

# Civil Rights Training

for

Michigan Fitness Foundation

SNAP-Ed Subrecipients, Vendors and Partners

Fiscal Year 2020

# Civil Rights Training

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Civil Rights training is required for all frontline staff and those who supervise frontline staff through the Michigan Fitness Foundation (MFF) SNAP-Ed funding. “Frontline staff” refers to anyone who interacts with the SNAP-Ed target audience.

After you have completed this training, return to the Civil Rights training page on the MFF SNAP-Ed website to fill out the online Civil Rights Training Completion form confirming your completion of this training.

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

# Civil Rights Training

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- Training is required so that people involved in all levels of program administration understand Civil Rights - related laws, regulations, procedures and directives
- All Staff, especially frontline staff, must receive Civil Rights training appropriate to his/her position
  - “Frontline staff” refers to everyone who interacts with the SNAP-Ed target audience
  - Frontline staff and those who supervise frontline staff **must receive training annually**



# Civil Rights Training

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- You have a personal responsibility as a person who works with or supports the SNAP-Ed target audience not to engage in discriminatory behavior
- Federal funding may be jeopardized if discrimination is found and corrective action is not taken to eliminate it



# Civil Rights Training

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

- ✓ Collection and use of data (EARS, 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
- ✓ Customer service skills
- ✓ Conflict resolution skills



# 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

Programs and activities receiving federal funding must abide by Civil Rights requirements:

- **Title VI of the Civil Rights Act of 1964:** prohibits discrimination based on race, color, national origin
- **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
- **Title IX of the Education Amendments of 1972:** prohibits discrimination based on sex





# 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 is NOT Optional

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**You must ensure equal access to benefits  
without regard to protected classes**



# Civil Rights Compliance is NOT Optional

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## **Protected classes include:**

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



# Assurances

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Assurances are a contractual agreement in which a local agency, vendor or other subrecipient legally agrees to administer FNS program services and benefits in accordance with all laws, regulations, instructions, policies and guidance related to nondiscrimination in program delivery.

**Assurances are part of the MFF SNAP-Ed RFP process and are included as part of the subrecipient contract.**



# Public Notification

## **Methods of Public Notification:**

- Prominently display the USDA nondiscrimination poster, *And Justice For All*, version AD-475B
- Inform potentially eligible people, participants, and grassroots 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 poster (see next slide) must be visible to all participants during SNAP-Ed education and events. MFF has copies of the poster available upon request.

A printable PDF poster (version AD-475B) may be obtained from your MFF SNAP-Ed Project Manager.

# Public Notification

## And Justice for All Poster Form AD-475B



USDA  
United States Department of Agriculture

# AND JUSTICE FOR ALL

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**I**n 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, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online, from any USDA office, by calling (866) 632-9922, 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. 20250-0410; or

**fax:**  
(833) 256-1885 or (202) 690-7442;

**email:**  
program.intake@usda.gov

This institution is an equal opportunity provider.

**C**onforme 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, credo religioso, discapacidad, edad, creencias políticas, venganzas o represalia por actividades realizadas en el pasado relacionadas con los derechos civiles.

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 cualquier oficina del USDA, llamando al (866) 632-9922, 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:

**como postal:**  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-0410; o

**fax:**  
(833) 256-1885 o (202) 690-7442;

**como electrónicamente:**  
program.intake@usda.gov

Esta institución ofrece igualdad de oportunidades.

Form AD-475B (2016) and 10/17/16 (Print) Revised July 2017

# Public Notification

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## ***Nondiscrimination Statement***

- 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 the SNAP-Ed target population.
- The full nondiscrimination statement (see upcoming slide) is rarely, if ever required on materials.



# Public Notification

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## ***Nondiscrimination Statement***

- 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 statement in its entirety.
- If other statements are included, the USDA non-discrimination statement should always be listed first.

# Public Notification

## ***Nondiscrimination Statement:***

In accordance with the 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, religious creed, disability, age, policy beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by the 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) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Services at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a complaint of discrimination, complete the USDA Program Discrimination Complaint form. (AD-3027) found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any 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 (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights 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)

This institution is an equal opportunity employer.

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

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

# Complaints of Discrimination

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Complaints of discrimination allege that the applicant or participant was treated differently because of his/her age, color, disability, height, genetic information, marital status, national origin, partisan consideration, race, religion, sex, sexual orientation, weight, or gender identification or expression.



# 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. The Michigan-specific protected classes are: height, genetic information, marital status, sexual orientation, weight, and gender identification or expression.



# 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
- If you receive a complaint of discrimination at the local level, immediately forward the complaint to Marci Scott, VP of Programs at the Michigan Fitness Foundation. MFF, in cooperation with the State of Michigan and the USDA FNS, will investigate the allegations and prepare a response.



# Complaint Procedures

SNAP-Ed participants may also ask to file complaints directly with the State of Michigan or the USDA. Please provide them with the following information:

**Michigan Dept. of Civil Rights**

Lansing Executive Office  
Capitol Tower Building  
110 W. Michigan Ave., Suite 800  
Lansing, MI 48933  
Phone: 517-335-3165  
Fax: 517-241-0546  
TTY: 517-241-1965

**US Dept. of Agriculture**

Director, Office of Adjudication  
1400 Independence Avenue, SW  
Washington, DC 20250-9410  
Phone: 866-632-9992  
Fax: 202-690-7442  
[program.intake@usda.gov](mailto:program.intake@usda.gov)

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

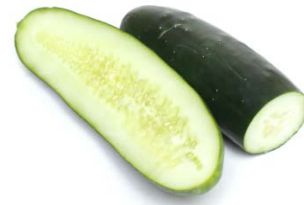
235 S. Grand Avenue, Suite 708  
P.O. Box 30037  
Lansing, MI 48909



