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Child Nutrition Summer Institute 2023

Civil Rights Training Transcription

Purpose

This document is a transcription of the Child Nutrition Program's Summer Institute 2023 Civil Rights Training, which can be [registered for on our GoToWebinar platform](#). It is intended to make the course more accessible. If you require assistance, please see the contact below.

Transcription:

0:04

Good afternoon, everyone.

0:07

This is Jamie Curley, Child Nutrition Coordinator with Vermont Agency of Education, Child Nutrition Programs, and you are joining me for our Civil Rights and Child Nutrition Programs Training.

0:22

This training will be recorded, so that you can watch it at a later date, or if you have folks that are not able to listen live.

0:33

In order to access the recorded training in the future, you can just go to the registration link that's on our Summer Institute page, and after the training, it'll take you to the recording.

0:48

The training PowerPoint is available on our website.

0:53

And, um, some of you may know, I don't usually have handouts with my trainings, because I try to link to all the resources within the training itself, so that you have the up-to-date version in case we make any changes to those documents.



1:12

And just a little bit of housekeeping:

1:15

I have Shana Coutu from AOE, Child Nutrition, on with me, and she's going to help with some tech support and if folks have questions.

1:25

So, there is a question section of the Webinar platform. You can type your questions in the Chat, and then she'll read those out. I will probably pause a couple of different times in the training to give us an opportunity to go through those questions.

1:42

But right now I'm just going to ask that everybody go to the Attendees section, and hit the little, like, raised hand icon, if you can hear me OK. And just leave that up for a second so that Shawna can look to see if there is anybody that doesn't have their hand raised, that might be having trouble hearing or any audio or other technical issues. So please raise your... click on that little raised hand icon if you can hear me and leave that up for a second so that Shawna has time to look through those. We'll just give that one second.

2:40

Shawna: It seems like some people, maybe can't find the hand raise icon, and they just typed in the question box, that they can hear just fine, OK, Great.

2:51

Jamie: Did you have enough time to see, though, who might need assistance, Shawna?

2:55

Shawna: Yep.

2:57

Jamie: OK, great, Thank you. Thanks, folks. You can go ahead and lower your hands now. Appreciate it.

3:02

But, if any point in the training of travel, please type in the questions box, and Shawna will try to assist you.

3:14

Alright, Well, we are going to go ahead and get started.

3:19

These are the topics that we're going to cover today.

3:23

It includes legislation, assurances, Public notification, data collection, language assistance, modifications to accommodate disabilities, complaint procedure, civil rights reviews and resolution, training, customer service, and conflict resolution.

3:46

By the end of this training, you will be able to operate your programs in a compliant and non-discriminatory manner, and that includes being able to provide reasonable modifications to accommodate disabilities, and you all have completed your required annual civil rights training.

4:08

First off, we are going to define discrimination for our program purposes. So, obviously, different contexts, there's different definitions of discrimination, but for our Child Nutrition Programs, it is: different treatment, which makes a distinction of one person, or a group of persons from others, either intentionally, by neglect, or by action, or lack of actions based on a protected class.

4:37

So, this also involves the concept of disparate intent versus a disparate impact, which means that just because an action on its face isn't discriminatory or doesn't have the intention of being discriminatory, the effect of the action could result in discrimination. So, an example of this could be moving the location of a summer meal site due to lack of staff, but then ending up hurting access to that site for a particular community.

5:10

For our USDA Food Nutrition Service, Child Nutrition Programs that we administer at AOE, there are six federally protected bases and then two additional Vermont specific bases.

5:27

So the federally protected bases are race, color, national origin, sex, which includes gender identity and sexual orientation, age, and disability.

5:42

The expanded definition of sex to include gender identity, and sexual orientation is similar to the way that language has been handled under the redacted base of national origin. So if it's helpful to think about it that way.

5:57

And gender identity and sexual orientation are already state protected bases in Vermont.

6:04

So there was no change in the expectation to operate the program in a manner that doesn't discriminate based on those bases.

6:22

The Vermont protected bases include all of the federal bases and religion, and marital / civil union status. One of the reasons that it's really important when you do your civil rights training, for your sponsor or your FSA, that you do our Vermont specific training, or use I Vermont specific training to accomplish your training requirements, is because different states have different state level protected bases. They might have more than ours, they might have less than ours, but it's important that you're training your staff on our specific requirements.

7:05

So, I just want to clarify the difference between eligibility requirements, like following eligibility requirements and discriminating.

7:14

Our programs have been established to serve a certain specific population, and it's not discrimination to exclude those folks that don't meet the eligibility requirements for our program. And a really good example of this is that all of our programs have different age limit requirements. But it's not age discrimination to exclude or not serve those folks that don't meet those age requirements. That's just following program rules, it's not age discrimination.

7:46

Legislation.

7:50

There are various pieces of legislation that have established our civil rights protected, bases and requirements that we have to follow.

8:00

Title VII of the Civil Rights Act of 1964 gave us race, color, and national origin.

8:07

The Civil Rights Restoration Act of 1987, clarified the scope of the Civil Rights Act of 1964. In between those time periods of 1964-1987, there were a number of court cases and decisions that limited the scope of the Civil Rights Act of 1994. Congress decided that was not the intention. Thus, the Civil Rights Restoration Act of 1987.

8:32

Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, And then the ADA Amendments Act, sometimes known as the ADAAA of 2008, establish disability as a protected base.

8:49

Title nine of the Education Amendments of 1972 established sex as a protected base.

8:55

And then the Age Discrimination Act of 1975, established age as a protected base. That is different than the Age Discrimination in Employment Act of 1967, which addresses age based discrimination in employment.

9:19

So, in addition to those pieces of legislation, we have a variety of executive orders, USDA departmental regulations and instructions.

9:29

One that I really want to highlight is the FNS instruction, 113-1, and the accompanying appendices, B and C. This is a really good resource that goes over the specific civil rights requirements for our child nutrition programs.

9:55

7 CFR Part 16 “Equal Opportunity for Religious Organizations” allows religious organizations to can be equally for USDA funds and ensures a level playing field for those organizations in our USDA programs.

10:14

Implementing this equal opportunity can be accomplished by prohibiting discrimination for or against an organization on the basis of religion.

10:24

Allowing a religious organization that participates in our programs to retain its independence and continue to carry out its mission, provided that direct USDA funds do not support any explicitly religious activities, such as worship, religious instruction, or proselytization.

10:42

Proselytization means an attempt to convert.

10:47

It clarifies that faith-based organizations can use space in their facilities to provide USDA funded service without removing religious art or iconography.

10:57

For example, if we have a summer meal site at church like a vacation Bible school, they don't need to cover up the Bible during meal service.

11:09

And it ensures that no organization that receives direct federal funds can discriminate against a program beneficiary or prospective beneficiary on the basis of religion or religious belief.

11:25

Some further pieces that address civil rights requirements, include the Richard B Russell National School Lunch Act of 1946, and the Child Nutrition Act of 1966, which are like the program bases for all of our child nutrition programs.

11:41

And then, CFR just stands for Code of Federal Regulations.

