

Situation

Someone complains that she was denied child care because she is a Muslim. Is this a civil rights violation?

Yes, this is a Civil Rights violation based on religion which is an additional protected right in Iowa. Providers cannot deny child care services just because they do not agree with their religion.

Situation

Someone who runs a day care would like to join the CACFP but doesn't like the idea of opening up enrollment to everyone because she does not want to care for green children. Is this allowed?

No, this is a Civil Rights violation based on race/color/national origin. Providers must treat all families the same during the interview process.

Situation

The girls eat together at the "princess" table and the boys eat together at a different table. Is this discrimination?

Yes, this is discrimination based on sex/gender.

Situation

A day care provider requires children to say a prayer before the meal. Are there any civil rights problems here and if so, what?

Providers cannot require children to pray before meals or to learn about a particular religion. Providers can have a prayer before meals and must allow the children the opportunity to not participate.

Situation

The parents of a child refuse to complete the racial ethnic data section of the Enrollment. What should you do?

Inform the parents that you must collect the information and you will fill it in for them. Parents cannot be required to provide or fill in the information.

Situation

A parent wants to enroll a disabled child in child care. The child care provider asks if she can refuse the child admission

because it would be a hassle to deal with the special accommodations. Is this a violation of civil rights?

Yes, this is a civil rights violation based on disability. Providers must do the appropriate interviews and collect information that will assist in determining if the disability can be accommodated. Providers must make accommodations for persons with disabilities unless it will create an undue financial hardship for them. The undue financial hardship must be documented and kept on file. The provider can choose not to accept a person if it is beyond the provider's ability to care for the child. Example- child weighs 40 lbs and needs to be lifted. Provider cannot lift 40 lbs. Providers must be willing to learn how to care for a child and cannot simply say, "No, I don't want the hassle."

Situation

A reputable charitable organization in your community wants to provide holiday gifts and asks for a list of all of the Hispanic children in your child care. How should you respond?

Yes, this is a violation based on national origin/race. All children receive gifts or none of them do. All children must be treated equally. You would never give out any child's information without the parent's written consent anyway.

Situation

A parent who is a chronic complainer is now threatening to file a discrimination complaint because you put her child in "time out" for misbehaving. What should you do?

Encourage the parent to report and provide her with information about how and where to make a complaint. If the parent is not going to follow through, do your best to make the complaint with the information available. This will possibly protect you from future complaints. You must never discourage someone from filing a discrimination complaint.

For more information contact:

**Union County Extension
CACFP
811 N Sumner
Creston, IA 50801
(641)782-8426**

This sponsorship is an equal opportunity sponsorship.

Civil Rights Child & Adult Food



in the Care Program

Goals of Civil Rights

- Equal treatment for everyone
- Knowledge of people's rights and responsibilities
- To allow all families to receive CACFP & child care benefits
- Dignity and respect for all

Federal Financial Assistance

- Federal \$ assistance is anything of value received from the Federal government and includes: cash, grants, training, CACFP \$, Child care, Assistant \$ and more.
- Accepting Federal \$ requires compliance with civil rights in all aspects of your Child Care – not only in the program being funded!

Policy

USDA (Federal) Protected Classes for Child Nutrition Programs

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

Your services are open and available and that all meals are served to all participants regardless of protected classes.

Iowa Protected Classes

- Adds protections for person related to:
- Creed – set of fundamental beliefs
- Sexual orientation
- Gender identity
- Religion

All CACFP providers operating in the state of Iowa must adopt both Federal and State protected classes.

Civil Rights Training

- Participating child care homes must receive civil rights training annually & train their staff who interact with the families.
- Training must be documented.

Collecting and Reporting Participant Data

- Self-identification or self-reporting is the preferred method of obtaining data.
 - Parents/guardians cannot be required to furnish ethnicity and race.
- Visual observation shall be used when the parent/guardian does not self identify.
 - The parent/guardian should be informed that a visual identification of his/her children's ethnicity and race will be made and recorded.

Public Notification

All informational materials used to inform people about your child care business, must use the following nondiscrimination statement. This includes:

- Policies, brochures, fliers, letters, etc.
- Web sites
- Not required on items such as pens or buttons which identify the program when size makes it impractical

Public Notification Statement Short Version:

"This child care home is an equal opportunity provider."

- *Must be in font size no smaller than font size used in rest of publication.*

Complaints of Discrimination

Complaint must be filed within 300 days (time frames must be adhered to). Complaints may be written or verbal as well as anonymous. Try to obtain:

- Name, address and phone number of complainant
- Location and name of the person the complaint is against
- Nature of the incident or action
- Basis on which the complainant believes discrimination exists (which protected class)
- Names, phone numbers, titles and business or personal addresses of persons who may have knowledge of the action.
- Date during which the alleged actions occurred or duration of occurrences

Forward complaint to the Civil Rights Commission.

- If complaints are sent to the State Agency, the State would then send it on to the USDA.

Complaint Procedures

To file a complaint, complainants may write to:

**USDA, Director,
Office of Civil Rights,
1400 Independence Avenue SW,
Washington, DC 20250-9410
or call (800) 795-3272 or (202) 720-6382 (TDD).**

Compliance Procedures

- Never discourage groups or individuals from filing complaints or from voicing allegations of discrimination.
- Know where to file a complaint
- You cannot ignore a complaint – even if the person complaining does not want to follow through.

If individual does not want to file complaint, **you must do so.**

Resolution of Noncompliance

Corrective Actions:

- Cease inappropriate actions
- **Failure/refusal can result in loss of federal assistance from all federal sources!**

Reasonable Accommodations

- If there is a documented disability you must accommodate to the best of your ability unless it poses an undue financial hardship for you
- You must document the undue financial hardship.

Customer Service

"Treat others the way they want to be treated (or at least be aware of what that is)."

- ✓ Be patient.
- ✓ Be polite.
- ✓ Avoid sarcasm.
- ✓ Be empathetic. Understand that people may not know the rules or understand how programs work. They may feel uncomfortable coming to ask for help.
- ✓ Smile when appropriate – make people feel welcome and valued.
- ✓ Explain policy and let them know you will get in trouble if you do anything that violates the rules.
- ✓ Don't be afraid to apologize.
- ✓ Don't feel you need to have the last word.

Customer Service: All families must be treated in the same manner.

- Each person receives the same menu items in the same amounts
- All persons are included in meals, snacks, activities, and discussions
- Each person receives positive comments, as well as constructive education regarding meal time, nutrition, manners, etc.
- Standards of behavior are not based on membership in a protected class

Where Healthy Eating Becomes a Habit



CHILD & ADULT CARE FOOD PROGRAM