



DEPARTMENT OF ECONOMIC SECURITY

*Your Partner For A Stronger Arizona*

# Civil Rights Training

Commodity Senior Food Program  
The Emergency Food Assistance Program

Arizona Department of Economic Security • Division of Community Assistance and Development  
Coordinated Hunger Relief Program

*rev. 03/2024*

## Purpose

USDA Food and Nutrition Services (FNS) requires civil rights training for people involved in all administrative levels of programs that receive Federal financial assistance. It is also a requirement of the Coordinated Hunger Relief Program (CHRP). People who receive this training include staff and volunteers who regularly interact with program applicants and participants, and those who determine eligibility. Civil rights training must be completed each year.

## Course Topics

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1. Civil Rights Legislation
2. Protected Bases
3. Assurances
4. Accessibility for Disabled Persons
5. Program Access for People with Limited English Proficiency
6. Effective Public Notification Systems
7. Customer Service and Its Role in Civil Rights Complaints
8. Complaint Filing and Handling
9. Compliance Monitoring
10. Additional Information and Resources

## Civil Rights Legislation

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### Civil Rights Act of 1964

Prohibits discrimination based on race, color, and national origin in programs and activities receiving Federal financial assistance.

### Title IX of the Education Amendments of 1972

Prohibits discrimination based on sex under any education program or activity receiving Federal financial assistance.

### Section 504 of the Rehabilitation Act of 1973

Prohibits discrimination based on disability.

### Age Discrimination Act of 1975

Prohibits discrimination based on age in programs and activities receiving Federal financial assistance.

## Civil Rights Legislation

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### **The Civil Rights Restoration Act of 1987**

Clarifies the scope of Title VI of the Civil Rights Act of 1964 and related laws to ensure nondiscrimination in all programs and activities, regardless of individual program funding sources.

### **The Americans with Disabilities Act of 1990**

Prohibits discrimination based on disability in all services, programs, and activities provided to the public by State and local governments, except for public transportation services.

## Bases and Protected Bases

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### Base

A characteristic of a person, such as the person's race, religion, or national origin

### Class

Individuals who share a common base

### Protected Base

A specific, identified characteristic on which the level of service provided to the person must not be considered

### Protected Class

Individuals who share a common protected base

## Protected Bases

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### CSFP and TEFAP Protected Bases

Race

Color

National  
Origin

Sex

Disability

Age

## Assurances

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To qualify for Federal financial assistance, an application must be accompanied by a written assurance that the entity to receive financial assistance will be operated in compliance with all nondiscrimination laws, regulations, instructions, policies, and guidelines.

### Regional Food Bank and Agency Agreements

Form HRP-1040 *“Annual USDA Commodity Food Service Application and Agreement between Regional Food Bank and Distribution Site”* is completed annually by all Regional Food Bank TEFAP and CSFP recipient agencies.



## Accessibility for Disabled Persons

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Regional Food Banks and their TEFAP and CSFP recipient agencies are required to provide reasonable accommodations for clients who are disabled or have limited mobility.

This can be accomplished by

- Ensuring intake/distribution sites have ramps and/or elevators.
- Promoting the use of proxies
- Providing various forms of distribution in addition to “walk-up” including drive-thru and home delivery models (where available)

## Program Access for People with Limited English Proficiency

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### Limited English Proficiency (LEP) Persons

- An LEP person does not speak English as their primary language and has a limited ability to speak, write, read, or understand English.
- LEP persons must be provided the same opportunities to access program services and activities.
- The failure to provide potentially eligible LEP persons with access to Federally-assisted programs **may be considered discrimination** based on national origin.
- Agencies must take reasonable steps to assure **meaningful access** to the information and services they provide.

## Program Access for People with Limited English Proficiency

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### Determining Reasonable Steps to Meaningful Access

The reasonable steps an agency takes to assure meaningful access are dependent on a number of factors.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered within the area serviced by the recipient;
2. Frequency with which LEP individuals come in contact with the program;
3. Nature and importance of the program, activity, or service provided by the program;
4. Resources available and their costs.

## Program Access for People with Limited English Proficiency

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### Determining Reasonable “Ask Yourself” Steps to Meaningful Access

Evaluate the agency’s compliance obligation and capacity by considering past activity, current resources, and workload projections.

## Program Access for People with Limited English Proficiency

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### STEP 1:

- How often does the agency provide services to LEP persons?
- What percentage of our clients are LEP persons?
- What languages have we encountered in the past?
- Will outreach initiatives increase our contacts with LEP persons?

### STEP 2:

- What have we experienced when providing LEP services?
- What does the census data say about language usage in our local area?
- Are there any school district, State, or local statistics to consult?
- What have other agencies in the area determined about the community's language proficiency, usage and needs?

