

Civil Rights Technical Assistance for FNS Programs During the COVID-19 Pandemic

This document provides practical guidance related to Civil Rights compliance in Food and Nutrition Service (FNS) programs during COVID-19 response operations. It gives general direction on what States must do to comply with Federal Civil Rights laws and to ensure that applicants, participants, and members of the public do not experience discrimination in FNS programs. For additional information, contact your Regional Civil Rights Officer at the numbers listed below.

Assurances

- Ensure all contracts and agreements contain the appropriate Civil Rights language.

Public Notification

- Include the appropriate Nondiscrimination Statement (NDS) on all materials.
- Provide materials (print, nonprint and electronic information) in appropriate languages and alternative formats that individuals can understand.
- Display the And Justice For All (AJFA) poster prominently in all facilities and locations that distribute program benefits or administer services. Due to COVID-19, locally printed paper copies may be substituted as necessary.
 - Meals delivered from stationary vans or buses should display the AJFA poster (exception: vehicles making door-to-door drop deliveries at homes and businesses, the AJFA poster does not need to be displayed).
- Notify persons with Limited English Proficiency of their right to free language assistance services (e.g., qualified interpreters, qualified translators, and qualified bilingual staff)
- Notify persons with disabilities of their right to free auxiliary aids and services (e.g., qualified interpreter, note taker, assisted listening device), and reasonable modifications.

Race and Ethnicity Data Collection

- Race and Ethnicity data collection requirements remain in effect.
- If not provided by participants, agencies may use other public assistance data sources.

Complaints of Discrimination

- Ensure staff and volunteers involved in FNS program operations understand the FNS Civil Rights complaint policy and process.
- The USDA Civil Rights Complaint Form is available in English and Spanish at:
https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf
http://www.ocio.usda.gov/sites/default/files/docs/2012/Spanish_Form_508_Compliant_6_8_12_0.pdf

Civil Rights Training

- Ensure staff and volunteers involved in FNS program operations participate in Civil Rights training.
- Due to COVID-19, reviewing this document is enough training until annual training is completed after the health emergency.

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Disability

- Ensure equal access and equally effective communication for persons with disabilities.
- Focus on access to benefits. Do not create additional criteria that participants must meet to receive modifications.
- Appoint a person to coordinate disability access and compliance with disability laws and rules.
- Provide auxiliary aids and services and reasonable modifications, including meal modifications, for persons with disabilities as long as doing so does not fundamentally alter the nature of the program.
- Ensure that provider locations are physically accessible to individuals with disabilities.
- Use qualified sign language interpreters. Only allow minor children to interpret for their parents in emergencies when a qualified interpreter is not available.
- Provide materials in an alternative format that participants can understand.

Limited English Proficiency

- Ensure meaningful access for persons with limited English proficiency (LEP).
- Provide materials in a language that participants can understand.
- Provide qualified interpreters to program applicants and participants free of charge.
- Only allow minor children to interpret for their parents in emergencies when a qualified interpreter is not available.

Verification of Citizenship and Immigration Status

- Ensure that verification of United States citizenship and immigration status does not give rise to discrimination.
- United States citizenship or immigration status is not a condition of eligibility for Child Nutrition Program benefits.

CONTACT INFORMATION	
Regional Office	Regional Civil Rights Officer
Mid-Atlantic <i>Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Puerto Rico, Virginia, West Virginia</i>	Michele Sazo 300 Corporate Blvd., Robbinsville, NJ 08691 Tel: (609) 259-5061 Email: Michele.Sazo@usda.gov
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