
Civil Rights

Compliance

Civil Rights Requirements for CACFP

- The following is a list of Federal regulations protecting Civil Rights that all CACFP Sponsors must comply with:
 - The Civil Rights Act of 1964
 - USDA Regulations 7 CFR 15
 - USDA Regulations 7 CFR 16
 - CACFP Regulations 7CFR 226.6
 - Food and Nutrition Service Instructions 113-1 including Appendix B

Civil Rights Act

Title VI of the Civil Rights Act of 1964 prohibits recipients of Federal financial assistance from discriminating against or otherwise excluding individuals on the basis of race, color, national origin, sex, age, or disability in any of their activities.

What Is Discrimination?

Discrimination is defined as different treatment that 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 from a program.

Ten Areas of Civil Rights Compliance

- Assurances
- Data Collection
- Equal Opportunity
- Public Notification
- Accommodations for those with Limited English Proficiency
- Training
- Reporting Civil Rights Violations
- Compliance
- Conflict Resolution
- Customer Service

1st : Assurances

To qualify for Federal financial assistance, an application must include a written assurance in all agreements with the State agency that the program will be operated in a nondiscriminatory manner.

2nd : Data Collection

As part of the online application for the CACFP, the Sponsor must estimate the racial/ethnic make-up of the population to be served.

Data Collection

It is not required for parents to identify race or ethnicity on the Income Eligibility Application (IEA).

It is required for sponsors to record the child's racial/ethnic information. We suggest you do this on the center's Master List.

3rd : Equal Enrollment Opportunity

The sponsor must establish fair enrollment policies that do not restrict or deny enrollment on the basis of any the following protected classes:

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

Equal Opportunity to Participants

All participants must have equal access to Sponsor services. This means:

- Provide all families inquiring about your program the same information about CACFP.
- Serve all participants the same meal.
- Categorize all IEA's equally regardless of race, color, national origin sex, age, or disability.

4th : Public Notification

The purpose of a public notification system is to:

- Inform applicants and participants of the program availability,
- Inform participants about program rights and responsibilities,
- Display the nondiscrimination policy, and,
- Inform participants the procedures for filing a complaint.

Requirements for Notifying the Public

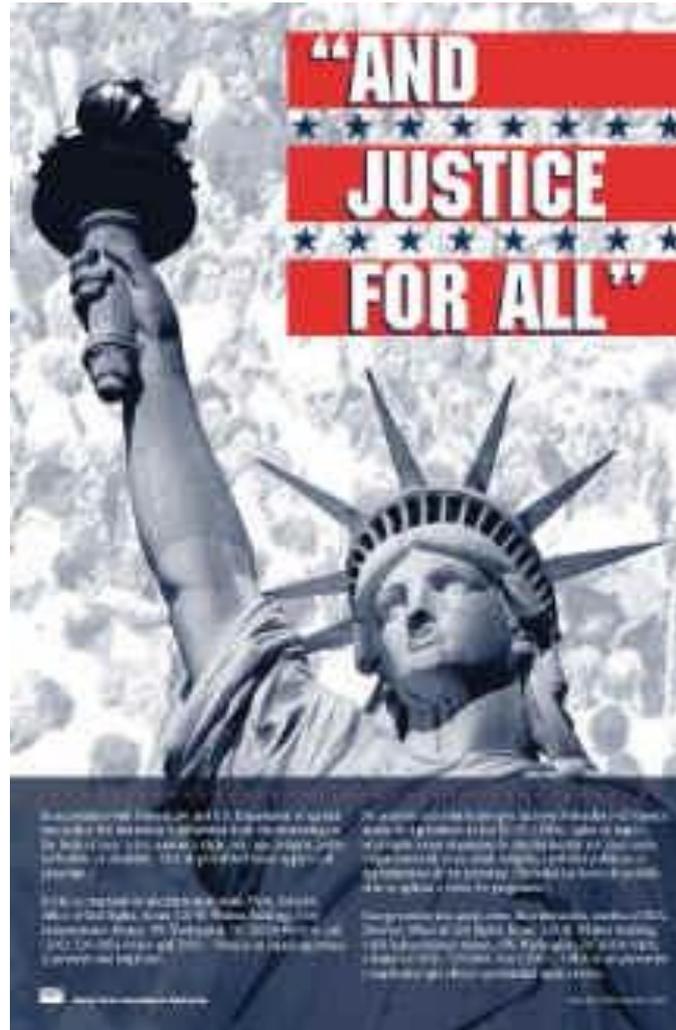
- Publicize the program to all.
- Provide information in alternative formats for persons with disabilities and language barriers.
- Use the nondiscrimination statement on all publications.
- Use the equal opportunity statement when the nondiscrimination statement is too long.
- Display the “And Justice For All” poster.