## Program Access for People with Limited English Proficiency

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### STEP 3:

- How important are our programs, services, or activities to people's lives?
- Would denying or delaying program access present serious or life-threatening implications?
- Does the program include compulsory activities, such as particular education programs or information distribution requirements, that can be seen as evidence of the program's importance?

### STEP 4:

- What is our level of resources?
- Are there other agencies or groups we can contact to pool or share LEP materials or development costs?
- Do we have bilingual staff or volunteers we can train to act as interpreters and translators?
- At what point does the resource expenditure become unreasonable when compared the benefits gained?
- Can we substantiate a claim of insufficient resources when limiting language assistance services?

## Effective Public Notification Systems

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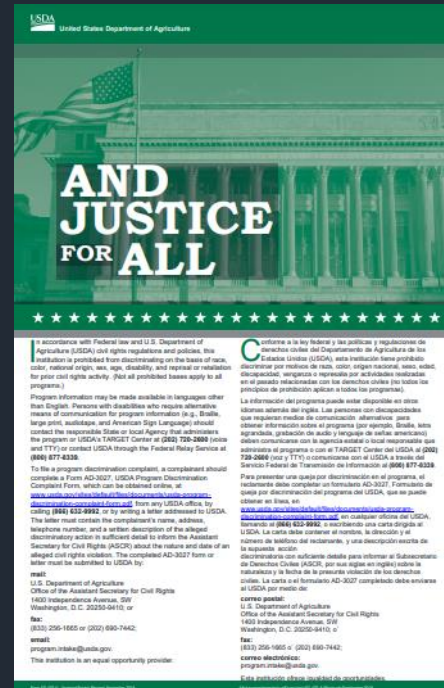
**All USDA FNS assistance programs must include a public notification system.**

Public notification systems are critical channels of communication. These systems involve three basic elements.

- Program Availability – details program rights and responsibilities and steps necessary for participation.
- Complaint Information – advises people of their right to file a civil rights complaint, how to file a complaint, and the complaint procedures.
- Nondiscrimination Statement – clearly lists protected bases and informs on nondiscrimination policy.

## Effective Public Notification Systems

All USDA FNS assistance programs must include a public notification system. Prominently display the appropriate AD-475A “And Justice for All” poster.



Posters must be displayed in their original size of 11” x 17”

Full Color or Grayscale



## Effective Public Notification Systems

**All USDA FNS assistance programs must include a public notification system.**  
Inform on available programs and steps necessary to participate.



**Open Monday-Friday  
9am—1pm  
Saturdays 9am—11am**

**City Food Bank**

You may receive an emergency food box once a month.

Requirements: Self-Declare you meet the income guidelines

Bring photo ID

Proof that you live in the service area. ZIP codes served: 85333 and 85334

USDA is an equal opportunity provider and employer

**TEL: 555 555 5555**

## Effective Public Notification Systems

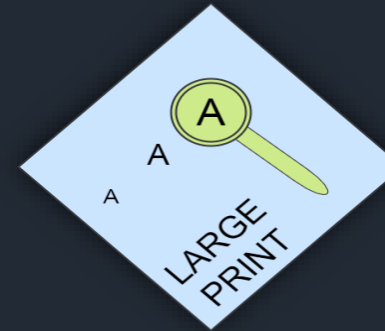
**All USDA FNS assistance programs must include a public notification system.** Provide information, including information on websites, in alternative formats for people with disabilities.



Audio  
Descriptions



Braille



Large Print  
Transcriptions

## Effective Public Notification Systems

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**All USDA FNS assistance programs must include a public notification system.**

Include the required nondiscrimination statement on all appropriate agency publications, websites, posters, and other materials meant for the public.

- Websites must include the full statement, or a direct hyperlink to the statement, on the program information home page.
- Use the full standard statement on large items like pamphlets, brochures, and other multi-page materials.
- Use the short statement on smaller items like flyers, door hangers, and appointment or post cards.

*You do not need to include a nondiscrimination statement on reinforcement items, such as pens, note pads, or fabric grocery bags.*

## Customer Service and Its Role in Civil Rights Complaints

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Good customer service can help agencies avoid complaints.

The USDA has found that many civil rights complaints are actually customer service issues.

A perception of rudeness, impatience, or a lack of understanding or compassion can be interpreted in a number of ways.



- Be an active listener
- Make people feel appreciated
- Help people understand program rules
- Don't be afraid to apologize
- Ask for feedback
- Anticipate needs
- Be aware of body language
- Look for ways to say, "Yes"
- Exceed expectations
- Apply the same concepts to coworkers

## Complaint Filing and Handling

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**Any person has the right to file a complaint of discrimination.**

Complaints must be filed within 180 days of the alleged discriminatory action.