11:47

28 refers to the Department of Justice, and 7 refers to the Department of Agriculture.

11:55

So, all of these seven CFR's referenced here are the regulations that govern our program requirements.

12:02

So that includes civil rights, but all of our other, like, meal pattern, and everything that we're required to do.

12:13

Assurances.

12:17

To qualify for federal financial assistance, the program application must include a written assurance that the program will be operated in compliance with all nondiscrimination requirements.

12:29

When programs participate in our Child Nutrition Programs, we have you complete what we call a program agreement or permanent agreement, and that contains the assurance language.

12:42

And an assurance must be incorporated into all agreements between the Feds and us as the State Agency, State agency and program operators, and between program operators and their sub recipients, if applicable.

12:57

The assurance language is different than the nondiscrimination statement.

13:01

The assurance language describes the requirements for operators, and the nondiscrimination statement describes the rights for participants or potential participants in the programs.

13:12

That great FNS instruction: 113-1 I mentioned, the Appendices B and C contain our assurance language for our programs.

13:30

Retail and vendor agreements must include an assurance. So many programs like many School Food Authorities, contract disputes, and risk management companies and that contract has to have an assurance statement.

13:44

The SFA is required to ensure that the FSMC is in compliance with all civil rights requirements.

13:55

The purpose of assurances is to help clarify program expectations, eliminate discrimination, prevent future discrimination, and address effects of past discrimination.

14:08

They are binding on the program applicant, and its successors, transferees, and assignees as long as they receive assistance from USDA.

14:20

Public Notification.

14:24

All FNS programs must have a public notification system. And if you could see me, I'd be doing air quotes because when we say system, we don't mean like an electronic system. We mean various steps in place to accomplish notifying the public of our program and our program requirements and our nondiscrimination requirements.

14:48

So we are required to inform applicants, participants, and potentially eligible participants of the program, our rights and responsibilities, the nondiscrimination information, and how to file a complaint of discrimination if they so choose.

15:04

We need to be able to make program information available to the public upon request.

15:10

We must notify persons with disabilities about the availability of reasonable modifications to accommodate those disabilities and auxiliary aids and services.

15:22

And notify persons with limited English proficiency (or LEP) of their right to free language assistance.

15:34

These are important elements of public notification, and they include prominently displaying the “And Justice for All” poster and informing potentially eligible persons, applicants, and participants of programs or changes in programs.

15:50

An example of informing folks of changes in programs is like during the COVID-19 pandemic, we were operating the programs with a number of waivers and flexibilities in place. So letting the public know about those. Or we are in our second year of our Universal School Meals Law for Vermont, so making sure we're communicating that information, that's a key change, and how we operate the school meals program.

16:16

Conveying the message of equal opportunity in all photos and graphics used to provide program information, representing across all of our protected bases; Providing information, alternative formats for persons with disabilities; Providing information in the appropriate languages, for LEP persons; And making sure we have the nondiscrimination statement on all required materials.

16:47

The “And Justice for All” poster displayed must be the actual official poster.

16:53

It can't be like a printed version, or...

16:58

A smaller size, and it should be displayed in a prominent location or locations at the site, like in the cafeteria and the serving line, in the front entrance of the school, and at the central office for the SFA, or sponsor.

17:18

Posters should also be brought on field trips where meals are going to be served. I've seen folks tape the poster to a cooler as a good way to make sure that they don't forget it when they're distributing meals.

17:33

The poster is not required in CACFP daycare homes.

17:41

The poster is developed by USDA, and it's really one of the most recognized symbols of our commitment to nondiscrimination and our public notification system. And it includes the information for folks to file a complaint of discrimination if they so choose.

17:57

I will say that one way you can modify the poster is that it can be laminated. I know that I'm sure all of your materials that you post in your cafeterias and such get beat up throughout the year, so laminating them is a good way to preserve them.

18:16

If you need post stars, please reach out to Marc Grimes and our office and he can mail you some.

18:24

I just want to highlight that this is the current version of the poster.

18:29

Other Food Nutrition Service programs have posters in different colors, So a blue one for SNAP and Food Distribution Program on Indian Reservations. And then a red one for USDA Conducted programs. But our poster is green.

18:46

And as you can see here, this is the USDA building in Washington, DC.

18:56

We have mentioned in the past that the USDA is in the process of updating that poster. However, there have been additional changes made to the nondiscrimination statement, so we are really not sure when we will get updated versions up the posters.

19:18

So, we'll, we'll keep you posted, (haha) when those come out, but we don't have any updated information about them now.

19:31

If you have a need for the nondiscrimination poster and a different language, USDA has translations that you can print off and post that, like language part next to the picture, the actual poster.

19:49

Because what's available online isn't like the posters are translated, it's just the bottom language part translated.

19:55

And please make sure you're using that AD-475A version, which is that green version of the language.

20:09

There have been, as I mentioned, a couple of changes to the nondiscrimination statement. So, in various places, in our webpages and on USDA web pages, it's sort of in a state of flux. But, please, make sure that you have the most recent version, you should be able to access the most recent version on our website. So, maybe, you know, take an opportunity to look to see that your materials contain the most recent version.

20:44

At a minimum, that complete nondiscrimination statement must be on materials related to benefit level, necessary for participation in the program. So what that means for the different programs is for school meals, it needs to be on all the free and reduced price meal application materials.

21:01

So the application and the accompanying cover letter and instructions; the notification of Direct Certification; Pre-approval notification of approval or denial of meal benefits letter; and the reminder regarding expiration on previous year eligibility benefits.

21:18

And then verification, which is a subset of the free and Reduced Price Meal application process. Those materials also must contain the statement, so the Notice of being selected for Verification, and the Verification Results Letter. And all of these materials are available on our Free and Reduced Price Meal page and should contain the correct on discrimination statement.

21:42

That statement must also be on your program webpage.,

21:47

For the Child and Adult Care Food Program, CACFP, it should be on the income eligibility form, notice the household's enrollment form, as well as the program web page.

21:59

The Summer Food Service Program, we, it used to be a requirement that sponsors complete a media release, the meaning of the program. We have switched that, as of this past summer, where the state agency can do that media release on behalf of the sponsors.

22:13

But if you still choose to do under promote your program, make sure that you include the statement in that, included on your program webpage, and then for camps and closed enrolled sites and non-area eligible locations, you might need the meal application and meal application cover letter.

22:37

As I mentioned, web pages need to contain the nondiscrimination statement or they contain can contain a direct hyperlink.

22:44

It can't link to a closed PDF or Word document, or hyperlink to the USDA or FNS pages, but you can direct hyperlink to our statement on our homepage.

22:58

And this should be included on site level or sponsor level pages or are accessible from these different pages.

23:05

And the only exception to not requiring to have the statement on your Web pages is if you don't reference the Meal Program in any way.

23:14

But that's really not likely, and it's really not recommended, as web pages are a really great way to promote your program.

23:22

Be a part of that public notification system, share information like menus, or put your meal applications available online, and just generally increase participation in your programs.

23:35

Social media pages like Facebook don't need to contain the nondiscrimination statement if they can be accessed from your program webpage.

23:49

This is the current version of the Statement in English.

