

# Civil Rights Training

SNAP-Ed at Michigan Fitness Foundation

Fiscal Year 2024

# Who Completes

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- Civil Rights training is required for all frontline staff delivering SNAP-Ed and those who supervise them.
- “Frontline staff” refers to anyone who interacts with SNAP-Ed audiences.
- Civil Rights training must be completed annually.
- When you have finished, return to the page where you accessed the Civil Rights training to fill out the online *Civil Rights Training Completion* form and confirm your completion of this training.

Direct Link: <https://snap-ed.michiganfitness.org/civil-rights/training-completion>

# Why Complete

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- Training is required so that people involved in SNAP-Ed understand Civil Rights - related laws, regulations, procedures, and directives.
- All SNAP-Ed staff must receive Civil Rights training appropriate to his/her roles and responsibilities.
- As someone who works with SNAP-Ed audiences, you have a personal responsibility not to engage in discriminatory behavior.
- Federal funding may be jeopardized if discrimination is found and corrective action is not taken to eliminate it.

# Training Content

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Content covers the required areas of training for frontline staff and staff supervising frontline staff:

- ✓ Collection and use of data (e.g., evaluation and needs assessments)
- ✓ Effective public notification systems
- ✓ Complaint procedures
- ✓ Compliance review techniques
- ✓ Resolution of noncompliance
- ✓ Requirements for reasonable accommodations of persons with disabilities
- ✓ Requirements for language assistance
- ✓ Conflict resolution
- ✓ Customer service

# What are Civil Rights

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Civil rights are the rights of personal liberty guaranteed to U.S. citizens by the 13<sup>th</sup> and 14<sup>th</sup> Amendments of the Constitution and Acts of Congress.

# Civil Rights Concepts

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- **Stereotyping** - Preconceived beliefs or over-simplified generalizations about a particular group.
- **Prejudice** - A set of rigid and unfavorable attitudes toward a particular group that is formed without considering facts.
- **Discrimination** - The practice of treating people differently because of how we have grouped them in our minds according to our prejudices.

# Legal Authorities

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Programs and activities receiving federal funding, like SNAP-Ed, must abide by Civil Rights requirements, including:

- **Title VI of the Civil Rights Act of 1964:** prohibits discrimination based on race, color, national origin.
- **Title IX of the Education Amendments of 1972:** prohibits discrimination based on sex.
- **Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973:** prohibits discrimination based on disability.
- **Age Discrimination Act of 1975:** prohibits discrimination based on age.

# Legal Authorities

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- USDA codified these laws into departmental Civil Rights regulations at 7 CFR 15, subparts a-f.
- Food and Nutrition Service (FNS) followed by developing FNS Instruction 113-1, Civil Rights Compliance and Enforcement – Nutrition Programs and Activities.
- Civil Rights requirements are also incorporated into program regulations (e.g., SNAP:7CFR 271-285).



# Civil Rights Compliance

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- Compliance with Civil Rights is NOT Optional.
- You must ensure equal access to benefits [and programming] without regard to protected classes.

# Protected Classes\*

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Include:

- Race
- Color
- National origin
- Religion
- Age
- Disability
- Sex
- Sexual orientation
- Gender identification or expression
- Genetic information
- Citizenship status
- Veteran status
- Partisan consideration
- Family/parental status
- Marital status
- Height
- Weight

# Assurances

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As part of your organization's SNAP-Ed contract, you assure to comply with all laws, regulations, instructions, policies, and guidance related to nondiscrimination in program delivery.

*Upholding civil rights is a key component in FNS's Equity Action Plan to ensure equitable access and opportunity to participate in FNS nutrition assistance programs for eligible populations.*

# Equal Treatment

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- All SNAP-Ed participants must be treated with dignity and respect.
- All SNAP-Ed participants must be treated equally.
- Discrimination arises when there is 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 one's race, color, national origin, religion, age, disability, sex, sexual orientation, gender identification or expression, genetic information, marital status, height, weight, partisan consideration, etc.

# Public Notification

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## **Methods of Public Notification:**

- Prominently display the USDA nondiscrimination poster, *And Justice For All*, version AD-475B.
- Inform potentially eligible people, participants, and partner organizations of the program and its requirements.
- Provide appropriate information in alternative formats for people with disabilities.
- USDA nondiscrimination statement included on all program materials provided to the public.
- Convey the message of equal opportunity in all photographic and other graphics that are used to provide program-related information to the public.

# Public Notification

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## ***And Justice for All Poster***

The most recent version of the poster\* (see next slide) must be visible to all participants during each SNAP-Ed program activity. This includes online activities that are live or recorded.

MFF has printed and digital posters available, upon request.

