sub-recipient agency.
- Steps must be taken immediately to obtain compliance.

Resolution of Non- compliance —Voluntary Resolution Agreement (VRA)

A written agreement that the reviewed entity voluntarily enters with FNS to ensure compliance with federal Civil Rights laws

Between two or more parties (e.g., FNS CRD, ALSDE, subrecipient, complainant, etc.)

To close out a Civil Rights review in lieu of issuing a written compliance review report with findings

Civil Rights Training Requirements

- State agencies are responsible for training:
 - Staff and subrecipient agencies on an annual basis.
 - New employees before participating in program activities.
 - Volunteers, as appropriate to their roles and responsibilities.
- Subrecipient agencies are responsible for training local sites, including “frontline staff” who interact with participants and those who supervise frontline staff.

Civil Rights Training—Required Topics

- Assurances
- Public notification
- Complaints of discrimination
- Civil rights training
- Race & ethnicity data collection
- Language access for people with limited English proficiency
- Ensuring access for people with disabilities
- Compliance reviews & resolution of noncompliance
- Conflict resolution
- Customer service

Customer Service Training Ideas

Communication Skills

- Active listening
- Positive language
- Nonverbal communication

Empathy

- Understanding customer emotions
- Building rapport

Problem-Solving Skills

- Analyzing issues
- Finding solutions

Miscellaneous

- Collaboration

Examples of Conflict Resolution Training

- Active Listening
- Communication Skills
- De-escalation Techniques
- Mediation
- Conflict Analysis
- Emotional Self-Management

Disability Access—Definition of Disability

- A person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.
- Major life activity means functions such as caring for oneself, performing manual tasks, walking, seeing, eating, hearing, speaking, breathing, learning, reading and working.
- Functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, immune, respiratory, circulatory, cardiovascular, endocrine, and reproductive functions.

(ADAAA of 2008)

Disability Access—Equally Effective Communication

State agencies, local agencies, and subrecipients are required to:

Ensure

Ensure communication with people with hearing, visual, or speech disabilities is as effective as communication with others.

Notify

Notify people with disabilities about the availability of auxiliary aids and services and how to request these service in a format and language that they can understand.

Provide

Provide requested auxiliary aids and communication services, e.g., qualified sign language interpreters, large print, Braille, or audio tapes.

Disability Access—Reasonable Modifications

- Confirm physical accessibility for buildings and facilities, particularly to persons in wheelchairs and other power-driven mobility devices.
- Ensure websites and digital services are accessible, e.g., ensuring screen reader compatibility.
- Provide the most integrated setting that allows individuals with disabilities an opportunity to fully interact with individuals without disabilities.
- Permit access for service animals (dogs and horses).

Medical Statements

Meal modifications outside the meal pattern are reimbursable only if supported by a medical statement signed by a licensed Alabama physician, nurse practitioner, physician's assistant, or registered dietitian.

A medical statement must include information about:

- How the disability restricts the child's diet
- What must be done to accommodate the disability
- Identify foods to omit and recommended alternatives, if applicable
- Additional information such as caloric modifications or the substitution of a liquid nutritive formula

Language Access

Who are people with LEP?

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

Recipients of federal financial assistance have a responsibility to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency (LEP) **at no cost** to the individual.

- Failure to provide meaningful access to a person with LEP could be discrimination on the bases of national origin (Title VI of the Civil Rights Act of 1964).

Language Access—Meaningful Access Defined

Language assistance that results in accurate, timely, and effective communication at no cost to the individual with LEP.

For individuals with LEP, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to individuals proficient in English. (*See DOJ Language Access Plan.*)

Language Access—Meaningful Access Analysis

Four factors included in assuring meaningful access:

- The number or proportion of individuals with LEP to be served or likely to be encountered by the program
- The frequency with which LEP individuals come in contact with the program
- The nature and importance of the program, activity, or service provided by the program to people's lives
- The resources available to the recipient and costs

Language Access—LEP and Program Access

- Conduct assessments to determine language profile for the State, considering regional differences and updating as appropriate.
- Provide vital documents, online program information, and notices of free interpretation services.
- Utilize qualified and competent interpreters and translators.
- Train frontline staff on providing meaningful access to populations with LEP.

Alabama Results of Language Needs Assessment



“I Speak” document



Taglines on ALSDE websites



Break for a Plate/NSLP section has video and text in Spanish, Korean, Vietnamese, Chinese (traditional and simplified), Arabic, and German



Language Line: 334-694-4656

Language Access—Services

Language services:

- Applicants and participants cannot be asked to bring their own interpreters.
- Children should **not** be used as interpreters except in exigent circumstances when no qualified interpreter is available.

Examples of language services:

- Qualified bilingual staff
- Qualified telephonic interpreter services
- Qualified contract in-person interpretation services
- Qualified written language services (translation)

Language Access—Resources

Population data sources

- Data and Language Maps | LEP.gov
(<https://lep.gov/maps>)
- US Census data (<https://www.census.gov/data.html>)
- American Community Survey
(<http://www.census.gov/acs>)



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July 24, 2025 Webinar **ONLY**

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Viewing Recorded Webinar

Create and use a sign-in sheet at the local site to document the annual Civil Rights Training Requirement has been met.