23:56

And this is the current version of the statement in Spanish.

24:04

The nondiscrimination statement is available on a number of languages, and as I mentioned, I think some of these languages are still being updated, but those should be available from the USDA.

24:17

The short version of the nondiscrimination statement is the last line of the statement, so in English, it's "This institution is an equal opportunity provider."

24:29

There have been various versions of this statement in the past, and depending on who is the one like owning the statement, it might exist in a different version. So, like, if the USDA is publishing a document, it's coming from them, sometimes it'll say, like, the USDA is an equal opportunity provider, and employer, or, I've seen Provider or Employer and Lender. But, for our purposes, it's "This institution is an equal opportunity provider."

25:01

And that can be used on promotion materials for the program, like brochures or fliers or for SFSP we have our lawn signs and banners that have that short statement on there.

25:14

Please make sure that you're using the same it correctly, like, it has to look exactly that way, it has to have the period at the end.

25:22

It's not "these institutions" or everything capitalized. Please just make it look exactly the way it did on the previous slide.

25:33

It can be no smaller than the smallest font used regularly throughout the document. We want it to be legible.

25:40

You shouldn't just squash it so that you can fit it onto the documents that I met the requirement. No, the intention is that we're actually communicating that information to people.

25:51

We require it to be included on your calendar menus for your program, because the technical requirement is that it's on there. If they contain, quote, unquote program information, but that's a really vague broad term, and rather than, like trying to suss out whether or not that your menu contains program information.

26:15 We don't want to have to do that, like, case by case assignment. So, please just include the short statement on there.

26:24

Data collection.

26:28

So, when we say data collection, we're referring to race and ethnicity, or racial and ethnic data.

26:34

And the purpose of this collection is to determine how effectively our programs are reaching potentially eligible persons, determine if additional outreach is necessary. So, I go back to another Summer Food Service Program reference, because I oversee that program.

26:49

But if you have a summer meal site at a park, in a neighborhood, and you know that the demographic makeup of that that neighborhood is primarily black African American, and then all the kids going to your site are white.

27:04

Maybe there is being something miscommunicate, or unintentionally done in the advertising of that program, where you're not reaching that local population. And that could potentially be discriminatory. So that's like the goal of this data collection is to do that comparison, to make sure we're reaching eligible populations. But folks should be assured that it's only for statistical purposes and doesn't impact their eligibility to participate.

27:36

USDA Foods is exempt from this data collection per FNS Instruction 113-1, Appendix C.

27:48

In 2021, USDA released a memo that changed the way we collect this information in the Child and Adult Care Food Program, or CACFP, and the Summer Food Service Program, or SFSP. And race and ethnicity data can no longer be collected by visual observation.

28:07

In June of 2022, they released a memo that was a Q and A related to the previous memo that provided a little bit more guidance, because the data is still expected to be collected in some form.

28:23

So what we recommend for School Food authorities in the School Meals Program that the data is collected by the registrar at the time of student enrollment, or that households can provide that information on the back of the free and reduced price meal application if they so choose.

28:42

And the Summer Food Service Program, SFA sponsors can use that data from the school year.

28:48

Non-profit sponsors can use that information from their Local Area SFA, then camps and closed enrolled sites and non-area eligible locations that are collecting mail applications can use the information that folks can report on the back of the application if they so choose.

29:05

In the Child and Adult Care Food Program, this information is collected on the enrollment form and that child care centers and Day Care Homes have households fill out each year, and the intake form at adult day centers.

29:27

And in all of our programs, children must not be asked to identify their race and ethnicity.

29:36

OK, in our application packet and our online harvest Child Nutrition System, in the organization application, you're going to report that information for your county, where your like central office or sponsor office is located. And then, in the site level, site applications you're going to report site level racial and ethnic data for your specific sites.

30:09

And the point is that this information can be compared to see if additional outreach is necessary.

30:21

The Office of Management and Budget or OMB, requires that the ethnicity question be before the race question.

30:32

And ethnicity, the options are Hispanic or Latino or not Hispanic or Latino.

30:37

And the race options are American Indian or Alaskan Native, Asia, Black or African American, Native Hawaiian or other Pacific Islander, and White.

30:49

And folks can select one or more of those categories.

30:53

However, our current USDA guidance does not allow the reporting of additional categories, such as two or more races as a category, which is often a choice in other situations.

31:15

The US Census Data. The Census is conducted every 10 years.

31:21

And the American Community Survey is conducted annually, although, it's like a limited, less thorough version of the census. And this is a source for population data where we can get that county level information.

31:42

Language assistance.

31:46

Limited English Proficiency (or LEP) individuals are those that don't speak English as their primary language. And have a limited ability to read, speak write or understand English because of their national origin. As I mentioned earlier, language is a subset of national origin, which is a protected base.

32:08

As recipients of federal funds, we have a responsibility to take reasonable steps to ensure meaningful access to our programs for LEP individuals.

32:17

A good resource is that each School Food Authority has an English Learner or EL contact.

32:26

Meaningful access is accomplished by providing reasonable, timely, appropriate, competent, qualified, accurate, and effective language services at no cost to individuals with LEP when accessing our programs and services.

32:44

Meaningful access means that it's not significantly restricted, delayed, or inferior, as compared to the programs or activities provided to English proficient individuals.

32:56

And the Department of Justice has a language access plan resource.

33:04

Some factors to consider, are the number or proportion of LEP persons eligible to be served, or likely to be encountered within your area.

33:13

So obviously, like, you wouldn't translate a document into a language that's not occurring in your region.

33:20

The frequency with which IEP individuals come in contact with the program. Maybe the language is really widely spoken by, like, an older population, but not school aged children that you're serving. So, for example, I'm from Maine, and in Northern Maine, lots of older folks speak French, but, you know, maybe not the younger generation, so you may or may not need to translate materials depending on who you're actually working with.

33:50

The nature and importance of the program activity or service.

33:52

So, those free and reduced price meal applications, the nondiscrimination information, maybe meal pattern information would need to be translated, and then your resources available.

34:07

So, think about what the frequently encountered languages are in your communities.

34:15

The USDA has a resource that's called I Speak Statements, where folks can point to indicate which language they need, or select.

34:28

There are also assistance tagline translations, which is the statement. If you have difficulty understanding English, or have a disability, free language assistance, or other aids and services are available upon request, please call, and you can put a number in a number of languages.

34:50

On our Free and Reduced Price Meal page, we have applications translated into English, Nepali, Russian, Spanish, and Ukrainian.

34:59

And then a number of other languages.

35:02

As I mentioned earlier, USDA has the "And Justice for All" poster language available in a number of languages, and the nondiscrimination statement translated.

35:19

But other program materials may need to be translated.

35:24

Foreign language teachers, community organizations, and volunteers can potentially be used as long as they understand, you know, appropriate confidentiality requirements.

35:34

Interpreter hotlines are another option.

35:37

Children should not be used as interpreters to translate program requirements. It's not their responsibility.

35:45

The state of Vermont, and thus the Agency of Education, has a number of contracts with various translation services, including Language Link, Tell Language Inc, and Worldwide Interpreters Inc, to provide translation and interpretation services.