*\*The current version of the 'And Justice for All' poster is dated May 2022 and should be used until a new version is released. When an updated poster becomes available, MFF will notify you and provide you access to print and digital copies.*



# Public Notification

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## ***Nondiscrimination Statement Use Requirements***

- All materials developed or printed with SNAP-Ed funds must have the appropriate nondiscrimination statement and credit SNAP-Ed as a funding source.
- The shortened statement, *“This institution is an equal opportunity provider.”*, must be included on all materials intended for SNAP-Ed audiences.
- The full nondiscrimination statement (see upcoming slide) is rarely, if ever, required for SNAP-Ed.



# Public Notification

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## ***Nondiscrimination Statement Format Requirements***

- The font size must be legible (a minimum of 8 point for brochures) so that participants can read and benefit from the information provided.
- Spacing between paragraphs must be maintained if using the full nondiscrimination statement.
- Any materials displaying information on accessing SNAP benefits must include the full statement in its entirety.
- If other statements are included, the USDA nondiscrimination statement should always be listed first.

# Public Notification

## ***Full 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 (including gender identity and sexual orientation), religious creed, disability, age, political beliefs, 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 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.

To file a program discrimination complaint, a Complainant should complete a Form AD3027, 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 (833) 620-1071, 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:

- (1) **mail:**  
Food and Nutrition Service, USDA  
1320 Braddock Place, Room 334  
Alexandria, VA 22314; or
- (2) **fax:**  
(833) 256-1665 or (202) 690-7442; or
- (3) **email:**  
FNSCivilRightsComplaints@usda.gov

This institution is an equal opportunity provider.

### **An electronic version is available:**

<https://snap-ed.michiganfitness.org/nondiscrimination-and-credit-statements>

# Reasonable Accommodation

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- State and local offices, including SNAP-Ed program sites, must provide reasonable accommodations to SNAP-Ed participants with disabilities when necessary.
- Reasonable accommodations:
  - Require good communications between all involved parties.
  - Must be funded through the State/local office or local program, not by participants.
  - Contact your MFF Program Manager for assistance, if needed.

# Reasonable Accommodation

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Reasonable accommodation examples:

- Designated proxy
- Telephone interviews
- Captioning or Computer-assisted Real-time Technology (CART) services for deaf or hard of hearing clients
- Sign language interpreters
- Reader services for blind for visually-impaired clients
- Other alternative arrangement for service

# Limited English Proficiency (LEP)

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State agencies, local agencies, or other organizations that fail to provide services to LEP participants or deny them access to SNAP-Ed programs and activities may be discriminating on the basis of national origin.

Must ensure:

- Meaningful access to the information and services provided.
- Materials used are culturally and linguistically appropriate for the audience.

# Meaningful Access for LEP

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Factors included in ensuring meaningful access for LEP:

- The number or proportion of LEP people eligible 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 Services

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- Participants cannot be asked to bring their own interpreters.
- Children should **not** be used as interpreters.
- Contact your MFF Program Manager for assistance, if needed.

## Examples of language services:

- Qualified, competent bilingual staff
- Telephone interpreter lines
- Oral interpretation services
- Written language services
- Qualified, competent community organizations & volunteers

# Data Collection

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Demographic data including race, ethnicity, gender, and age may be collected through needs assessments, during planning processes, reach reporting, and evaluation.

It is essential that data be collected throughout the year following the guidelines established by USDA FNS and operationalized by MFF. If you have questions, talk with your MFF program manager or local program lead.



# Data Collection

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- Reach data collection is mandatory.
- Follow your organization's system to collect demographic data in accordance with FNS policy.
- Data may be used to:
  - Determine how effectively FNS programs are reaching eligible people.
  - Identify areas where additional outreach is needed.
  - Inform when compliance reviews are needed.
  - Complete reports as required.

# Complaints of Discrimination

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Complaints of discrimination allege that the applicant or participant was treated differently because of his/her race, color, national origin, sex, sexual orientation, gender identity or expression, age, disability, religion, etc.

# Complaints of Discrimination

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Michigan laws have nondiscrimination provision that go beyond Federal protections. If someone feels they have been discriminated against based on a Michigan-specific protected class, the complaint MUST be handled by the state since the Federal government would have no jurisdiction.

Michigan-specific protected classes include marital or familial status, height, weight, and arrest record.

# Complaint Procedures

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- Participants must file a complaint within 180 days of the alleged action.
- Michigan prohibits retaliation against an individual for exercising their right to file a complaint.
- If you receive a complaint of discrimination at the local level, immediately forward the complaint to Marci Scott, Vice President of Programs at Michigan Fitness Foundation (MFF). MFF, in cooperation with the State of Michigan and USDA FNS, will investigate the allegations and prepare a response.

# Complaint Procedures

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SNAP-Ed participants may also ask to file complaints directly with the State of Michigan or USDA.

