Welcome your group to the civil rights training. Review housekeeping (restroom, water, emergency exits).

Set a comfortable tone for the discussion and encourage the asking of questions and the respectful sharing of relevant experiences.
The laws associated with civil rights aim to provide equal treatment to all, explain all parties’ rights and responsibilities within emergency food distribution, ensure that there are no illegal barriers to food assistance, and provide excellent customer service, especially when addressing complaints that may involve discrimination or perceptions of discrimination.
Several years ago, the USDA changed their terminology from protected classes to protected bases. (i.e. you cannot discriminate against someone on the basis of their gender…) The items listed in the first two columns are legally protected bases at the federal level and in the State of Oregon. It is against the law to discriminate against someone based on them belonging to one or more of these protected classes. “Retaliation” is not a protected class, but being a whistleblower on civil rights violations is protected and cannot be used as a basis for discrimination in food assistance programs. We’ll discuss this more in depth in a moment.

The third column describes other factors that are often used as a basis for discrimination, even though these classes of people are not currently afforded legal protection in Oregon. In an effort to provide excellent customer service and a climate of dignity and respect for all, it is important to make sure that these factors are not used against any client.

We follow the USDA civil rights law since FOOD for Lane County and its Partner Agencies receive USDA commodities, and therefore are obligated to be compliant with federal civil rights law. The laws themselves come from the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act, and more.

One important note is that all TEFAP programs are open to all individuals regardless of their citizenship status. In other words, when individuals visit a pantry, their citizenship/residency/documentation should never be asked about and can never be used as a determination for whether a person is able to receive food at a pantry.

SNAP, or Food Stamps, is the only USDA program that requires documentation.
There are three types of discrimination, according to the USDA. We’ll discuss each in brief.
Differential treatment is one form of discrimination. It may or may not be intentional. The photo highlights an example of discrimination based on gender or sex, namely the pay disparity between men and women that still persists today. Example of discrimination in food assistance programs could look like refusing service or making access difficult because an agency does not like a person’s race, politics, religion, or more.

It must be differential treatment against a protected base (which we discussed in an earlier slide) in order to be discriminatory.
Disparate impact is a form of discrimination that can be harder to identify and may not even be intentional. One example of disparate impact would be if pantries required photo ID for food assistance. This would disproportionately affect many groups of people, including seniors, children, people who are homeless, undocumented individuals, or people who cannot afford photo ID or drivers license. That is why we don’t ask for photo ID at pantries. The way that you set up your program can affect people differently. One pantry used a hallway for their distribution but it didn’t allow enough space for wheel chairs and walkers. They reorganized to accommodate these clients.
People who have filed previous complaints—especially regarding civil rights violations at an agency—are also afforded protection under civil rights law. An agency could not retaliate against a client who has complained. This would include creating a hostile environment when the client returns for service after filing a complaint, spreading rumors about the client after they have complained, or making it difficult for them to get food because you’re unhappy that they complained.
In general, your goal should be to provide the *equitable outcomes* to all of your clients, not identical service or treatment. This is because agencies are allowed and encouraged to make reasonable accommodations for people with special needs. This means that if someone has a food allergy, dietary need, or religious food requirement, you can and should do your best to meet their needs.

Be aware that there should be structure to the way that you break your regular distribution mold to meet people’s special needs. You can’t just pick and choose who you want to make reasonable accommodations for. If you provide a reasonable accommodation for one individual with a particular need, you’ll need to do so for others that express that same need. Posting signs that clearly explain these rules help create a fair outcome and reduce the perception of favoritism or bias.

Reasonable accommodation also refers to helping clients with disabilities – ensuring that they can access your services or making a special effort to meet their needs if your space cannot accommodate their needs (such as helping someone with paperwork by reading it aloud, or helping them shop for food).
It is also important to make accommodations for people based on alterabilities, or disability. There are many disabilities that may be easier to identify, such as when a person uses a white-tipped cane or a walker. However, it’s critical to remember that there are disabilities that are not as easy to identify, such as limited cognitive ability, certain mental illness, or limited ability to care for oneself. It is important to be responsive to people’s needs, regardless of what their disability may be. It is not our role as emergency food providers to question the existence or severity of a person’s disability.