36:01

Some resources for language needs include the Migration Policy Institute's National Center on Immigrant Integration Policy, and the Department of Justice's LEP.gov website.

36:16

Some Vermont specific resources include the Vermont Refugee Resettlement program, and then Vermont 2-1-1, which is the United Way Run Resource Hotline.

36:27

They're useful for a number of different services. For example, we promote all of our open Summer meal sites through 2-1-1.

36:36

I am going to pause here and ask Shawna if we have any questions that have come in.

36:44

Shawna: Um, we did have one question. Somebody was wondering about a Spanish version of the "And Justice for All" poster.

36:52

Jamie: Great, yeah, so [coughs].

36:54

Definitely, the USDA has that language translated into Spanish.

36:58

So what I would ask is that you print off the Spanish language and post it next to your "And Justice for All" poster that we provide that's in English because USDA doesn't have like the actual physical posters translated into other languages.

37:15

It's just like the writing on there. So post sit next to the poster with the the USDA building, and that will accomplish that requirement to inform folks of the nondiscrimination information on how to file a complaint in Spanish.

37:35

Shawna: Great, and that was the only question so far.

37:38

Jamie: Awesome, thanks Shanna.

37:42

We are going to talk about modifications to accommodate disabilities next.

37:52

To re-iterate, we talked about these pieces of legislation at the beginning, but Section 504 and 508 of the Rehabilitation Act of 1973 and USDA implementing regulations, 7

CFR Part 15b, the Americans with Disabilities Act (ADA) 28 CFR Part 35 Title II, Subtitle A.

38:16

And then the Americans with Disabilities Act Amendments Act of 2008 also referred to as the ADAAA. Establish our disability protected base and requirements.

38:29

The ADA Amendments Act of 2008 clarified the definition of a disability.

38:34

It didn't change the expectation to provide a reasonable modification, and just emphasize that that's what the focus should be, and really made it so that a disabled person does not have to prove that they have a disability.

38:51

So, just like discrimination, there is a number of different definitions of disability, depending on the context.

38:57

But for our purposes, disability is 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.

39:18

The ADAAA revised "Substantially limits" and made it so that it doesn't need to prevent or severely, restrict a major life activity for it to count as a disability.

39:30

It's based on an individualized case by case assessment.

39:35

And the determination is regardless of the effects of any mitigating measures.

39:40

And those include medications or assistive devices that an individual uses to reduce the effects of an impairment, like hearing aids.

39:49

And it may include an impairment that is episodic or in remission, if it would substantially limit a major life activity when active.

40:01

So like epilepsy is an episodic condition.

40:13

Major life activities include the functions such: as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, reading, and eating.

40:32

And as a result of the ADAAA.

40:34

It also includes the function of major bodily functions, which are the immune system, normal cell growth digestive system, bowel, bladder, reproductive functions, neurological, the brain operation, respiratory, circulatory, cardiovascular, and endocrine systems.

40:57

Um, so you can kind of think about it that major life activities are disabilities that are readily identifiable as such. Then these major bodily functions are not as readily identifiable as such. But basically, between these two groups, there isn't really like an aspect of "being" that isn't covered.

41:23

And it's important to note that even \$1 of federal money brings the entire scope of the operation within the jurisdiction of Section 504 of the Rehabilitation Act, even when the requested modification is not related to the part of the operations that receives federal money.

41:43

Types of disability discrimination include denying benefits or opportunities to participate, segregating, individuals with disabilities. And we'll talk about the Integration Clause in Section 504 in a minute. Aiding, perpetuating or contracting with others, that discriminate.

42:01

That's why it's really important we talked about having that assurance, language and contracts, failing to provide a reasonable modification, ineffective communication, or inaccessible facilities.

42:18

We have an obligation to ensure members of the public are provided accommodations in order to access program information like free reduced price meal application, and assistance in the form of Braille, large print, audio tape.

42:37

And providing qualified sign language interpreters for persons with hearing disabilities may be necessary to effectively communicate.

42:49

It's important that our websites and online application systems are accessible like for folks to be able to use with e-readers.

42:57

Ensure that facilities are physically accessible like we have ramps or elevators, are wide enough to be accessible to persons with mobility disabilities to use wheelchairs or other power driven mobility devices.

43:12

And keep in mind that at times, different or special treatment may actually be necessary in order to ensure effective aid benefits and services.

43:24

When we think of modifications specifically, in the context of our programs, we're often thinking of meal modifications.

43:34

Here are some resources that address modifications to accommodate disabilities in the school meals programs, CACFP and SFSP. I just want to highlight that the Accommodating Children with Disabilities in School Meals Program Manual is a really good, useful, helpful, USDA resource that I find pretty user friendly and easy to read. I really think it's one of the best guide documents that USDA has created. So definitely check that out. It's a helpful first spot if you have questions about making modifications to accommodate disabilities.

44:14

A reasonable modification is a change, or alteration, and policies, practices, and procedures to accommodate a disability. To allow a child, our program, to recipient, to participate in the program as if they did not have a disability.

44:32

Program operators have a duty to work with a requested modification, and provide a on a case by case, individualized basis. And that really means that, like, just saying no to something flat out is not an appropriate response.

44:47

And again, it's not about determining whether the child or program participant has a disability or whether or not the process is being abused, but providing that reasonable modification.

45:01

The requested modification should be related to the disability, or limitations caused by the disability. However, the requested modification does not have to be the modification provided, but you have a duty to not just say no, and to work with that request.

45:16

Um, and the only exception to this is modifications that fundamentally alter the nature of the program.

45:27

However, in determining whether or not something constitutes a fundamental alteration to the nature of the meal program, you are required to consult with us at AOE, and then we are required to get approval from our regional office.

45:43

So, it's important that if you think something, it rises to that level, that you've been documenting your process, and that you've been in communication with us.

45:57

So if a modification requested would cause undue financial burden on the program, that would make continued operation of the program unfeasible that potentially does not need to be provided. And an example is like, really expensive infant formula.

46:21

It's important to consider different factors, like the age of the child.

46:26

So, you know, a high school student might be better able to manage their, their own needs than an elementary school student.

46:35

Stereotypes regarding certain conditions can never determine [decisions]. Decisions must be based on facts on a case by case basis.

46:45

Meal modifications don't have to mirror the meal or meal item substituted. So for example, if the entree of the day is Mac and cheese, you have your grain from the noodles and then you have your meat/ meat alternate for your cheese. And let's say their child can't have dairy products.

47:07

And you don't need to substitute them a dairy free, lactose free, cow's milk free cheese. In a Mac and cheese, you could provide them with that turkey sandwich,

because you're still giving them that grain from the brand, and you're giving them the meat / meat alternate from the turkey.

47:26

However, you know, we want to make sure that we are still making like, different choices available for students that need meal modifications.

47:38

So, as best you can, providing different options for them and making sure that they feel included in the meal service with their peers.

47:52

Quote, unquote, lifestyle choices such as vegetarianism, or veganism are not considered disabilities and don't need to be accommodated unless they're related to an underlying disability.