Public Notification

Notify the Public about the CACFP by:

- Displaying the “And Justice for All” poster
- Send Media Release to local Media outlets
- Include the “Building For the Future Flyer” in child enrollments
- Add USDA’s nondiscrimination statement to parent handbook

Civil Rights Poster



**Ohio Department of Education -- Office for Child Nutrition
 Child and Adult Care Food Program
 Fiscal Year 2012
 MEDIA RELEASE**

Federal regulations require each institution participating in the Child and Adult Care Food Program (CACFP) issue a news release announcing sponsorship of the program. The news release must be submitted to the local media for possible public announcement. If the media do not provide this free service, it is not required that the institution pay for the announcement. Submitting the announcement of the Program participation will fulfill federal requirements. A copy of the news release for publication must be attached to your CACFP application or for renewing sponsors, it must be kept on file along with a list of names and addresses of the media to whom the release was sent and the date sent.

The required news release provided below must be used by all institutions. Additional information may be included; however, the release must contain the information below.

Name of Local Media: _____	Date: _____
As part of the annual participation requirements of the USDA Child and Adult Care Food Program, our agency must submit the following media release to local media. If possible, please make this information available to the general public as a community service announcement. Thank you.	
MEDIA RELEASE	

The (insert agency name) announces sponsorship of the USDA funded Child and Adult Care Food Program. Meals are available to all enrolled participants without regard to race, color, national origin, sex, age or disability and will be served at no separate charge §226.23(d). In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

(if applicable, list sites including name and address):

The following Income Eligibility Guidelines for free and reduced price meals are effective
 July 1, 2011 thru June 30, 2012

HOUSEHOLD SIZE	FREE -- 130%					REDUCED -- 185%				
	ANNUAL	MONTHLY	TWICE-PER-MONTH	EVERY-TWO-WEEKS	WEEKLY	ANNUAL	MONTHLY	TWICE-PER-MONTH	EVERY-TWO-WEEKS	WEEKLY
1	14,157 ^a	1,180 ^a	590 ^a	545 ^a	273 ^a	20,147 ^a	1,679 ^a	840 ^a	775 ^a	388 ^a
2	19,123 ^a	1,554 ^a	757 ^a	736 ^a	368 ^a	27,214 ^a	2,268 ^a	1,134 ^a	1,047 ^a	524 ^a
3	24,089 ^a	2,008 ^a	1,004 ^a	927 ^a	464 ^a	34,281 ^a	2,857 ^a	1,429 ^a	1,319 ^a	660 ^a
4	29,055 ^a	2,422 ^a	1,211 ^a	1,118 ^a	559 ^a	41,348 ^a	3,446 ^a	1,723 ^a	1,581 ^a	796 ^a
5	34,021 ^a	2,836 ^a	1,418 ^a	1,309 ^a	655 ^a	48,415 ^a	4,035 ^a	2,018 ^a	1,863 ^a	932 ^a
6	38,987 ^a	3,249 ^a	1,625 ^a	1,500 ^a	750 ^a	55,482 ^a	4,624 ^a	2,312 ^a	2,134 ^a	1,067 ^a
7	43,953 ^a	3,663 ^a	1,832 ^a	1,691 ^a	846 ^a	62,549 ^a	5,213 ^a	2,607 ^a	2,406 ^a	1,203 ^a
8	48,919 ^a	4,077 ^a	2,039 ^a	1,882 ^a	941 ^a	69,616 ^a	5,802 ^a	2,901 ^a	2,678 ^a	1,339 ^a
For each additional family member, add ^a	4,966 ^a	414 ^a	207 ^a	191 ^a	96 ^a	7,067 ^a	589 ^a	295 ^a	272 ^a	136 ^a

Building For the Future

This day care facility participates in the Child and Adult Care Food Program (CACFP), a Federal program that provides healthy meals and snacks to children receiving day care.

Each day more than 2.6 million children participate in CACFP at child care homes and centers across the country. Providers are reimbursed for serving nutritious meals which meet USDA requirements. The program plays a vital role in improving the quality of day care and making it more affordable for low-income families.

Meals CACFP homes and centers follow meal requirements established by USDA.

Breakfast	Lunch or Supper	Snacks (Two of the four groups:)
Milk Fruit or Vegetable Grains or Bread	Milk Meat or meat alternate Grains or bread Two different servings of fruits or vegetables	Milk Meat or meat alternate Grains or bread Fruit or vegetable

Participating

Facilities Many different homes and centers operate CACFP and share the common goal of bringing nutritious meals and snacks to participants. Participating facilities include:

- **Child Care Centers:** Licensed or approved public or private nonprofit child care Centers, Head Start programs, and some for-profit centers.
- **Family Child Care Homes:** Licensed or approved private homes.
- **After School Care Programs:** Centers in low-income areas provide free snacks to School-age children and youth.
- **Emergency Shelters:** Programs providing meals to homeless children.

Eligibility State agencies reimburse facilities that offer non-residential day care to the following children:

- Children age 12 and under,
- Migrant children age 15 and younger, and
- Youths through 18 in emergency shelters and after school care programs in needy areas.