The celebrity’s picture representing thinking/cognitive disabilities is Stephen Fry, an actor and comedian. He’s outspoken about his battles with Bipolar Disorder and suicide. It’s a good example that alterabilities or disabilities are not always apparent and that people of any and all backgrounds live with them.
Civil Rights Compliance Requirements

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These are four main requirements for being in compliance with USDA Civil Rights.
All agencies must complete an annual training...
...which is what we’re doing now. Every year, ALL staff and volunteers from every Partner Agency that has access to clients and food distribution must be trained on Civil Rights compliance.

All staff and volunteers—even if it’s their first day on the job—should know what person-in-charge to go to if a client approaches them with a complaint.
You are also required to communicate with your “public” about your program. Your “public” is your client base. For pantries, that’s anyone who is eligible to shop at your pantry and walks through your doors. Other agencies work with specific client groups—those clients are your public.
In order to be in compliance with the Public Notification rules, your agency needs to:

- Inform your public—meaning your client base—of any changes to your food distribution program.
- Consult FOOD for Lane County prior to making any changes the structure of your food distribution program, or any changes to the days and times that your program offers food.
- If you have any form of paperwork or intake, provide alternative formats for persons with disabilities or with Limited English Proficiency.
- Post the Justice for All poster and tear off sheets where clients can see it whenever food is being distributed.
- Include the non-discrimination statement on any publications or websites that advertise your food program.
Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, 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.

This institution is an equal opportunity provider.

This is the full Non-Discrimination Statement which we’re required to put on all postings regarding our food distribution. It’s pretty long...
…Fortunately, they gave us a shorter version that we can use.

This Non-Discrimination Statement should appear on ALL materials publicizing your food program to eligible clients (ie. menus, door flyers, websites, calendars, brochures, newsletters...)

It must be in the same size as the other print on the page. We don't want to hide the fact that we’re equal opportunity providers.

It is an expectation that you will use the full non-discrimination statement anywhere that it fits.
A complete Limited English Proficiency Plan, or L-E-P Plan, is also required for all agencies.
In the spirit of dignity and respect for all, and to remove barriers to service, it is important to be able to provide meaningful assistance for people that cannot communicate in English.

An LEP Plan is a worksheet that challenges you to think about how you can best serve limited English populations. Whether this is the Spanish-speaking community (the most likely non-English speaking group we’ll find in Lane County) or even people who speak English fluently or natively but have difficulties reading, speaking, etc. and LEP is a tool to help you identify resources and strategies to provide reasonable access and equal outcomes to those individuals.

Know the demographics of your clients and your service area. Learn from and listen to your community. Learn what languages your clients speak at home, what languages they read, and how they best communicate.

The final document needs to be kept on file, and should be easily accessible and regularly updated in order to be a relevant tool.
Proper documentation of civil rights complaints is not only an important practice for your agency, it is a *legal requirement*. 
There are two different kinds of complaints: Customer Service complaints, and Civil Rights/Discrimination complaints. While both are taken very seriously, we do have a more rigorous process for following up with the Civil Rights complaints.

**Customer Service complaints** refer to complaints where a client has an issue with your program, or has had a negative experience, but it is **not** based on one of the protected classes. Clients may also complain about the food that they received from your agency. You should document these complaints. They can be resolved in-house, or you can reach out to FFLC Partner Agency Services for support with resolving these complaints.

**Civil Rights complaints** are complaints where the reason for the complaint is because the client feels they have been discriminated against based on one or more of the protected classes.
If your agency receives a complaint, follow these steps to help with resolution. The goal is to resolve the complaint in such a manner that ensures the complaining client can continue to receive food assistance in some fashion.

Address the complaint:
- Often it’s hard to keep your cool when you’re receiving a complaint, but getting impatient or defensive only makes it worse.
- Is the complaint based on a misunderstanding about program rules or eligibility? If you can clearly and kindly explain program rules, some complaints get resolved on their own.

Assist with the complaint form:
- Always ask the client to identify persons involved by name and position and clearly explain who did what, when the action occurred, and why they believe the action occurred.
- There does need to be a written record. If the client refuses to fill out the complaint form, you must do it for them.

Assist in resolution:
- For all Civil Rights complaints, Oregon Department of Human Services must receive a copy of the complaints and the documentation of the follow up.
- Investigate both sides of the complaint and assist in resolution.
- Identify ways to prevent a similar occurrence in the future.
For your consideration...

