



Iowa Department of Public Health

Supplemental Nutrition Assistance
Program Education (SNAP-Ed)

Civil Rights Training



Updated January 2018

Purpose



- ▶ The purpose of this training is to review the policies and procedures set forth by the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) to ensure compliance with and enforcement of the prohibition against discrimination within the SNAP-Ed program.
- ▶ All SNAP-Ed state staff and local contractors must comply with the USDA FNS mandate that Civil Rights training be conducted as part of new employee orientation and annually thereafter to inform and update staff of their obligations under the Civil Rights laws and regulations.

Training Monitoring



- ▶ Documentation of both the new employee and the annual Civil Rights training will be monitored as part of the on-site administrative and office reviews.
- ▶ The supervisor at the state office will verify completion of the training by the state staff at their annual performance review.

Civil Rights Training Topics

- ▶ Nine mandatory topics addressed:
 1. Requirements for language assistance
 2. Requirements for reasonable accommodation for persons with disabilities
 3. Effective public notification systems
 4. Collection and use of data
 5. Complaint procedures
 6. Compliance review
 7. Resolution of non-compliance
 8. Conflict Resolution
 9. Customer Service

Civil Rights



- ▶ Agencies administering services through SNAP-Ed cannot discriminate against any applicant/participant in any aspect of program administration for reasons of:
 - Age
 - Sex
 - Race
 - Color
 - Disability
 - Religion
 - National origin
 - Political beliefs

Discrimination



- ▶ Definition: Different treatment that makes a distinction of one person (or group) from others, either intentionally, by neglect or by actions or lack of actions based on protected classes.
- ▶ Examples include:
 - Delayed benefits or services
 - Denied benefits or services
 - Disparate treatment: inconsistent application of rules or policies to one or more protected classes.

Americans with Disabilities

- ▶ The Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities receiving or benefiting from federal financial assistance.
- ▶ Title II and Title III of the Americans with Disabilities Act of 1990 extended the requirements to all services, programs and activities of state and local governments and prohibits discrimination based on disability in other public services.
- ▶ Disability is defined by the ADA as:
 - “A person who has a physical or mental impairment which substantially limits one or more major life activities, having a record of such impairment, or being regarded as having such impairment.”*

Title VI of the Civil Rights Act of 1964

- ▶ Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color and national origin in programs or activities which receive federal financial assistance.

Title VI of the Civil Rights Act and Limited English Proficiency (LEP)

- ▶ State agencies and local agencies that fail to provide services to LEP SNAP-Ed eligible persons may be discriminating on the basis of national origin. You are required to take **reasonable** steps to assure “meaningful” access to the information and services you provide. This is to be provided at no cost to the participant.

What are Reasonable Steps?

▶ Depends on:

- The number or proportion of LEP persons served or encountered in the eligible population. The greater the number, the more likely language services are needed.
- The frequency with which LEP individuals come in contact with the program. The more frequent the contact with a particular language group, the more likely that enhanced language services in that language are needed.
- The resources available to the agency and the costs. Smaller agencies with more limited budgets are not expected to provide the same level of language services as larger agencies with larger budgets. Reasonable steps may cease to be reasonable when the costs imposed substantially exceed the benefits. However, technological advances can often help reduce cost and resource issues.

Assistance to Persons with Disabilities and LEP

- ▶ SNAP-Ed State and Implementing Agencies are required to notify applicants with disabilities and limited English proficiency (LEP) persons of their right to free language assistance and accommodation and provide free language assistance and accommodations upon request.

Options for Providing Language Assistance

- ▶ Hiring bilingual staff who are trained and competent in the skill of interpreting
- ▶ Contracting with an interpreter service for trained and competent interpreters
- ▶ Formally engaging community volunteers who are trained and competent in the skill of interpreting
- ▶ Utilizing a telephone interpreter service
- ▶ Providing education and audiovisual materials to SNAP-Ed participants in other languages

Public Notification System



- ▶ A public notification system is used to inform SNAP-Ed participants and potentially eligible persons of:
 - Program availability
 - Program rights and responsibilities
 - The nondiscrimination policy
 - The procedure for filing a complaint

Nondiscrimination Statement Use

- ▶ Materials developed, adapted or reprinted with SNAP-Ed funds must include a nondiscrimination statement if they communicate program information (e.g., times, dates, locations, objectives, outcomes) or use USDA logos, such as MyPlate.
- ▶ This includes print (e.g., brochures, newsletters, education curricula, etc.) and non-print (e.g., audio, videos, websites, etc.) forms of communication.
- ▶ Such SNAP-Ed materials should use the shortened nondiscrimination statement: “This institution is an equal opportunity provider.” (Note: Materials must also have a credit statement. See slide #18 addressing credit statements.)
- ▶ The full nondiscrimination statement is rarely, if ever, required for SNAP-Ed. It’s only necessary if SNAP or other FNS program eligibility or application information is provided. The full statement can be found [here](#).

Nondiscrimination Statement Use (cont'd)

- ▶ For online sites, individual SNAP-Ed webpages should provide the full version of the nondiscrimination statement if pages contain information about SNAP or other FNS program eligibility or application information, even if the information is on a different webpage of the site.
- ▶ Webpages can link to the full nondiscrimination statement in the footer of the site.

Nondiscrimination Statement Use (cont'd)

- ▶ Additions, edits or deletions to the nondiscrimination statement are not allowed. For brochures, minimum font size is 8 point. For other printed materials and webpages, the statement must be legible.
- ▶ In summary, all communication must meet accessibility standards (Section 508 of the Rehabilitation Act of 1973, amended in 1998) and all applicable civil rights laws, regulations, Executive Orders, and policies (see <https://www.section508.gov/content/learn> for more information).