Contact

Information If you have questions about CACFP, please contact one of the following:

Sponsoring Organization/Center

Ohio Department of Education

CACFP Consultant
25 S. Front Street, MS 303
Columbus, OH 43215-4183
614-466-2945

Nondiscrimination. In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

USDA Nondiscrimination Statement

“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800)845-6136 (Spanish). USDA is an equal opportunity provider and employer”.

- The nondiscrimination statement should be included, in full, on all materials regarding the CACFP.

USDA Nondiscrimination Statement (Condensed Version)

Use the following statement when a document has limited space and does not permit the full statement:

“This institution is an equal opportunity provider.”

The statement should be in a font size at least equal to the rest of the text in the document.

5th : Reporting Civil Rights Violations

- Sponsors must provide all families with USDA's address and phone number so they have information as to where to file a complaint.
- USDA contact information:
 - USDA, Director
 - Office of Adjudication
 - 1400 Independence Avenue, SW
 - Washington, DC 20250-9410or;
 - call (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800)845-6136 (Spanish).

Reporting Civil Rights Violations

If The Ohio Department of Education receives a Civil Rights complaint...

ODE will....

- A. Inform the complainant they have 180 days to file a Civil Rights complaint.
- B. Encourage the complainant to resolve the issue first with the sponsor.
- C. Forward all Civil Rights complaints to the USDA – Midwest Regional Office.

6th : Accommodating those with Limited English Proficiency

- All sponsors must provide CACFP material in another language if requested by the applicant.
- Your CACFP Consultant can assist you in locating this information, if needed.

7th: CACFP Training Requirements

Civil rights training must be conducted annually for all staff who interact with applicants and participants, and anyone with oversight and or supervisory responsibilities.

This includes:

Owners

Board members

Directors/ Administrators

Receptionist/Secretaries

Cooks

Teachers

Assist. Teachers

Required Civil Rights Training Topics

- Collection of ethnicity/racial data.
- Public notification and media release.
- Procedures for filing a complaint
- Requirements for reasonable accommodation of persons with disabilities and language assistance.

8th : Civil Rights Compliance

- Civil Rights compliance is reviewed during all State agency visits.
- If a Sponsor is found to be non-compliant in Civil Rights and they do not correct the area of noncompliance, they run the risk of not only losing access to CACFP funds but all Federal funds.

9th : Conflict Resolution

USDA encourages all persons who feel they have been discriminated against to try and resolve the issue with the sponsor or agency they have a complaint with as the first step of resolution.

If they still feel the issue has not been resolved, they have 180 days to file a Civil Rights complaint.

10th : Customer Service

Treat all participants equally regardless of protective class:

- Offer all Infants the CACFP meals
- Offer all children present at the time of meal service the same meal

Treat all families inquiring about services the same regardless of protective class:

- Inform all families about your CACFP participation
- Categorize all IEA by the information on the application
- Provide CACFP information in altered formats to those who are disabled or do not speak English.

Test Your Civil Rights IQ

A sponsor manages an After School At Risk program and is approved to serve P.M. snack to children up to 18 years old. The same sponsor also manages a Youth Development program and is approved to serve Supper to children up to 12 years old. Sponsor combines both groups of children into one room. At meal service time staff are instructed to provide two items to all children 13 years and older and provide the full 5 component Supper meal to all children 12 years old and younger.

Test Your Civil Rights IQ

Yes, this is a civil rights violation.

If a sponsor chooses to combine two different groups of children into one group, the group must be treated the same and be served the same meal.

Test Your Civil Rights IQ

When classifying Income Eligibility Applications a Director classifies all children receiving child care assistances into the *Free* category. All children not receiving child care assistances is classified by the information provided by the parent on the Income Eligibility Application.

Test Your Civil Rights IQ

Yes, this is a Civil Rights violation.

All Income Eligibility Applications must be classified by the same criteria. The only criteria for classification is the information on the application provided by the parent.

Test Your Civil Rights IQ

A Daycare Center licensed for children Birth through 12 years of age is approved to serve breakfast from 6:30 to 8:00 a.m. During the school year the center serves all the children breakfast except for the school age children.

The Director explains that the center does not serve the school age children breakfast because they are offered a breakfast at school through the National School Lunch program.

Test Your Civil Rights IQ

Yes, this is a Civil Rights violation.

All children who are enrolled and present at meal time must be served the same meal as all the other children.

Test Your Civil Rights IQ

A Daycare center recently began serving infants due to community demand. The Daycare currently vends their meals with a catering service and has an approved Invitation For Bid Contract in place. The vendor has informed the Director that he will not provide infant foods as part of the contract. The Director decides to ask the infant parents to provide the meals for their children and not include the infants in the monthly CACFP claim.

Test Your Civil Rights IQ

Yes, this is a Civil Right violation.

All children enrolled in the child care program under a license are automatically enrolled in the CACFP. Not offering/providing infant meals is a violation of the age discrimination act.