

Regions 17 & 18 Child Nutrition Program
2020 Virtual Summer Workshop

You made it!!! Please type your name and district in the chat box.



This event is funded by the Texas Department of Agriculture's Food and Nutrition Division, which is funded by the U.S. Department of Agriculture, Food and Nutrition Service.

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Region 17 Education Service Center

REGION 18 education service center

BEST PRACTICES FOR CIVIL RIGHTS POLICIES


2020 School Nutrition Summer Workshop-Region 17 and 18 Education Service Centers

This event is funded by the Texas Department of Agriculture's Food and Nutrition Division, which is funded by the U.S. Department of Agriculture, Food and Nutrition Service.

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Who are we?

- Instructor: Travis Neville---Region 9 ESC
- Host: Tricia Hays---Region 17 ESC
- Facilitator: Carol Patterson---Region 9 ESC
- Facilitator: Debbie Standley---Region 9 ESC



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Acknowledgment Statement

You understand and acknowledge that

- ▣ the training you are about to receive does not cover the entire scope of the program and that
- ▣ you are responsible for knowing and understanding all handbooks, manuals, alerts, notices and guidance, as well as any other forms of communication that provide further guidance, clarification or instruction on operating the program.

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Where can I find the information in this training???

- Administrator's Reference Manual (ARM)



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What are some topics that will be covered in this training?

Information related to Civil Rights:

- Handling Complaints
- Public Releases
- Procedures
- Services Offered by the School Food Authority
- Accommodating Students
- Training
- Collecting Data



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What if you have questions about Civil Rights after this class?

You Child Nutrition Specialists at Region 17 & 18 Education Service Centers are eager & ready to provide you any guidance or technical assistance that you may need.



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LET'S GET STARTED!

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Protected Classes:

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



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Gender Separation in the Cafeteria?

- Schools must not separate/segregate students based on any of the six protected classes.
- CE's may apply for a gender separation exception...
 - Specific information can be found by Referencing Section 19 of the ARM.
 - You may also reach out to your ESC for more details on circumstances & requirements.



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Media Release-Requirements



- What is this? A public release that provides participants with school meal program benefits and services, nondiscrimination policy, and any significant changes in existing requirements.
- What entities will you send the media release to? Local news media, the unemployment office, and any employers expecting layoffs.
- When do I send out this public release? Prior to or during the first week of school.
- What information should be sent that constitutes the Media Release? Prototype Media Release, Letter to Parents, Application Form, and a complete income scale.

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Media Release-Continued

- Where can I find the Prototype Media Release Form?
 - www.squaremeals.org
 - specific location:
 - Programs > National School Lunch Program > School Meal Applications and Verification
- The newspaper wants to charge my department a lot of money to publish the release? The CE is not responsible for ensuring that the release is used by media outlets and is not required to pay a media outlet to publish a release.
- Proof my school was compliant regarding the Media Release? You need to retain what you sent and how you sent it.



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Right of Participants to Not Participate



- Students/Participants have the right to not participate in School Nutrition Programs.
- Households are not required to complete a household meal application.

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Nondiscrimination 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 marital or relation to 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) office that issued the 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-1027) found online at: www.nrc.usda.gov/complaint, or call (800) 877-8339, and if an 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 (800) 877-8339. Submit your completed form or letter to USDA by:

Mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1420 Independence Avenue, SW
Washington, D.C. 20250-9410
Fax: (202) 680-2414; or
Email: opportunity@usda.gov

This institution is an equal opportunity provider.

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Nondiscrimination Statement-Continued



- The statement must be included on all forms of communication and program documents that are sent/shared with students or their households.
- Examples include menus, notifications, letters, and household meal applications.
- Inspirational/Non-program informational signage does not require a nondiscrimination statement.

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Abbreviated Nondiscrimination Statement

- What is this statement? ***This institution is an equal opportunity provider.***
- More information on the abbreviated version:
 - May be used on printed/electronic materials when there is not enough room for the full nondiscrimination letter.
 - Examples could include brochures or menus.
 - DO NOT use the abbreviated version on letters.
 - To use this version, you must have ensured that the document could not be formatted to include the full statement.