• Be aware of one’s own biases
  – Challenge your generalizations about people
  – Use non-judgmental questions
• Don’t assume everyone is like you, or like each other
• Treating each individual fairly in order to provide an equitable outcome as all others
• Be consistent and predictable

Share some tools for being sensitive to other people. Let people know it’s a lifelong process, one in which we will make mistakes, or say the wrong thing, or maybe not speak up when we needed to. But we should always make a good faith effort to:

--Challenge your generalizations. If you find yourself labelling an individual or group, take a moment to question why you’re thinking that way: where did that idea originate? Why are you thinking it? Is it a hurtful or harmful thought? Try to remove yourself from labelling a person or group and make an effort to educate yourself.

--If you are invited into conversation with people, practice using non-judgmental questions. In general, avoid asking questions that begin with “Why...”. The word “why” instantly inserts judgment and can hamper conversation. Ask questions like “Can you tell me about...” or “Are you willing to share some information with me...” or simply, “How can I best help you today?”.

Not everyone is like you. Additionally, not all members of a group are identical. For example, in food banking we talk about service to Latino community quite a bit. It’s critical to keep in mind that Latinos are not a homogenous group and there is incredible cultural diversity among Latinos: language, food preference, skin color, place of origin, customs, religion, etc. It’s important to recognize the differences that exist within groups of people if you truly want to meet their needs.

When working with clients of diverse backgrounds, it is not a reasonable expectation to treat them identically. There will be differences in your interactions with people from different backgrounds. So instead of identical treatment of individuals, strive for identical outcomes. Was everyone treated with respect and dignity (even if there was a language barrier, for example)? Did everyone walk away with the appropriate amount of food for their household (even if they had varied food needs for health, dietary reasons, or religious customs)? Answering yes to those questions is our goal with a cultural sensitive approaching to working with clients.
Being trauma-informed...

- Practice looking at reactions or behavior through a “trauma-informed” lens
- Think “What happened to this person?” instead of “What’s wrong with this person?”
- How might this behavior or way of navigating the world help this person survive in the past?
- Help people feel safe; value privacy
- Provide choices; work collaboratively to find solutions; value and incorporate client feedback
- Be consistent and predictable; validate people’s experiences

Being “trauma-informed” or providing trauma-informed care is an approach in the human service field that assumes that an individual is more likely than not to have a history of trauma. Trauma-informed care recognizes the presence of trauma symptoms and acknowledges the role trauma may play in an individual’s life. Trauma can impair a person’s memory, concentration, and focus and impair their ability to trust, cope, and form healthy relationships. Trauma-informed care awareness should become almost second nature in all service responses. It requires a shift from asking, “What is wrong with this person?” to “What has happened to this person?”

The intention of trauma-informed care is not to treat symptoms or issues related to sexual, physical or emotional abuse or any other form of trauma but rather to provide support services in a way that is accessible and appropriate to those who may have experienced trauma. When service systems operating procedures do not use a trauma-informed approach, the possibility for triggering or exacerbating trauma symptoms and re-traumatizing individuals increases.

In general, trauma-informed care follows five guiding principles to reduce the risk of re-traumatizing individuals seeking food assistance. Discuss these principles with your organization and brainstorm how you may be able to incorporate client feedback or make changes to your program to become more trauma-informed.

-Safety: Ensuring physical and emotional safety; In practice, ensure common areas are welcoming and privacy is respected
-Choice: Individual has choice and control; In practice, ensure individuals are provided a clear and appropriate message about their rights and responsibilities
-Collaboration: Making decisions with the individual and sharing power; In practice, ensure individuals are provided a significant role in planning and evaluating services
-Trustworthiness: Task clarity, consistency, and Interpersonal Boundaries; In practice, ensure respectful and professional boundaries are maintained
-Empowerment: Prioritizing empowerment and skill building; In practice, provide an atmosphere that allows individuals to feel validated and affirmed with each and every contact at the agency
For self-reflection:

- Am I able to provide an equitable outcome for each person?
- Have I checked my personal assumptions about individuals or groups of people?
- Has my agency created a trustworthy, trauma-informed environment for all clients?

Consider the following questions about your organization, your volunteers, and even your personal approach to working with clients. How might you be able to improve in one or more of these areas?
Thank you! Ensuring people’s civil rights is a legal and ethical mandate. Thank you for the time and intention you continue to invest in ensuring a safe and equitable environment for your clients.