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Federal law prohibits agencies from discriminating on the grounds of race, color, national origin, sex, age, disability, or receiving Federal financial assistance. These particular laws pertain to participants having access to CACFP benefits or other USDA Child Nutrition Programs and not to employment rights by agencies participating in the USDA Child Nutrition Programs.

CIVIL RIGHTS REQUIREMENTS

CACFP E-Learning Course: Civil Rights Requirements lesson provides additional training and resources. This lesson is not intended to meet the annual civil rights training requirements explained below.

And Justice For All Poster

Prominently display the 11" X 17" size nondiscrimination poster "...And Justice For All", at each site. Sponsoring organizations (more than one site participating on the CACFP) must also prominently display the poster in its administrative office. Contact Shiela Coulton at 608.267.9129 or at Shiela.Coulton@dpi.wi.gov to order additional posters, if needed.

Public Notification

Programs must provide information about the CACFP and its benefits to eligible participants and their families. The CACFP Information Sheet may be used. Complete this resource by printing the program's contact information on it.

This Information Sheet must either be posted by the center in a visible location OR copies must be distributed to eligible participants and their families or guardians upon starting CACFP and then to newly enrolled participants.

Translated Materials

Provide materials in the appropriate translation regarding the availability and nutritional benefits of the CACFP. DPI has many forms translated into Spanish and Hmong and are available at: Translated CACFP Documents (Spanish and Hmong).

### News Media Release

DPI issues an annual statewide news media release for all participating agencies. Programs are not required to issue an annual news media release of their own.

### Non-Discrimination Statement (NDS) and Complaint Filing Procedure

The USDA NDS and complaint filing procedure must be printed on all materials (i.e. policy handbooks, websites, etc.) specifically referencing the facility's USDA/CACFP participation, requirements, and/or the meal pattern.

- Photos/graphics should include diverse populations.
- The NDS is not required on menus.

**Full NDS:** The statement must be printed exactly as in the linked document. The format cannot be changed, and the font should be the same as the majority of the font in the document.

[Full NDS and Complaint Filing Procedure](#)

- **Web Pages:** the full NDS and complaint filing procedure, or a link to it, must be included on the program's website; it is not required to be on every page of the program's website.

**Short version:** If the material is too small to print the full statement the document must, at a minimum, include the authorized short version (below), in font size no smaller than the rest of the text. Materials that may be too small are less than or equal to a single-sided 8.5 x 11 document.

- *In English:* This institution is an equal opportunity provider.
- *In Spanish:* Esta institución es un proveedor que ofrece igualdad de oportunidades.

### Ethnic and Racial Data Collection

Annually collect ethnic and racial data of participants at each site.

- DPI has a sample *Ethnic and Racial Data Form* with instructions on how to complete this information.

[Ethnic and Racial Data Form](#)

This data can be collected on an agency form, via survey, or any other means at any point in time by using various methods:

- Voluntary self-identification or self-reporting (preferred method)
- Household Size Income Statement (optional section to collect this data)
- Visual identification by a center official
- Personal knowledge, records or other documentation your agency possesses that identifies household ethnic/racial data

A participant may be included in the group to which they appear to belong, identifies with, or is regarded in the community as belonging to. Participants or guardians of participants may be asked to identify the participant's ethnic/racial group only after it has been explained, and they understand, that the collection is strictly for statistical reporting and will have no effect on determination of eligibility for benefits.

### Annual Civil Rights Training

#### State Agency Training

DPI will provide required civil rights training to participating agencies to meet the annual training requirement through training sessions, CACFP E-Learning Course, and/or email notifications.

**Agency Training**

Participating agencies must provide annual civil rights training to all staff members who interact with program participants and those who supervise these staff.

**Civil Rights Training Topics**

The following specific subject matter must be included, but not be limited to:

- Collection and use of data
- Effective public notification systems
- Complaint procedures
- Requirements for reasonable accommodation of persons with disabilities
- Requirements for language assistance
- Conflict resolution
- Customer service

To assure that all USDA required topics are covered, agencies must use DPI's *CACFP Civil Rights Training PowerPoint* and/or *Handout* to complete the required annual CACFP civil rights training with all staff.

- [Civil Rights Training PowerPoint](#)
- [Civil Rights Training Handout](#)

**Training Documentation**

To demonstrate that annual civil rights training is completed, the following records must be on file:

- Names of staff who completed the civil rights training;
- The date(s) of completion by all staff; and
- Materials used for each training (i.e. copy of PowerPoint or handout)

[Civil Rights Training Attendance Sheet](#)

Agencies may use the *CACFP Civil Rights Training Attendance Sheet* to document this training.

**CIVIL RIGHTS COMPLAINTS**

All written or verbal civil rights complaints alleging discrimination on the basis of any protected class relating to participant access to the USDA Child Nutrition Programs must be processed within 90 days of receipt. The USDA Office of the Assistant Secretary for Civil Rights is responsible for handling these civil rights complaints; this office does not accept complaints based on employment discrimination.

**Procedure for Filing Complaints of Discrimination**

Any person alleging discrimination has a right to file a civil rights complaint within 180 days of the alleged discriminatory action. Under special circumstances, this time limit may be extended by the USDA Office of the Assistant Secretary for Civil Rights.

**USDA Program Discrimination Complaint Form:**

Agencies must complete the [USDA Program Discrimination Complaint Form](#) to collect information to process the complaint. This form and information can also be accessed at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html). Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339.

**Civil Rights Complaints Procedure:**

Agencies are required to develop and implement a written procedure to handle any discrimination complaints that may be received. As part of this procedure, agencies should:

- **Maintain a *Civil Rights Complaint Log*** to document all potential complaints.
- **Retain *USDA Program Discrimination Complaint Forms* and *Civil Rights Complaint Log*** in a central location to be accessed only by authorized staff.

**Acceptance of Civil Rights Complaints**

If someone comes to you with a civil rights complaint, written or verbal, you must accept and forward it to the U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights by:

- (1) Mail: 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)

It is necessary that the information be sufficient to determine the identity of the agency or individual that the civil rights complaint is directed, and to indicate the possibility of a violation. Anonymous civil rights complaints should be handled as any other civil rights complaint.

**Verbal Civil Rights Complaints**

In the event a civil rights complaint is made verbally or through a telephone conversation, and the complainant does not desire to place the allegations in writing, the person to whom the allegations are made must document the complaint. They should try to obtain the following information:

1. Name, address, and telephone number or means of contacting the complainant
2. The specific location of the CACFP involved
3. The nature of the incident that led to the discrimination complaint, or an example of the method of administration which is having a disparate effect on the public, potential participants, or participants
4. The basis on which the complainant feels discrimination exists
5. The names, titles, and addresses of persons who may have knowledge of the discriminatory action
6. The date(s) during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions.

**Investigation**

The U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights has the responsibility to determine if an investigation or a preliminary inquiry will be conducted.

**Closure**

The U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights is responsible for closure of all Title VI complaint files.

**Assurance**

It is required that assurances of compliance with the Civil Rights Act of 1964 be given by agencies and entities administering the CACFP. It is in the signed Permanent Agreement (PI-1486-AP) between DPI and agencies participating in the CACFP.

**Resolution of Noncompliance**

Once probable noncompliance is found, steps must immediately be taken to obtain voluntary compliance. If corrective action has not been completed within 60 days of the findings, a report must be sent to the U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights for transmittal to the Department of Justice.

**Review**

DPI will review participating agencies for compliance with the civil rights requirements as a part of its routine review system.