

**ADMINISTERING THE SUMMER FOOD SERVICE PROGRAM: CIVIL RIGHTS**

OSDE Child Nutrition Programs  
[www.sde.ok.gov/summerfood](http://www.sde.ok.gov/summerfood)



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**USDA CIVIL RIGHTS**

- Benefits of SFSP are made available to all eligible participants in a non-discriminatory manner.
- All sponsors must implement Civil Rights requirements.

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**DISCRIMINATION IS....**

- Different treatment
- Makes distinction from others
- Either intentionally, by neglect or by the actions or lack of actions
- Based on the protected classes

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### SIX PROTECTED CLASSES

- Race
- Color
- National Origin
- Sex
- Age
- Disability

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### DISCRIMINATION OCCURS...



- ...when an individual or group of individuals are:
- ✓ **Delayed** benefits or services
  - ✓ **Denied** benefits or services
  - ✓ Treated **Differently** than others to their disadvantage
  - ✓ Given **Disparate** treatment

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### SUBMITTING CIVIL RIGHT COMPLAINT

- Verbally
- In Writing

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### WHERE ARE COMPLAINTS SENT?

- USDA directly; or
- OSDE CNP directly; or
- Notify the sponsor of their complaint
- If a Sponsor receives a discrimination complaint regarding the SFSP, the Sponsor must forward to OSDE CNP within three working days

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### HOW LONG TO FILE A COMPLAINT?

File a complaint within 180 days of the alleged discriminatory action.



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### COMPLAINT PROCEDURE PLAN

Sponsors are required to develop and implement a written procedure to handle any discrimination complaint that may be received.

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### CIVIL RIGHTS COMPLAINT PROCEDURE

- Civil Rights
- Complaint Documented in Civil Rights Complaint Log
- Civil Rights Complaint form completed

**If the Civil Rights complaint form is returned to Sponsor, Sponsor forwards complaint form to SA within 3 working days**

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### Civil Rights Complaint Form

- Civil Rights Complaint Form readily available at all sites
- Sponsor must make every attempt to help complainant
- Reasonable accommodation for complainant with disability

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### CIVIL RIGHTS COMPLAINT LOG

Log must be dated and kept for **3 years** plus the **current year**, even if **no** complaints have been received.

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**NONDISCRIMINATION STATEMENT  
(SHORT VERSION)**

This institution is an equal opportunity provider.

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**NON-DISCRIMINATION STATEMENT  
(LONG VERSION)**

**For all other FNS nutrition assistance programs, State or local agencies, and their subrecipients, must post the following Nondiscrimination Statement:**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution prohibited from discriminating on the basis of race, color, national origin, sex, (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity.

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**NON-DISCRIMINATION STATEMENT  
(LONG VERSION) continued...**

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language), should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at **(202) 720-2600** (voice and TTY) or contact USDA through the Federal Relay Service at **(800) 877-8339**.

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### NON-DISCRIMINATION STATEMENT (LONG VERSION) continued...

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at [www.usda.gov/sites/default/files/documents/usda-program-discrimination-complaint-form.pdf](http://www.usda.gov/sites/default/files/documents/usda-program-discrimination-complaint-form.pdf), from any USDA office, by calling (866) 632-9992, 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 of 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:

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### NON-DISCRIMINATION STATEMENT (LONG VERSION) continued...

**Mail:**

U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410 or

**Fax:**

(833) 256-1665 or (202) 692-7442: or

**Email:**

program.intake@usda.gov.

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### EXAMPLES OF INFORMATIONAL MATERIAL

- Enrollment Forms
- Employee Handbooks
- Brochures
- Parent/Student Handbooks
- Print or Broadcast Advertisements
- Menus
- Newsletters
- Flyers
- Websites

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### LIMITED ENGLISH PROFICIENCY (LEP)

- Individuals who have a limited ability to read, speak, write, or understand English.
- Responsibility to take reasonable steps to ensure meaningful access to their programs and activities

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### LIMITED ENGLISH PROFICIENCY (LEP)

#### Primary factors to consider when determining reasonable steps:

- Number or proportion in the eligible service population
- Frequency of contact in the programs
- Importance of the service provided by the programs
- Resources available to the recipient/costs

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### RACIAL AND ETHNIC DATA REPORTING

- Sponsor must collect and maintain data annually
- The SA will check Racial and Ethnic data during Administrative Reviews
- Please do not send information to OSDE, unless requested
- Use specific reporting forms for SFSP

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## RACIAL AND ETHNIC DATA COLLECTION

It is **optional** for participants to provide Sponsors with Racial and Ethnic information.

However, it is a **requirement** for Sponsors to collect Racial and Ethnic Data annually.

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## RACE AND ETHNIC CATEGORIES DATA COLLECTION

### Two-Step Process

Separate categories will be used when collecting and reporting Race and Ethnicity.

Step 1 - **Ethnicity** Determined

Step 2 - **Racial** Designations

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## CIVIL RIGHTS – “MUST DO LIST”

- Offer any Child Nutrition Program in a Non-Discriminatory Manner
- Train staff annually on Civil Rights and complete the training form
- Develop & fully implement sponsor's Civil Rights Complaint Procedure
- Make available to all staff complaint forms, log and complaint procedure

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## CIVIL RIGHTS – “MUST DO LIST”

- Prominently display the **And Justice for All** poster
- Non-discrimination statement must be on all printed and electronic materials available to the public which mention USDA and/or Child Nutrition Program meals and snacks
- Must offer meals to all participants
- Collect Annual Racial/Ethnic Data Info

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## Questions?

Contact the State Agency @405-521-3327  
[sfsp@sde.ok.gov](mailto:sfsp@sde.ok.gov)

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