48:04

I will say that it's, it's possible to accomplish serving Vegan and vegetarian options in most of our programs, especially vegetarianism. And you know, we encourage like guts customer service and providing different options to your participants.

48:28

Buy, it's just important that you're following the meal pattern requirements in that situation.

48:36

Any food allergies fall under the definition of a disability.

48:41

However, this applies to much more than just life-threatening like anaphylaxis allergic reactions because as you recall, digestive and respiratory functions are protected under are listed under the ADA.

48:55

In the US and the nine food groups' account for most of serious allergic reactions, I'm sure many of you are familiar with peanuts as an allergen.

49:05

And then recently based on the FASTER or Food Allergy Safety Treatment Education and Research Act of 2021, sesame was added to list of the nine food groups.

49:23

It's really important to prevent cross contact during food preparation, so that if you need to prepare foods without some of these food groups, that they're not getting, cross contact, like on a cutting board or a knife or surface.

49:56

USDA Food Nutrition Services does not recommend universal exclusions of specific foods or food groups like having a nut-free building or something, but it could be appropriate depending on the circumstance, but really consider your ability to consistently maintain an allergen free facility.

50:15

So like if you say if this is peanut free school, you're not serving any peanut products in your school meals program. Are you making sure that teachers and faculty and staff aren't bringing in peanuts and that children bringing in lunch from home aren't bringing any peanuts and that any facilities using your building on the weekends or after school aren't bringing any peanuts. Just, just keep in mind whether or not that's feasible. Maybe have an MOU, like a memorandum of understanding, for use of your building in that situation, and make sure that that policy is broadly communicated and probably involve your attorney. Just, just to be sure. A lot of folks have like, "Nut Aware" or nut-free zones, which we'll talk about a little bit more, but maybe those are more feasible than a fully allergen free facility depending on the need of your program.

51:18

So lactose fluid milk is always an allowable milk choice, because it still meets all then the milk requirements.

51:27

Then nutritionally equivalent milk alternatives can be served in our School Meals Programs and CACFP without a medical statement if they meet certain nutrient requirements. However, for sponsors following the Summer Food Service Program Meal Pattern and SFSP, this is not allowed. So, that's where it makes it a little bit tricky to be able to...

51:56

You can't provide a vegan meal pattern compliant meal for a lifestyle choice in SFSP in that situation because of that.

52:05

USDA has our Accrediting Milk and Child Nutrition Programs tip sheet that's useful.

52:10

And then, I've also included a chart on here that can be found in the school meals regulations, as well, in that Accommodating Children with Disabilities in the School Meal Programs manual that I referenced. I just wanted to note that the units of measurement for vitamins A and D, are no longer international units or IU. They are micrograms or milligrams.

52:37

And this is a change by the Food and Drug Administration, but USDA has not updated, updated any of their materials to reference that, reflect that.

52:47

So, just keep that in mind when you're like actually looking at the back of like a milk carton, or something and when you're looking at the requirements.

53:03

Ensure that food service areas are accessible, and provide auxiliary aids and services, if needed, like food service aids, adaptive feeding equipment, meal tracking assistance, like for children with diabetes, maybe they need to track their intake.

53:20

Checking product labels could be another example of a service that could be provided, or sending home menu information to a household.

53:31

Really, other effective methods are to serve meals to a disabled person that provide equal opportunity, to participate in the program.

53:45

As I noted, there's a specific integration clause in Section 504 of the Rehabilitation Act, which means that disabled individuals should be accommodated and the least restrictive and most integrated setting possible.

54:00

So, this often comes into play where children with food allergies are ostracized some way during mealtime. As we mentioned, these allergy-free or allergy-aware tables, they technically are allowed as long as other kids that don't have that allergen or product can sit there. And as long as they're not also, quote, unquote, punishment, tables, meaning, let's tables often have less kids sitting at them, and you don't want to send a rowdy kid from a crowded table to that table to get them away from their friends because then it stigmatizes the children at the allergy-free table.

54:38

I mean, it's always a matter of balancing safety versus stigma. Of course, safety is most important. And then, like I mentioned earlier, keeping in mind different factors like the age of the child, or the severity of the allergy.

55:00

Medical statements can be requested but are not required for substitutions within the meal pattern requirements. This just might be helpful, you know, so, you have the documentation on file.

55:09

And so you're making sure that you're not making an inappropriate substitution. But when a household requests a modification, you should begin [providing it.]

55:22

And request, the medical statement, to support it, if you don't already have that.

55:29

Document that initial interaction, and make sure you continue to follow up with the household until they submit the appropriate documentation, and you can receive reimbursement during that time while you're working to, excuse me, obtain that medical statement.

55:47

So for meal modifications that fall outside of the meal pattern requirements, you are required to have a medical statement.

55:55

And that must come from a professional licensed by the state to write prescriptions.

56:01

And if the statement isn't clear, you can ask for clarification, but that shouldn't delay providing the modification.

56:07

And it should provide the information about the impairment.

56:11

How it restricts the diet and how to accommodate the condition.

56:14

And if you don't need the diagnosis. And you can't request medical records or charts. The reason that we can't request the diagnosis is because that information is

protected under the Health Insurance Portability and Accountability Act, or HIPAA. And that's not related to our programs. So we can ask for non HIPAA related information.

56:36

And you should be working with the household, and the household should be working with their provider, to obtain the necessary information, it shouldn't be the program directly reaching out to the medical office because of those HIPAA requirements.

57:02

This is a list of licensed medical professionals in Vermont, that are licensed to write prescriptions. And this information comes from a state resource called the Administrative Rules, the Boards of Pharmacies.

57:19

And it includes the folks listed here, so this is really the reason, we don't just say like "Doctor's note" any more, because it's more folks than just like an MD or a physician that can be writing these statements.

57:38

My favorite is a veterinarian, I don't think you'll be receiving any statements from a veterinarian, but I just set them on here to make sure that this is a complete list.

57:51

The medical statement is required to have three parts, so that's the food to be avoided, a brief explanation of the impairment, so, how that food affects the child or the program participant, and then the recommended substitute.

58:06

And it doesn't have to be that particular brand, so if the households, like, oh, I really want Udi's gluten free bread, but you're able to get another random gluten free bread from your supplier, and it meets the same medical need. You don't have to do that particular brand.

58:22

And the recommended substitution could be, like, a recommended change, to the food that is necessary.

58:29

So, like, a texture change sheets be made, like blending up the food or something.

58:36

So, that's like, not a food substitution, but an alteration to the food.

58:42

We recommend that you have folks use our Vermont Medical Statement form template on our website, because it has the sections for the required information, that they don't, they don't have to use that.

58:55

And, again, it's really not about whether or not you're like proving they have a disability, but what can be done to provide a reasonable modification.

59:11

This is a picture of what our template medical statement form looks like.

59:20

Just a note that if a child's individualized education program, or IEP, or 504 Plan, already have that necessary information contained in the medical statement, you don't need to get an additional statement.

59:41

You don't need to get an updated medical statement on a regular basis, you'll continue to receive reimbursement as long as you have it on file. However, you need to make sure that current needs are being met and make sure, you know, no information changed.