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Nondiscrimination Poster



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Nondiscrimination Poster-Continued

- The *And Justice for All* poster must be displayed prominently at each feeding location.
- This signage is not required to be hung in offices of those individuals who process/distribute applications.
- Please contact your ESC if you need these posters.



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CIVIL RIGHTS TRAINING

Who, What, Where, When, & Why (Not in that Order)

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Civil Rights Training
-What is this?--Why is this needed?-

- A training for staff that is required to be completed.
- This requirement is for all school nutrition programs.
- Subjects within the training include the six protected classes, customer service requirements/expectations, and handling complaints alleging discrimination.
- After successfully completing the training, a certificate will be emailed, and must be kept on file.

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Civil Rights Training -WHO-



- Who is required to have this training?:
 - Those who have a role in processing eligibilities.
 - Individuals who interact with participants regarding their eligibilities.
 - Anyone who provides services related to program operation.
 - This may require the training to be conducted by non-CNP staff (Hearing Official?).
- More on the who:
 - Volunteers are recommended to complete the training.
 - Staff who monitor activities in the cafeteria are not required to complete the training requirement.
 - If you are unsure whether or not someone should complete this requirement, please contact your ESC.

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Civil Rights Training -When-



- This training is required to be taken annually.

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Civil Rights Training -Where is this training located?-

◦ www.squaremeals.org

-specific location:

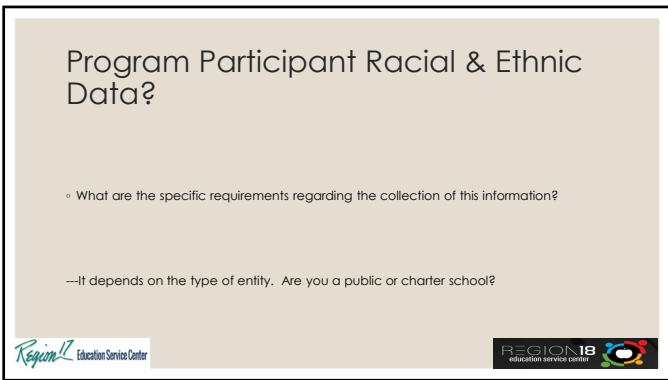
Faith Resources > Training > Online Education and Self Study

Civil Rights Courses	
Course Name	Course Description
Civil Rights—English <small>Available: 06/01/2020 08:28:28 AM</small>	Online Civil Rights training in English that meets USDA Child Nutrition Program requirements as mandated in PHE instruction 115-1.
Civil Rights—SPANISH	Print Civil Rights training in Spanish that meets USDA Child Nutrition Program requirements as mandated in PHE instruction 115-1.

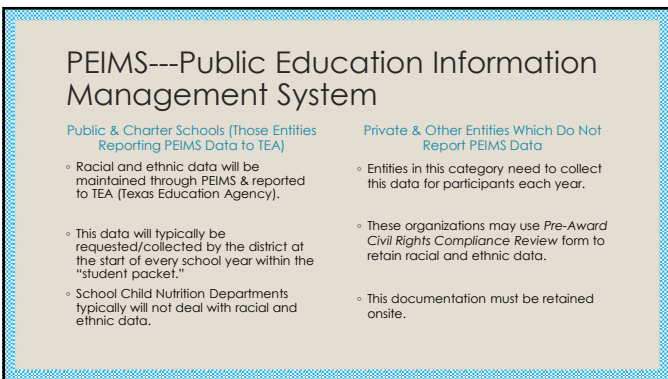
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Civil Rights Complaint Procedure & Form

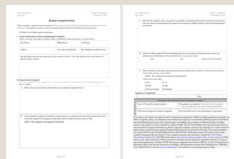
- There must be a written procedure for how staff will handle complaints alleging discrimination.
- What are items needing to be addressed with the written procedure/form?:
 - Where complaints are filed (including information for the person to file complaint directly to agency).
 - Identifying TDA or USDA as agency where complaints are filed.
 - Method complaint was made---verbal, written, or in person
 - Name of person receiving complaint and if complaint transcribing occurred.
 - Documentation showing CE did not attempt to resolve complaint without forwarding to TDA.