- Complaints can be written or verbal.
- All complaints must be accepted.
- All complaints citing Federal bases will be referred to FNS.
- Anonymous complaints are handled the same as other complaints.
- Agencies cannot require a complaint to be submitted on a special form.
- Complainants and agencies are encouraged to resolve the complaint at the lowest level and as expeditiously as possible.

## Complaint Filing and Handling

People can choose to register a complaint with the agency, USDA, or DES.

Keep HRP-1014A and HRP-1014A-S USDA Civil Rights Complaint/Grievance forms available and ready to give to people at their request. Train staff and volunteers on how to use the form.

HRP-1014A FORM (1-21) Page 1 of 3

ARIZONA DEPARTMENT OF ECONOMIC SECURITY  
Division of Aging and Adult Services (DAAS)  
Coordinated Hunger Relief Program

**USDA CIVIL RIGHTS COMPLAINT / GRIEVANCE**

☐ TEFAP ☐ CSFP

**COMPLAINANT'S INFORMATION**

Name \_\_\_\_\_ Date \_\_\_\_\_  
Address (No., Street) \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_  
Home Phone No. \_\_\_\_\_ Cell No. \_\_\_\_\_ Email Address \_\_\_\_\_

Check Type of Discrimination  
☐ Race ☐ Color ☐ National Origin ☐ Sex ☐ Age ☐ Disability ☐ Reprisal or Retaliation

Status of Person Filing Complaint/Grievance  
☐ Individual ☐ Organization ☐ Employee ☐ Other: \_\_\_\_\_

Statement of complaint / grievance (Include type of discrimination charged and the specific incident and date(s) in which it occurred)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Complainant's Signature \_\_\_\_\_

**Routing (send one copy to):**  
• Agency/Civil Rights Coordinator  
• Department of Economic Security / Coordinated Hunger Relief Program  
1789 West Jefferson Street  
Mail Drop 6282  
Phoenix, AZ 85007  
[CoordinatedHungerReliefProgram@azdhs.gov](mailto:CoordinatedHungerReliefProgram@azdhs.gov)

• Keep original for your records

**You may also send a discrimination complaint directly to:**  
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  
3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov)  
4) call: (866) 632-9992 (toll free), (202) 260-1026, or (202) 401-0216 (TDD)

**You may also call:**  
DES/Hunger Relief Program (480) 521-5700 or (480) 387-9096

**AGENCY CIVIL RIGHTS OFFICE USE ONLY**

Date Complaint Received \_\_\_\_\_ Complaint No. \_\_\_\_\_  
Agency Location of Incident \_\_\_\_\_  
Name of Person Receiving Complaint \_\_\_\_\_ Signature \_\_\_\_\_

See page 3 for USDA/EOE/ADA disclosures

## Complaint Filing and Handling

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### Verbal complaints require agency assistance.

When receiving a verbal complaint, agency staff or volunteers become obligated to complete the complaint form. Every effort should be made to complete the form with as much information as possible.

1. Complainant contact information
2. The name and location of the agency receiving the complaint
3. The nature of the incident or action that led to the complaint
4. The basis on which the complainant believes discrimination exists
5. Witness contact information
6. The date the action or actions occurred
7. If the action or actions are ongoing, the date they began.

## Complaint Filing and Handling

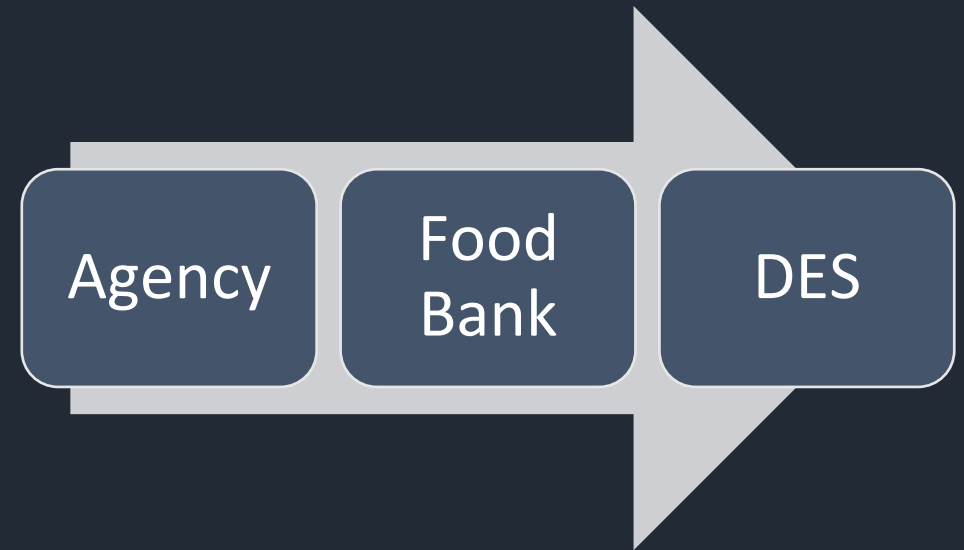
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**All complaints alleging discrimination must be processed within 90 days.**