59:59

You need to have a process for households able to request reasonable modifications to accommodate disabilities. So think about what your internal procedures are or your organization's procedures are, like, is this information sent out at the beginning of the program year? Like in your practice school paperwork? Is it on your website?

1:00:19

Who is the first point of contact for households? Is that a principle? Is that a nurse, and if the nurse is the one that maintains the statement which is fine, are they communicating the information to the kitchen in a timely manner?

1:00:36

And is everyone at your site aware of what your procedures are,

1:00:42

The 504 coordinator is responsible for sharing compliance, and that person is often part of a team. That makes modification decisions.

1:01:02

So have a procedure in place to make sure households can request a modification, and understand their right to file a grievance should their requests of modification not be granted. And provide that an unnecessary formats and languages as appropriate.

1:01:22

For CACFP and SFSP specifically, Program Operators that employ 15 or more individuals must designate at least one person to co-ordinate combines with disability requirements, often referred to as a 504 coordinator.

1:01:36

And Program operators that employ 15 or more individuals must establish grievance procedures, and these operators may defer to the grievance procedure used by the ADA coordinator at the State Agency.

1:01:53

The process for filing a grievance. So this is a notice provided to households that they can file a grievance, and receive prompt and equitable resolution. Participate in an impartial hearing and will be represented by counsel at that hearing, examine all documentation, and receive notice of the final decision and the right to appeal that decision.

1:02:18

SFAs may use that IEP 504 grievance process and appeal process if it meets all the legal requirements.

1:02:29

OK, I am going to pause to see if we have any more questions, because I know that is a section that pertains to a lot of day-to-day operation on our programs.

1:02:40

Shawna: Yeah, so we have a question here. Um, in terms of following nondiscrimination statement, if a child does not meet the requirements for a 504 plan in the school, but they have diet related considerations, they may still meet the modification for Child Nutrition Programs. Correct? That was the question.

1:02:59

Jamie: Right, So they don't need to have a 504 IP in order to receive a modification to accommodate disabilities for our program. I just wanted to make it clear that sometimes that information is already contained in those plans. We don't want to like be requesting something from households that is already on file with the school. So, just make sure the program, just make sure you're, like, in communication with those folks to see.

1:03:23

Make sure you're even part of those conversations as necessary, but you're, you're right. They don't need to have a 504 or IEP or meet those requirements.

1:03:32

If they request motivation to accommodate a disability, you work with the household, we really recommend maybe sitting down and having a conversation with them, bringing them into your facilities as you have the capacity, setting up regular check ins, and make sure you're documenting everything document to e-mails and phone calls and taking good notes. And then, if you don't have that medical statement on file working to obtain it, and once you have, then making sure it contains the necessary information, and then coming up with a plan in your building to be able to implement that.

1:04:09

Shawna: All right, and then we also had somebody who wanted to know how they could get the slide deck, so that way they can click on the links in the presentation.

1:04:19

Jamie: Sure. So, the slides are available on our Child Nutrition Program web page, so if you go to like Vermont Agency of Education, and then, on the left-hand side, click on Student Support, Nutrition should be one of the choices, and then our Civil Rights materials are on our program homepage. And the PowerPoint is there with.

1:04:41

The Medical Statement Template link and the Link to that accommodating.

1:04:47

Students with disabilities in the School Meals Program Manual, as well as a few other materials, and I will navigate to that page at the end of the presentation. And I also just say that, I don't know what it is, but every time I give a presentation, I notice a few things that I want to update or change. So there might be a few changes to the PowerPoint after the presentation today, but that is available on our website.

1:05:12

Shawna: Would you like me to drop the link to that in the chat?

1:05:15

Jamie: Sure, that'd be great. Thanks Shawna.

1:05:16

Shawna: OK. And that was it.

1:05:20

Jamie: Great, Thanks folks!

1:05:24

Complaint procedure.

1:05:27

So, folks should never be discouraged from filing a complaint of discrimination, if they so choose. And complaints regarding the federal civil rights bases must be submitted up to the USDA. You should also obviously notify the appropriate folks at the local level, and notify us of the state agency.

1:05:47

So, we can track that complaint, but it needs to be handled by the USDA, and the nondiscrimination seem or provide that information. Complaints can be written or verbal, and they can be anonymous.

1:06:02

The only caveat with anonymous complaints is that they can't really be directly followed up on like they could still be investigated, but it's not like USDA will be able to like reach out to that person and have a conversation with them.

1:06:16

Sometimes, you have to determine if someone wants the information to file a complaint themselves, or they want you to file it on their behalf.

1:06:26

Then, as of May 5th '22, civil rights, complaints related to gender identity and sexual orientation will be handled at the federal level, rather than the state level, with that expanded protected base of sex.

1:06:46

Also, writes, complaints should be forwarded to the USDA Office of the Assistant Secretary for Civil Rights, or OASCR

1:06:56

Forward complaints based on race, color, national origin, sex, including gender, identity, and sexual orientation, and disability, within five calendar days of receipt.

1:07:07

Then for complaints based on age or a combination of age and other bases within five business days of receipt, I am really not sure why there is a calendar / business day difference there, but I guess best practice, or just be, you know, sending those up as soon as possible.

1:07:29

Complainants must file within 180 days of the alleged act of discrimination, although, the USDA will review or receive review process complaints and investigate as appropriate. And if folks do end up filing after the 180 days, it's still worth it, just because maybe there was something like an additional discrimination that was present, preventing them from filing.

1:07:54

So, that could still be submitted.

1:08:01

These are the links to the Complaint Form, and English, and in Spanish, and English and Spanish, nondiscrimination statements, respectively, contain these complaint form links.

1:08:16

For complaints related to our Vermont specific productive bases of religion and marital / civil union status, please contact Emily Simmons, who's our general counsel.

1:08:31

This is our AOE No Discrimination policy.

1:08:41

You must have a written procedure for receiving and processing complaints, and your program staff must be aware of this procedure.

1:08:51

We have a template civil rights complaint procedure on our website, that we really recommend you adopt.

1:09:00

And I will just note that oftentimes, programs like School Food Authorities have complaint procedures, but they are related to the US. Department of Education complaint process, and not the USDA requirements. So that's why there's a need for this child nutrition procedure.

1:09:21

And it doesn't need to be like a "big P" Policy that receives board approval, because this is really like an internal procedure for how you will handle receiving complaints of discrimination.

1:09:35

You must keep a civil rights complaint log, and maintain confidentiality, and notify us at AOE Child Nutrition Programs if you receive a complaint of discrimination, so we can help you stay on track with those requirements.

1:09:54

If someone's making a complaint, like to you, for you to file, get as much information as possible.

1:10:01

The who, what, when, where, why, and the relevant protected base or bases, and track that information in your log, including the dates of referral.

1:10:14

And then any resolution taken.

1:10:23

So, there is language about reprisal in the nondiscrimination statement.

1:10:29

That basically means like you can't discriminate against someone because they filed a complaint of discrimination against you. That's why it's really important to keep that complaint log confidential. And although, obviously, all of your employees should be aware of your civil rights complaint procedure process, they don't all need to have access to your complaint log.