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Civil Rights Complaint Procedure & Form-Continued

- TDA has a sample complaint form that can be utilized by CE's:
- Train staff on procedures for handling complaints.
- Have written policy and form available and on file.



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Meal Access for All Students

- If a site offers more than one type of meal, item, or milk, all students must be able to have access to the same options.
- If all students (paid, reduced, or free) are not able to make the same meal choices, those meals cannot be claimed for reimbursement.



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Limited English Proficient (LEP) Households---

Reasonable steps must be taken to ensure that communication to households is understandable and in a uniform format.
-Doing this helps us to know our programs are accessible to our LEP students and families.

- Both written and oral communication must be considered in this obligation to households.
- Limited English Proficiency includes those with limited proficiency in reading, speaking, writing, or understanding English...not just those who speak another language.



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LEP Households-Communication

Written

- Examples would include the household application materials and any other documents pertaining to student eligibility determinations.
- Keep in mind, offering a translation in the most common alternative language, as your strategy, is not enough.

Oral

- Reasonable steps must be taken to ensure LEP households can ask questions and get answers regarding our program.



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LEP Households-Determining Our Department's Needs

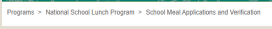
- Entities should have a process in place to gauge our need for assisting LEP households.

- What some considerations to help us in this process?:
- # of students in LEP households
- How often you communicate with limited English proficient households.
- Type of communications
- Qualifications of those providing translation services



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LEP Households-Do you have written materials?

- You may choose to develop your own written translations.
- One place to go is: www.squaremeals.org
- specific location:

- Another awesome resource: <https://www.fns.usda.gov/school-meals/translated-applications>

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Special Diets/Accommodating Students/Requirements



- Many times these can be made for students with little extra expense/preparation.
- Accommodations could include a modification to the meal pattern, food texture, or method of meal service.
- One objective in this situation is for the student to have access to the same benefits as all other students.

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Special Diets/Accommodating Students/Requirements-Continued

- You must have a process for how:
 - households can request an accommodation/modification.
 - communication regarding CE decisions for the requests.
 - households can appeal your decision and review all relevant records.
- your entity will handle accommodation requests (documentation & procedures).
- training for staff will be conducted regarding procedures & legal requirements.
- the CE will assign a specific individual to handle these requests.



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Special Diets/Accommodating Students/Requirements-Continued

Go Team Go!!!

- Work closely with the household, school nurse, staff to ensure everyone is on the same page.
- Other collaborators could be a registered dietician, medical professional, or the Section 504 coordinator.

Written Documentation

- A request to make an accommodation for a medical disability must be in writing.
- Your policy may require households provide a medical statement when a medical accommodation is necessary.
- When you make an accommodation for one student without requesting a medical statement, you must make that same accommodation to all other students.

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Special Diets/Accommodating Students/Requirements-Continued

- We did not even scratch the surface on this particular subject:
https://squaremeals.org/Portals/8/files/ARM/Section13_Accommodation_V001_180122.pdf
- Do not go with your "best guess" when dealing with these kinds of situations.
- Nothing but the facts, documentation, and outstanding communication with all involved will help in navigating these particular circumstances.

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Civil Rights-Retaining Records

- Keeping your Civil Rights documentation, is as important as retaining documents for other parts of the Child Nutrition Program.
- Some info on document retention:
https://squaremeals.org/Portals/8/files/ARM/ARM_Section3_ReqRecords_V004_160705.pdf
- If in doubt, don't throw it out...until you find out!

Mission to Good Nutrition

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Civil Rights-Retaining Records-Continued

Documentation to Keep:

- Documentation that demonstrates your use of the nondiscrimination statement:
- communications with households
- other documents

More Documentation to Keep:

- Complaint Policy & Form
---Also, any & all documentation, if there is an actual complaint---
- Proof of Civil Rights training for individuals required to complete the annual requirement.


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Civil Rights-AR (Administrative Review) Findings

- Complaint Procedure
- Public Release
- Nondiscrimination statement



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THOUGHTS, CONCERNS, OR QUESTIONS???

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