Please provide them with the following information:

**Michigan Dept. of Civil Rights**

Lansing Office  
Capitol Tower Building  
110 W. Michigan Ave., Suite 800  
Lansing, MI 48933  
Phone: 517-335-3165

**U.S. Dept. of Agriculture**

Food and Nutrition Service  
1320 Braddock Place, Room 334  
Alexandria, VA 22314  
Email: [FNSCivilRightsComplaints@usda.gov](mailto:FNSCivilRightsComplaints@usda.gov)

**Michigan Dept. of Health and Human Services**

333 S. Grand Avenue  
P.O. Box 30195  
Lansing, MI 48909  
Phone: 517-241-3740

# Customer Service

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Excellent customer service involves:

- Effectively communicating with SNAP-Ed participants.
- Responding to their needs.
- Valuing people's worth.
- Identifying methods for overcoming barriers.
- Responding to complaints in a non-threatening manner.
- Demonstrating excellence through courtesy, confidence, and caring.

# Compliance Reviews

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The Civil Rights compliance review is a component of the FNS Management Evaluation (ME) process that is conducted on an ongoing basis for all FNS programs.

Three type of Civil Rights compliance reviews

- **Pre-award:** Reviews that determine compliance before federal funds are awarded.
- **Post-award:** Regular reviews to determine compliance is being maintained.
- **Special reviews:** Reviews conducted when there are significant Civil Rights concerns.

# Pre-Award Compliance Review

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- FNS or State Agency [Michigan Department of Health and Human Services] must determine that all local agency or subrecipient applicants are in compliance with Civil Rights requirements prior to approval for federal funding.
- Determinations are based on a desk or onsite review of Civil Rights information provided by the program applicant.



# Post-Award Compliance Review

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FNS and State Agency must conduct routine compliance reviews as identified by FNS Instruction 113-1 and program-specific regulations and policies. The full 113-1 document is available on the Civil Rights Training page of the SNAP-Ed at MFF website.

Sample post-award review questions:

- Do printed materials contain the appropriate nondiscrimination statement?
- Is the *And Justice For All* poster displayed appropriately?
- Are program materials available to all?
- Is data on race and ethnicity collected appropriately?
- How are participants advised of their right to file a Civil Rights complaint of discrimination?
- Are reasonable accommodations appropriately made for people with disabilities?

# Special Compliance Review

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- May be specific to an incident or policy.
- May be scheduled or unscheduled:
  - To investigate reports of noncompliance.
  - To follow up on previous finding(s) of noncompliance.
  - If there is a history of statistical underrepresentation of particular groups.
  - If a pattern of complaints of discrimination exists.

# Resolution of Noncompliance

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- Noncompliance is a factual finding that any Civil Rights requirement is not being followed.
- Voluntary compliance must be negotiated.
- Actions to correct the situation must be implemented within 60 days.
- If all voluntary compliance efforts fail, actions to terminate or suspend funding may be implemented.

# Conflict Resolution

## The Conflict Resolution Network: <http://www.crnhq.org/>

1. **Win/win approach:** How can we solve this as partners rather than opponents?
2. **Creative response:** Transform problems into creative opportunities.
3. **Empathy:** Develop communication tools to build rapport. Use listening to clarify understanding.
4. **Appropriate assertiveness:** Apply strategies to attack the problem not the person.
5. **Co-operative power:** Eliminate "power over" to build "power with" others.
6. **Managing emotions:** Express fear, anger, hurt, and frustration wisely to effect change.

# Conflict Resolution

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- 7. Willingness to resolve:** Name personal issues that cloud the picture.
- 8. Mapping the conflict:** Define the issues to identify needs and concerns.
- 9. Development of options:** Design creative solutions together.
- 10. Introduction to negotiation:** Plan and apply effective strategies to reach agreement.
- 11. Introduction to mediation:** Help conflicting parties move towards solutions.
- 12. Broadening perspectives:** Learn how to be in a conflict-resolving mode.

# Conflict Resolution

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For additional information about each of the conflict resolution skills on the previous slides, visit:

<https://www.crnhq.org/12-skill-summary/>

# Questions

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If you have questions, would like additional information, or would like assistance with Civil Right compliance, please contact your MFF Program Manager or Marci Scott, Vice President of Programs, at [mScott@michiganfitness.org](mailto:mScott@michiganfitness.org).

# Training Completion Confirmation

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Please return to the page where you accessed the Civil Rights training to fill out the online *Civil Rights Training Completion* form and confirm your completion of this training.

The form should be submitted no later than October 31<sup>st</sup> or within a month of hire.

Direct Link: <https://snap-ed.michiganfitness.org/civil-rights/training-completion>



# Thank you!

This institution is an equal opportunity provider.

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