1:10:51

And this is the definition, or explanation of "reprisal" in the Department of Justice Regulation.

1:11:01

And in the USDA Departmental Regulation, just meaning that we can't discriminate because someone filed a complaint.

1:11:18

Reviews and Resolution.

1:11:26

The purpose of the review is to examine the activities of state agencies, subrecipients, and sites to determine civil rights compliance.

1:11:33

So we at the State Agency receive management evaluations from our regional office, our north-east Regional office in Boston, and they look at various aspects of civil rights compliance as part of those reviews.

1:11:51

We at this agency, sometimes in conjunction with a regional office, conduct reviews of our local agencies, and then you review your sub recipients such as if you contracted the Food Service Management Company.

1:12:04

And then we must report significant findings to the reviewed entity and up to our regional office.

1:12:17

There are three different types of reviews for civil rights purposes. Pre-award, civil rights review, routine post-award, civil rights review, also known as an administrative review. And then special civil rights reviews.

1:12:33

Before programs are onboarded to operate our child nutrition programs. We complete or in conjunction with them a pre-award civil rights questionnaire. And this is a requirement before receiving federal funds.

1:12:56

The Routine or post-award civil rights, are being conducted as part of the administrative review, looks at a variety of topic areas. A lot of them are the, you know, topic areas that we're addressing in the training today. Making sure that folks have an equal opportunity to participate.

1:13:10

And we're following that public notification system, posting the JFA poster, including the nondiscrimination Statement, and the correct format and program materials, doing the data collection, having a written complaint procedure.

1:13:26

Ensuring everyone involved in the programs have civil rights training in that documented, providing reasonable modifications to accommodate disabilities, maintaining confidentiality and anonymity of eligibility status categories, and then maintaining all documents on file for three years, plus the current year. Although some local rules may require records to be maintained longer.

1:13:58

Special Civil rights reviews can be conducted by the USDA OASCR and or regional staff, and they can be scheduled or unscheduled unannounced.

1:14:13

And they can occur when there are significant civil rights concerns, when there is data indicating that a group is not participating or benefiting from the program, to follow up on previous signings, reports of noncompliance by other organizations.

1:14:34

That can be related to a specific incident, policy, or historical patterns.

1:14:48

So, really, like any other aspect of the reviews that we conduct.

1:14:51

If there's a finding, there needs to be steps taken to obtain into compliance.

1:14:58

So, we call that, like, corrective action or corrective action plan to make sure that it's corrected and then prevent it from occurring again in the future.

1:15:13

These are some common findings that we see during our Administrative Reviews.

1:15:20

A big one is that not all staff involved in the operation of receives have rights training, or it's not appropriately document type.

1:15:28

There's no written civil rights complaint procedure that the USDA, excuse me, that the "And Justice for All" poster is not publicly posted, that the nondiscrimination statement is not on the webpage.

1:15:45

And that the menu has the short nondiscrimination statement in an incorrect form.

1:15:57

OK, oh sorry, I'm just going to pause and see if we had any other questions come in.

1:16:04

Shawna: I do not see any new questions at this time.

1:16:08

Jamie: Awesome, thanks Shawna.

1:16:11

Training: Every year SFAs and sponsors are responsible for making sure that all staff involved in the programs receive training. And when I say every year, I mean annually on a calendar basis. So like a January to December which I know it's a little confusing because School Meals operate on the July 1 to June 30th program year, and then CACFP and Summer operate on the federal fiscal year of October to September about why not throw another definition of a year in there. Right, keep us on our toes. So calendar basis.

1:16:51

Um, this is folks that are involved in all aspects of the program, so that could look different depending on your program and how it's structured, but all food service professionals, like the folks making the meals, and serving the meals, eligibility determination, verification process personnel. So those folks that are approving the free and reduced price meal applications and conducting the subset of that, which is the verification process.

1:17:17

Any teachers that are responsible for serving meals in the classroom, and doing that point of service meal counting. And/or if you have the Fresh Fruit and Vegetable Program, operate at your school. Typically, it's teachers that are distributing that in the classroom.

1:17:33

Administrative personnel involved in the program, like business managers.

1:17:37

Typically, if your school doesn't have a designated food service director, your business manager is the one that's in charge of overseeing program operation.

1:17:48

Then any volunteer that's participating in the program.

1:17:53

New employees must receive training before they start their child nutrition duty. So, that's, I guess, the only exception to that, like, calendar year rule that it has to be done before they even start participating in the program.

1:18:10

We get a lot of questions on the civil rights training requirements for teachers.

1:18:16

So, again, depending on the structure of your meal service, they could be involved in meal program operation. Especially, if you're doing, like, breakfast in the classroom.

1:18:26

You could do all light touch of the required topics, and then a deeper dive of relevant topics.

1:18:34

They don't need training on legislation and assurances and topics like data collection and civil rights reviews could be really briefly covered. And then, you could spend more time on topics like public notification and their understanding of the complaint procedure.

1:18:50

And it's recommended that they're given these PowerPoint slides to read through and reference.

1:18:59

Training must be documented with dates, names, signatures, and topics covered, meaning like reference what training you're using, like if you're using our PowerPoint or our webinar.

1:19:13

And we have a child nutrition program civil rights training documentation sign-in sheet, that you can use to document the training on our homepage. Folks that participate in training live as part of Summer Institute will receive certificates to document their training. But typically, in the future, for the civil rights training, we don't issue certificates. So extra it's incumbent upon you to document your training.

1:19:45

And training is required, so that folks involved in all levels of the program, administration, and operation, understand the requirements that we have to follow.

1:20:00

The specific subject matter that's required are these topics here, and, as you know, we're going over all of these topics in this training today.

1:20:15

Specifically for training on the civil rights complaint procedure, staff should be able to identify if someone is, like making a civil rights complaint to them, know, what to do next, and understand that it's everyone's right, to file a complaint to discrimination, if they so choose, and they shouldn't be discouraged from doing so.

1:20:37

Civil Rights training definitely counts towards the professional standards requirements for school meals.

1:20:41

And these are the ways that it should be coded in your tracking tool.

1:20:56

We at the state agency offer: different ways for you to receive training, are this live webinar that you're participating in right now, a recording of this webinar, reading through the PowerPoint, using the PowerPoint, and any of your organizations, online training modules.

1:21:15

Maybe you have like up back to school stop training modules where folks do everything from sexual harassment, blood borne pathogens to child nutrition, civil rights program requirements.

1:21:26

And, or, if you're giving it yourselves, we definitely recommend using this presentation.

1:21:34

If you are not going to use our civil rights training in one of these different ways, you need to receive approval from us. And use and alternate trainings so that we can ensure that you're covering the minimum necessary topics.

1:21:49

And you would reach out to me if you have another training that you would like to use.

1:21:57

Customer Service

1:22:00

So every year when I get this training, I feel a little bit silly talking about customer service to you folks, because I know, and I've seen every day, that you implement great customer service. You see all of your kids in your buildings.

1:22:18

You know, their dog's name, their favorite meal, or siblings name. You know their pin number, when they forget, it at the register.

