



## Civil Rights

Civil Rights are the non-political rights of a citizen. The rights of personal liberty are guaranteed to United States citizens by the 13th and 14th Amendments to the United States Constitution and the acts of Congress. Child Nutrition Programs (CNP) have always been available to all participants on an equal opportunity basis.

## Discrimination

Discrimination is defined as the act of different treatment which makes a distinction of one person or a group of persons from others; either intentionally, by neglect, or by the actions based on their protected classes.

## Protected Classes

Federal law prohibits discrimination based on six protected classes. Services are open and available and Food and Nutrition Service (FNS) meals are served to all participants regardless of race, color, national origin, age, sex, and disability.

Iowa Civil Rights law includes all Federal protected classes (except age) and includes creed, sexual orientation, gender identity, and religion. All Federal Child Nutrition Programs operating in the state of Iowa must adopt both Federal and State protected classes.

## Racial and Ethnic Designations

All Child Nutrition Programs must collect and report information about the ethnicity and racial identity of participants served by their program.

- Ethnicity asks if the applicant is Hispanic or Latino, or non-Hispanic or not Latino origin.
- Race includes the following options: American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, or White.

## Public Notice

The CNP must notify the public of Program availability, policy of nondiscrimination, Program rights and responsibilities and procedures for filing complaints. Alternate formats must be provided for persons with disabilities. Public notices must include all the following:

- The use of the appropriate nondiscrimination statements,
- The display of the USDA Civil Rights poster, "And Justice for All,"
- A media notice, and
- If photos or graphic depictions are used, material must convey the message of equal opportunity.

Media notice must be provided to the local newspaper, radio or television station each year to inform the community of their participation in the NSLP.



## Poster

The USDA poster “And Justice for All” must be displayed in all programs in a location visible to participants and potential participants. The poster must be printed in 11 x 17 format and in color.

## Nondiscrimination Statements

All informational materials and sources used to inform the public about Food and Nutrition Service (FNS) programs must contain the USDA and Iowa Nondiscrimination Statements.

### USDA Nondiscrimination Statement

In accordance with 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, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by 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 Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint>, 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 provider.

### Iowa Nondiscrimination Statement

It is the policy of this CNP provider not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, disability, age, or religion in its programs, activities, or employment practices as required by the Iowa Code section 216.6, 216.7, and 216.9. If you have questions or grievances related to compliance with this policy by this CNP Provider, please contact the Iowa Civil Rights Commission, Grimes State Office building, 400 E. 14th St. Des Moines, IA 50319-1004; phone number 515-281-4121, 800-457-4416; website: [Iowa Civil Rights Commission Webpage](#)



## Services to Persons with Limited English Proficiency (LEP)

USDA guidance requires programs that receive Federal funding to ensure language is not a barrier to receiving school meal benefits. CNPs must take reasonable steps to ensure meaningful access to the information and services provided for people with limited English proficiency. People with LEP are those who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.

## Services to Persons with Hearing and Vision Impairments

- [Relay Iowa Webpage](#): telecommunications relay service that provides full telephone accessibility to people who are deaf, hard-of-hearing, deaf-blind, or have difficulty speaking.
- [Iowa State Registry for Interpreters of the Deaf Webpage](#): has a list of skilled sign language interpreters that can help staff communicate with deaf individuals.

## Equal Opportunity for Religious Institutions

Faith-based and community organizations have a long history of involvement with Federal nutrition assistance programs. Faith-based organizations can use space in their facilities to provide USDA-funded service without removing religious art, icons, scriptures, or other religious symbols.

## Disability Discrimination

A person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment is considered having a disability under the expanded USDA definition of disability.

- Major life activity means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- Disabilities include function of the immune system, normal cell growth, digestive bowl, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, and reproductive functions.

## Diet Modification

Federal regulations that govern diet modifications in Child Nutrition Programs require sponsors to offer to make modifications at no charge to the standard meal for participants who are considered disabled and whose disability restricts their diet.

The expanded definition of disability was also revised to redefine the words "substantially limits". The disability does not need to prevent or severely/significantly restrict a major life activity.

- The disability is evaluated on a case by case basis, not one size fits all.
- The disability should not be disregarded if it is made better by medication (i.e. Diabetic taking insulin).
- The disability should be acknowledged even if it is not active (i.e. Crohn's disease or Irritable Bowel Syndrome).



If the meal pattern cannot be followed in order to accommodate the disability, a statement signed by a medical authority is required in order to claim the meal for reimbursement.

It is encouraged, but not required to accommodate lifestyle choices (i.e. vegetarian, religious, or other personal preferences) since they are not considered disabilities. Most requests can be handled within Offer vs Serve or Family Style Meal service.

## Complaints Policy

Programs must have a policy describing their process to ensure that complaints are handled properly.

- [Iowa School Programs Civil Rights Complaint Procedure](#): can be adopted by school districts as a civil rights complaint procedure in the state of Iowa.
- [Iowa School Programs Civil Rights Complaint Form](#)
- USDA Discrimination Complaint Forms: [English](#) and [Spanish](#)
- Details on filing a USDA complaint can be found at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint>

## Compliance with Civil Rights Requirements

- **Local Agency Self-Monitoring:** annually programs are required to review their own adherence with Civil Rights requirements.
- **State Agency Monitoring:** During Administrative Review of CNPs, consultants from the SA will review Civil Rights practices and procedures related to access, public notice, accommodations, complaint management, data management, and customer service.

## Resolution of Noncompliance

Noncompliance is a factual finding that any Civil rights requirement, as provided by federal and state law, regulation, policy, instruction, or guidelines, is not being adhered to by a State agency, local agency, or other subrecipient.

- There are no minor or major categories of noncompliance. No matter the level or severity, noncompliance must be reported.
- If the SA determines that a participating entity does not appear to be compliance with USDA Civil Rights standards, a plan of correction will be developed to achieve voluntary compliance by the participating entity.
- If voluntary compliance is not completed within 60 calendar days, the SA will report the situation to the USDA Food and Nutrition Services Regional Office (FNSRO).

## Conflict Resolution

The SA is not the enforcement agency for either USDA or Iowa Civil Rights requirements. As such, the SA will not provide technical assistance or advice to participating entities regarding the appropriateness or legality of any practice or procedure. Civil Rights noncompliance can be complicated in interpretation and enforcement. Participating programs are strongly urged independently to seek appropriate advice in these matters



## Customer Service

The basis for prevention is providing good customer service.

- Good customer service will help to reduce or eliminate complaints of discrimination.
- All participants must be treated in the same manner.
- All participants within each grade group must receive or be offered the same serving sizes and menu items.
- Participants with special needs will have their needs addressed based on the instructions from a licensed medical authority and/or a participant's Individualized Education Plan (IEP).
- All participants must be included in meals, snacks, activities, and discussions.
- All participants must be treated with courtesy and respect.

## Training

All front-line staff and the direct supervisors must be trained annually. Front line staff are those people who interact with applicants or participants (i.e. servers, secretarial staff who distribute or collect Iowa Eligibility Applications, staff who supervise students during mealtimes, etc.). Additional staff may be trained at the program's discretion.