Credit Statement

- ▶ All newly developed and reprinted materials must credit SNAP as a funding source. USDA recommends the following statement:

“This material was funded by USDA’s Supplemental Nutrition Assistance Program – SNAP” .

- ▶ Spanish credit statement is available [here](#).

- ▶ If materials require the nondiscrimination statement (see slide #15), use:

“This material was funded by USDA's Supplemental Nutrition Assistance Program – SNAP. This institution is an equal opportunity provider.”

Data Collection and Use

- ▶ Racial/ethnic data is collected by the local agencies for each participant for SNAP-Ed reporting.
- ▶ All data is kept confidential and is only accessible to authorized local and state personnel.
- ▶ Data is used to generate reports required by the Federal and State Governments to determine how effectively FNS programs are reaching potential eligible persons and *beneficiaries*, identify areas where additional outreach is needed and assist in the selection of locations for compliance reviews.

Asking about Race/Ethnicity

- ▶ FNS requires asking all program applicants to identify **all** the racial categories that apply.
- ▶ FNS believes that self-reporting is the preferred method of obtaining characteristic data.
- ▶ When an applicant will not provide this information, the data collector shall, through visual observation, secure and record the information where possible. However, a data collector may not “second guess” or challenge a self-declaration made by the applicant unless such declarations are patently false.

Race v. Ethnicity

Race:

- ▶ Race refers to the people of the same ancestry.
- ▶ Participants may select more than one.
- ▶ FNS requires reporting on the following 5 categories of race:
 - American Indian or Alaskan Native
 - Asian
 - Black or African American
 - Native Hawaiian or Other Pacific Islander
 - White

Ethnicity:

- ▶ Ethnicity means to “identify with or membership in a particular racial or national cultural group and observe that group’s customs, beliefs and language. It may also include a set of individuals whose identity as such is distinctive in terms of common cultural traditions or heritage.”
- ▶ Minimum designations for collection are Hispanic/Latino or Not Hispanic/Latino

Civil Rights Complaints Procedure

- ▶ If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office, or call (866) 632-9992 to request the form.
- ▶ You may also write a letter containing all of the information requested in the form. Mail your completed complaint form or letter to:
 - U.S. Department of Agriculture
 - Office of the Assistant Secretary for Civil Rights
 - 1400 Independence Avenue, SW
 - Washington, DC 20250-9410
- ▶ Or fax the form or letter to (202) 690-7442 or email program.intake@usda.gov.

Civil Rights Complaints Procedure

- ▶ Make every effort to have the complainant provide all of the following information to assist with investigations:
 - Name, address, telephone number or other means of contacting the person alleging discrimination.
 - The location and name of the organization or office that is accused of discriminatory practices.
 - The nature of the incident or action or the aspect of program administration that led the person to allege discrimination.

Civil Rights Complaints Procedure

(continued)

- The reason for the alleged discrimination (age, race, color, sex, handicap, religious belief, national origin or political belief).
- The names and titles (if appropriate), and addresses of persons who may have knowledge of the alleged discriminatory act.
- Dates on which alleged discriminatory actions occurred.
- A complaint must be filed no later than 180 days from the date of the alleged discrimination. However, the time for filing may be extended by the Secretary of Agriculture.

Civil Rights Complaints Procedure

- ▶ Federal regulations require a formal procedure for participants, potential participants, or concerned persons who have or have had problems resolving their concerns in dealing with the agency and choose to file a written complaint.
- ▶ If you receive a civil rights complaint, notify Kari Lind at the Iowa Department of Human Services immediately by both phone and email:

Kari Lind (515) 281-7000

klind@dhs.state.ia.us

Civil Rights Complaints



- ▶ Complaints processed at the state level are reported to FNS. The report contains:
 - As much information as is available to the state agency
 - The findings of the investigation
 - If appropriate, the corrective action planned or taken

Civil Rights Compliance Review

- ▶ The FNS Regions are responsible for the review of the state agencies and the state agencies are responsible for the review of local agencies. The office performing compliance reviews must inform the reviewed entity in writing, noting the review findings and recommendations. If any of the findings are significant they must be forwarded on to the FNS Regional Office of Civil Rights or the FNS Headquarters Civil Rights Division.

Resolution of Non-compliance

- ▶ Noncompliance = a factual finding that any civil requirement is not being adhered to.
- ▶ Steps must then be taken to immediately obtain voluntary compliance. If not achieved within 60 days, it must be referred on to the Regional Administrator.

Non-Civil Rights Complaints: Conflict Resolution

- ▶ Each Agency should develop a plan for handling non-Civil Rights complaints. In general, complaints should be handled as quickly as possible and by following the chain of command in order to provide the best possible customer service.
- ▶ Program complaints can be forwarded to the state office as appropriate.

Customer Service



Service is:

Effectively communicating with customers;

Responding to their needs;

Valuing their worth; and

Instilling excellence through courtesy,

Confidence and

Enthusiasm.

Customer Service



- ▶ Demonstrate good customer service by treating all participants with dignity and respect and listening so they feel they are being heard.
- ▶ Remember participants have many needs and often few resources.
- ▶ You may talk with dozens of participants each day; the image of your program depends on you.

Thank You!

- ▶ Documentation of completed Civil Rights training should be maintained by the local contractor or recorded in Prepare Iowa for state staff.
- ▶ If you have any questions concerning civil rights, please contact Kari Lind at the Iowa Department of Human Services.

klind@dhs.state.ia.us

515-281-7000