Complaints are sent to the Food Bank who sends them to DES

Place a copy of the complaint in the civil rights complaint log, and document all actions and conversations related to the complaint.

Agencies may create their own log formats and storage methods. Binders, folders, and electronic storage are acceptable.





## Compliance

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### Compliance Reviews

- DES HRP is responsible for reviewing the CR compliance of CSFP and TEFAP regional food banks.
- CSFP and TEFAP regional food banks are responsible for reviewing the CR compliance of local distribution sites.
- USDA or DES HRP may, at any time, perform a CR compliance review of any agency under their respective authority.
- The office performing the review must advise the reviewed agency, in writing, of review findings and recommendations.
- Agencies must be in compliance with CR requirements to be eligible for Federal financial assistance.

## Compliance

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### Resolving Noncompliance

- Immediately after noncompliance is determined, agencies receive written notification and recommendations for corrective action.
- DES HRP attempts to achieve voluntary compliance.
- Agencies have 60 days to complete corrective action.
- When agencies do not comply with the corrective action voluntarily, DES HRP engages with the USDA Office of Civil Rights for further action.

Failure to comply with CR requirements may lead to the loss of Federal funding or other penalties as provided by 7 C.F.R. Part 15.

## Additional Information and Resources

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### Training

All HRP programs have the same civil rights training requirements.

- Must be taken every year
- Mandatory for frontline staff and volunteers
- Mandatory for the supervisors of frontline staff and volunteers
- Mandatory for Program administrators and encouraged for agency leadership
- Paid frontline staff and supervisors must take the full training course.
- Specific topics must be covered.
- DES HRP trains local agency specialists; local agency specialists train their respective agency personnel.

## Additional Information and Resources

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### Data Collection and Reporting

Used to determine how effectively FNS programs are reaching potential eligible persons and beneficiaries, and to identify areas where additional outreach is needed.

- Client self-identification of race and ethnicity is preferred.
- Agency identification of client race and ethnicity is acceptable when clients decline to provide a response.
- Collected by DES when completing an online application or when a paper application is submitted to a local eligibility office
- Two ethnicity categories – clients pick one option
- Five or more race categories – clients pick as many options as necessary

The collection of this data is **required** for CSFP participants but optional for TEFAP participants.

## Additional Information and Resources

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### Data Collection and Reporting

Clients must never be required to furnish information about their races or ethnicities as a condition of eligibility. When clients decline to provide the information, agencies must provide the information on the client's behalf. Observe the client and determine, to the extent practicable, the client's race and ethnicity. When the client provides the information, agencies must not alter the provided data.



## Additional Information and Resources

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### Full nondiscrimination statement

The full English and Spanish nondiscrimination statements in PDF are available for download on the USDA FNS website.

*<https://www.fns.usda.gov/cr/fns-nondiscrimination-statement>*

Reinforcements do not need to include a nondiscrimination statement.

## Additional Information and Resources

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### Short nondiscrimination statement

The short nondiscrimination statement may be used on material that is too small to permit the full statement to be included. The statement must be in a print size no smaller than the text of the material.

**This institution is an equal opportunity provider.**

## Additional Information and Resources

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### FNS 113-1 Civil Rights Compliance and Enforcement – Nutrition Programs and Activities

Establishes and conveys policy and provides guidance and direction to the United States Department of Agriculture Food and Nutrition Service and its recipients and customers and ensure compliance with and enforcement of the prohibition against discrimination in all FNS nutrition programs and activities, whether federally funded in whole or not.

<https://www.fns.usda.gov/civil-rights-compliance-and-enforcement-%E2%80%93-nutrition-programs-and-activities>



## Additional Information and Resources

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### State Agency Contact Information

Arizona Department of Economic Security  
Division of Community Assistance and Development  
Coordinated Hunger Relief Program

1789 West Jefferson Street, MD 6282  
Phoenix, Arizona 85007

CoordinatedHungerReliefProgram@azdes.gov  
<https://des.az.gov/services/basic-needs/food-assistance>