1:22:26

But it's always a good idea to reflect on the importance of customer service, because, know, we want to offer quality programs and increase participation.

1:22:37

And good customer service reduces the potential of perceived or actual discrimination, so always be courteous and thoughtful and patient and listen carefully and treat all participants equally.

1:22:52

And don't have any separation by the protected bases.

1:22:55

In your seating arrangements serving line services and facilities or eating periods and just we talked a little bit about the allergy free or aware tables already.

1:23:09

Then, it's really important that you know, and are able to explain any requirements that must be filed. Like, if someone has a question about the program, you know what the rule is and why it exists.

1:23:25

So we're just going to do a brief moment of reflection or activity, I guess, to think about what customer service means to you. And maybe how you plan to implement this program year. So many of you are going back to school to start the school year in the next couple of days or weeks. So just think about maybe how you're going to start off your school year and implement good customer service. And this can mean so many different things.

1:23:52

Like I know we've talked in the past and other trainings that having a really inviting cafeteria environment or doing alternative meal service models or providing different entree options. Like all of those things are part of providing customer service. So I would just like you to take a few minutes. And then if any of you are willing to share your thoughts in the question section, I will give us about a minute and then I'll just ask Shawna to read some of those out to us. So just take a minute to brainstorm. Thank you.

1:24:57

Shawna: We have a few answers coming in Jamie.

1:25:00

Jamie: Awesome, could you read those for us, Shawna?

1:25:04

Shawna: So somebody has said big smiles, polite, kind words.

1:25:10

Listening, not being defensive, repeating what the customer said.

1:25:16

We did have an actual question, as, well, do you want me to read that now or wait?

1:25:21

Jamie: Um, can you wait just a SEC and then we can do that question.

1:25:27

Shawna: Another customer service thing.

1:25:29

Getting back in the school to talk in person with the school staff, great warm welcomes.

1:25:37

Trying to meet each person personally and looking them in the eye when serving them, listening to parents, lots of great things.

1:25:49

Jamie: Awesome, thank you folks, I really appreciate you're willing to participate and share and make this a little more collaborative.

1:25:58

OK, thank you, Shawna.

1:26:00

Do want to read the actual question that someone had?

1:26:06

Shawna: Yep, so, um, the question was can we use the civil rights training on the website.

1:26:10

Jamie: That's a great question. I'm actually not familiar with that training. And I would really appreciate, I don't know if whoever asked that question would be able to send that to me so that I can review it.

1:26:29

But I actually, I'm... I don't know the content of that training, so.

1:26:35

I don't know the answer to that. Right.

1:26:38

Just the act.

1:26:42

Shawna: Then, some more customer service responses came in. Kindness, understanding, listening, again, on being approachable was one mm hmm.

1:26:53

But that is it now.

1:26:56

Jamie: Great! Thank you. Thanks everyone for brainstorming and sharing and Shawna for reading those.

1:27:03

We're gonna talk about conflict resolution.

1:27:09

So it's possible to avoid a potential civil rights complaint with conflict resolution techniques, like remaining calm and asking about the situation, listening and repeating back to make sure you understand, being empathetic, asking questions to gather information.

1:27:27

Many of these are things y'all just put in there in the questions box, and then getting help from authority figures, if there are threats or violence is possible.

1:27:44

Additional information.

1:27:48

I want to note that citizenship, or immigration status, should never give rise to discrimination. Information provided on free and reduced price meal applications is confidential, and it's never shared with Department of Homeland Security, DHS, or Immigration Customs Enforcement (ICE).

1:28:08

And applicants without Social Security numbers are still eligible to apply, apply for free and reduced price meal benefits. So, there's, like a box on the application, where you can put the last four of your Social Security number, or indicate that you don't have a Social Security number, and both are acceptable ways to answer that question.

1:28:29

I do want to note, though, that citizenship is taken into consideration for SNAP, or Supplemental Nutrition Assistance Program, or in Vermont, known as 3SquaresVT So, this could have an indirect impact on meal access and participation.

1:28:51

All records must be maintained on file for three years plus the current year and make sure that the necessary materials are kept confidential.

1:29:00

Although, of course, some local rules may require that records be maintained longer. I know, like good accounting principles or practices or whatever recommend seven years but that's a local decision.

1:29:15

I am going to attempt to navigate to our homepage, Shawna. Can you confirm for me that you can see my internet browser?

1:29:26

Shawna: I see it.

1:29:27

Jamie: Awesome, thank you. OK, so I'm just going to start and show you guys how you even get to our webpage, if you do like Vermont Agency of Education.

1:29:39

And then on this left-hand side, there's this menu, and student support is one of the options.

1:29:44

And then you can click on Nutrition here, or Child Nutrition, here, and it will take you to our Child Nutrition Program homepage. And then on the left-hand side will be a bunch of other Child Nutrition program related options.

1:29:58

So, as I mention, here is our recorded webinar from last year's Summer Institute, the training PowerPoint slides.

1:30:08

That training documentation, sign-in sheet, Civil Rights Manual; this is basically the information and the training, but just presented in a different way. Maybe helpful folks find it easier to read through things in that format.

1:30:25

Our template Civil Rights complaint procedure, that we recommend that you adopt.

1:30:30

That's super helpful.

1:30:31

Accommodating children with disabilities in the School Meal Programs Manual, a specific memo on accommodating disabilities in CACFP and SFSP.

1:30:42

A Vermont medical statement form template.

1:30:46

The GoTo document for Civil Rights requirements and our Child Nutrition Programs, FNS Instruction 113-1.

1:30:55

And then I reference our free and reduced meals page, has a number of translated materials, of our free and reduced price meal applications, and cover letter.

1:31:13

Then, in the future, to access the recording of this training, if you just go to our Summer Institute page and then go to the link to register for the Civil Rights Training. I can't type, of course. That link in the future will take you to the recording.

1:31:32

Then also just wanted to show, I know folks had a question about the "And Justice for All" poster, language, translations, I don't know if this is gonna get me exactly where I need, but here we go.

1:31:46

Great, so, someone mentioned that they wanted the information in Spanish, so make sure, like I said, that you're using the correct version. Whoops, I can't spell.

1:32:01

So you would take that and print it off and put it next to the poster. Just so that you have like the official, you know, replica or that the official poster. And then you can put this language next to it.

1:32:28

This is my contact information. Please don't hesitate to reach out to me if you have any questions specifically. If you have specific meal modification scenarios to work through, I'd be happy to help with that process. And then, this is the contact information for Steve

Miliano, who is our regional civil rights officer in our region. If I don't know the answer to something, I will reach up to him and have a conversation then get back to you when, when I'm able with the information.

1:33:03

And that is the training today. Did we have any other additional questions come in?

1:33:10

Shawna: There are no new questions at all.

1:33:14

Yeah, there's no new questions at this time.

1:33:19

Just checking the chat to. Yeah, I don't have anything.

1:33:23

Jamie: OK, thanks Shanna. Well thank you everyone very much for your attention, and I know it's a lot of information on a Friday afternoon. But as you're digesting this information, if you have any more questions please don't hesitate to reach out.

1:33:38

But thank you, and take care, and have a great weekend.