# 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 must be implemented to correct the situation within 60 days
- Documentation must be provided when action is not completed in 60 days
- If all voluntary compliance efforts fail, actions to terminate or suspend funding may be implemented



# Customer Service

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Excellent customer service involves:

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





# Customer Service

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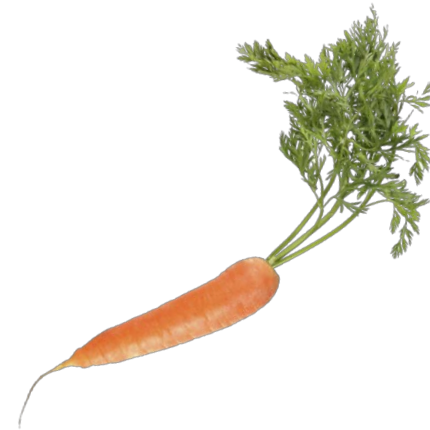
- All SNAP-Ed participants must be treated with dignity and respect
- All SNAP-Ed participants must be treated equally
  - Discrimination arises when there is different treatment which makes a distinction of one person or a group of persons from others, either intentionally, by neglect, or by the actions or lack of actions based on one's age, color, disability, height, genetic information, marital status, national origin, partisan consideration, race, religion, sex, sexual orientation, weight and/or gender identification or expression



# 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



# Conflict Resolution

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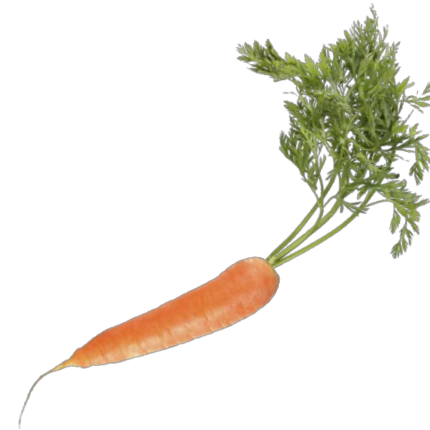
- 5. Co-operative power:** Eliminate "power over" to build "power with" others
- 6. Managing emotions:** Express fear, anger, hurt and frustration wisely to effect change
- 7. Willingness to resolve:** Name personal issues that cloud the picture
- 8. Mapping the conflict:** Define the issues to identify needs and concerns
- 9. Development of options:** Design creative solutions together



# Conflict Resolution

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- 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

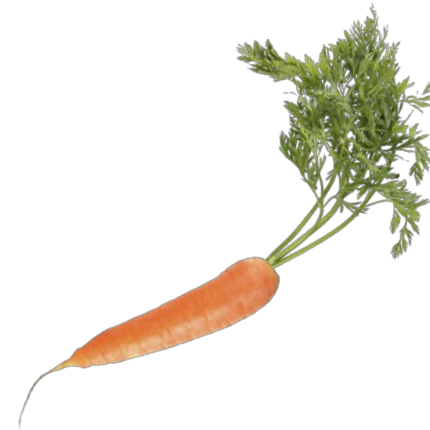


# Conflict Resolution

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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/>



# Racial and Ethnic Data Collection

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Racial and ethnic data collection may be done through needs assessments during planning processes, EARS (mandatory), and evaluation

- It is essential that EARS data be collected throughout the year following the guidelines established by MFF.\* If you have questions, talk with your MFF SNAP-Ed Project Manager or local program lead.

\* <https://snap-ed.michiganfitness.org/reporting/rfp-final-report>



# Racial and Ethnic Data Collection

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



# Racial and Ethnic Data Collection

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Two-part question is used with EARS data:

## 1. **Ethnicity**

- Hispanic or Latino
- Not Hispanic or Latino

## 2. **Race**

- American Indian or Alaskan Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White





# Reasonable Accommodation

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- State and local offices 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 State/local office, not by participants
  - Contact your MFF SNAP-Ed Project Manager for assistance, if needed



# Reasonable Accommodation

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Examples of reasonable accommodations:

- 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 subrecipients 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 assure:
  - “Meaningful” access to the information and services provided
  - Materials used are appropriate for the audience



# Limited English Proficiency (LEP)

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Factors included in assuring “meaningful” access:

- 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



# Limited English Proficiency (LEP)

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## Language services:

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

## Examples of language services:

- Bilingual staff
- Telephone interpreter lines
- Oral interpretation services
- Written language services
- Community organizations & volunteers



# 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.

Two type of Civil Rights compliance reviews

- Pre-award
- Post-award



# Compliance Reviews

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## Pre-award:

- FNS or State agency must determine that all local agency or subrecipient program 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



# Compliance Reviews

Post-award (routine): 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 section of the MFF SNAP-Ed website

## Sample post-award review questions:

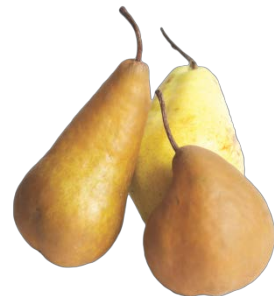
- Do printed materials contain the civil rights / nondiscrimination statement?
- Is the *And Justice For All* poster displayed appropriately?
- Are program informational materials available to all?
- Is data on race and ethnicity collected appropriately?
- How are participants advised of their right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



# Contact Information

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



# Confirm Completion of This Training

After you have finished this training, return to the Civil Rights training page on the MFF SNAP-Ed website to fill out the online Civil Rights Training Completion form confirming your completion of this training. The form should be submitted no later than October 31<sup>st</sup> or within a month of hire.

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



# Thank you!

This institution is an equal opportunity provider and employer.

