

# Second Harvest Heartland Commodity Supplemental Food Program

## Civil Rights Training Information

### Goal

The goal of Civil Rights is fairness and equality of treatment and delivery of benefits for all.

To effectively meet the Commodity Supplemental Food Program Civil Rights requirements, Second Harvest Heartland staff and its site partners and volunteers must receive Civil Rights Training. Each person that receives the training must sign a training verification form to be kept on file at Second Harvest Heartland.

### What is the purpose of this document?

- Provides comprehensive information regarding responsibilities for Civil Rights compliance in the distribution of Commodity Supplemental Food Program (CSFP).
- Serves as a training and reference tool to support Civil Rights compliance
- Comes directly from federal law:
  - Title VI – Civil Rights Act of 1964 – Race, color, national origin
  - Title VI of the Civil Rights Act of 1964 , Executive Order 13166 (National Origin and Language)
  - Title IX – of the Education Amendments of 1972 – Sex
  - Section 504 of the Rehabilitation Act of 1073 – Disability
  - Americans with Disabilities Act of 1990 – Disability
  - Age Discrimination Act of 1975 – Age
  - Civil Rights Restoration Act of 1987 – Race, color & national origin
  - Program statutes and regulations – race, color, national origin, sex, age, and disability
- Helps you better serve current Commodity Supplemental Food Program (CSFP) participants and expand access to more new participants.



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## Who's Involved?

- Site partners and volunteers
- Program participants
- Second Harvest Heartland staff
- State and federal officials

Second Harvest Heartland must assure compliance with Civil Rights Laws and Regulations and must provide training within its own organization and at each of the CSFP Partner Sites.

## What do you need to know?

Because many diverse populations are served, it is important to know the following information:

### **1. Protected Classes:**

In accordance with Federal Law and USDA policy, every customer must receive fair and equitable treatment without regard to race, color, national origin, sex, age or disability. Also, reprisal of any kind against employees or customers is prohibited. The **protected groups** include:

- Race
  - (1) American Indian or Alaskan Native
  - (2) Asian
  - (3) Black or African American
  - (4) Native Hawaiian or Other Pacific Islander
  - (5) White
- Color

Skin tone
- National Origin
- Sex/Gender
- Age

Congress can establish a program (such as Commodity Supplemental Food Program - CSFP) that is intended for certain groups of people, and it is not discrimination to exclude those who do not meet eligibility requirements.
- Disability



Sites should be accessible to people with all types of disabilities: mobility, sight, hearing, other. Alternate means of service delivery should be provided and advertised to reasonably accommodate people with disabilities.

## 2. Serving Individuals with Limited English Proficiency

Where a significant proportion of the eligible population needs services and information in a language other than English, translation and other language resources are available. Consult with Second Harvest Heartland to discuss the best way this need can be met.

## 3. Types of Discrimination

### Disparate Treatment

Intentional discrimination – eligible for legal action. (**Example:** Hmong non-English speaking customers take longer to certify so they are asked to wait until everyone else is served.)

### Disparate Impact

A class is impacted negatively by something that seems non-discriminatory. (**Example:** A portion of a population is not served because they live outside of an arbitrarily pre-determined geographic area; however, they happen to be predominantly Native American.)

### Reprisal/Retaliation

A negative action toward an individual and/or his or her family, associates, or employees, etc. for having engaged in prior civil rights activity by filing a complaint or having been a witness or provided other information related to an EEO complaint. (**Example:** A customer accuses a site partner of discrimination. The site partner tells the volunteers to watch out for this “troublemaker.” At the next distribution, that customer encounters an “attitude” from the volunteers.)

## 4. Civil Rights Requirements:

- Treat all people with dignity and respect.
- Display the “And Justice For All” poster and ensure program access and awareness of rights.
- Conduct outreach to ensure that potentially eligible persons and households are aware of the program, and have application information on hand.
- Maintain confidentiality.
- Avoid all forms of harassment.
- Provide accessibility for people with disabilities.



- Provide language assistance to persons with limited English proficiency.

### How to file a complaint:

Be aware of the basis for which civil rights complaints may be filed: race, color, national origin, age sex, and disability. **Never** discourage groups or individuals from filing complaints or from voicing allegations of discrimination.

If anyone alleges discrimination, tell them to write or call the USDA.

**To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at 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)**

Also, please notify Second Harvest Heartland if a civil rights issue or complaint arises:

Second Harvest Heartland  
7101 Winnetka Ave. No.  
Brooklyn Park, MN 55428  
651.484.8241 or toll-free: 1.800.365.0270

### Civil Rights Compliance Reviews

Compliance by Second Harvest Heartland and its Site Partners will be monitored and measured through observation and audit of records as part of required federal and state monitoring process.

### Collection and Use of Data

The responsibility for ensuring compliance in data collection and usage rests with Second Harvest Heartland. In turn, Second Harvest Heartland requires local sites to collect and verify data in certain parts of the regular distribution process. State agencies, local agencies, or other subrecipients that operate CSFP must collect and maintain racial or ethnic data. The local agency, along with its distributing partners, must participate in collecting and maintaining racial and/or ethnic data using the FNS-191 report at each service delivery point in April of each calendar year. This applies to CSFP participants only, and not TEFAP.

Staff and volunteers shall inform participants that provision of race and ethnic data is requested solely for the purpose of determining compliance with Federal civil rights laws and has no effect on eligibility. If participant declines to self identify, staff and volunteers will note this on the completed application under the race and/or



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ethnicity questions. A note will also be made in our online database by a staff member.

Clear directives, methods and materials for doing so will be provided by Second Harvest Heartland to each of its sites. Local sites must strive for consistency and accuracy in verifying, collecting, and recording data and in handling all CSFP business.

Note: Full and complete Civil Rights compliance regulations are available from the CSFP Program Manager, Second Harvest Heartland, 7101 Winnetka Ave. No., Brooklyn Park, MN 55428.

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

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain 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.

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: <https://www.usda.gov/sites/default/files/documents/ad-3027.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 for 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:

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) 690-7442; or

email:

Program.Intake@usda.gov

This institution is an equal opportunity provider.



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# Volunteer Policies and Civil Rights Training

## Statement of Confidentiality

In compliance with the Code of Federal Regulations, CFR Part 247.36 and the Minnesota Data Practices Act, all information about CSFP clients (CSFP - Commodity Supplemental Food Program) is ***strictly confidential*** and may not be discussed with any unauthorized person (i.e., anyone other than program staff or volunteers).

It is necessary to protect the welfare of all participants to whom we provide commodities at a distribution site or directly to their residence (home or apartment building).

As a volunteer of this program, any information obtained regarding CSFP customers must be kept confidential. If it is reported to us that you have inappropriately shared participant information (financial or otherwise), you will be dismissed as a volunteer.

No volunteer is permitted to remove commodities from the food packages for personal use or accept monetary donations for delivery of food.

In addition, if a volunteer observes or is told of behavior that would indicate that the client may be a victim of abuse, neglect, or self neglect to the extent that his or her health or safety is in danger, this should be reported immediately to a supervisor.

**I have read and understand all of the components of the Volunteer Policies and Civil Rights training materials and will carry out the tasks required of me to maintain compliance in serving the clients of the Commodity Supplemental Food Program (CSFP).**

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Name

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Signature

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Date



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