

Civil Rights Training

for

SNAP-Ed at Michigan Fitness Foundation
Local Implementing Agencies

Fiscal Year 2022

Civil Rights Training

Civil Rights training is required for all frontline staff and those who supervise frontline staff through 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 SNAP-Ed at MFF 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

- 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 roles and responsibilities
 - “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

- 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
- ✓ Conflict resolution
- ✓ Customer service



Civil Rights

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



Civil Rights Concepts

- **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
- **Title IX of the Education Amendments of 1972:** prohibits discrimination based on sex
- **Age Discrimination Act of 1975:** prohibits discrimination based on age



Legal Authorities

- 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

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



Civil Rights Compliance is NOT Optional

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

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



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

***And Justice for All* Poster**

The poster (see next slide) must be visible to all participants during each SNAP-Ed program activity.

MFF has printed and digital posters available, upon request.

Public Notification

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 for SNAP-Ed.

Public Notification

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 nondiscrimination 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, 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

This institution is an equal opportunity employer.

An electronic version is available:

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

Complaints of Discrimination

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

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

- 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, Vice President 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

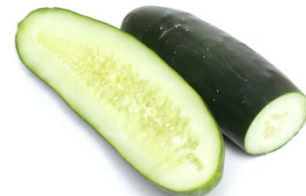
Michigan Dept. of Health and Human Services

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



Resolution of Noncompliance

- 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

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

- 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

- 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

- 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

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

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

- 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

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

- 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

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)

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)

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)

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:

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



Compliance Reviews

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

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

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



Confirm Completion of This Training

After you have finished this training, return to the Civil Rights training page on the SNAP-Ed at MFF 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 29th or within a month of hire.

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



Thank you!

This institution is an equal opportunity provider.

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