

## What are **CIVIL RIGHTS?**

Civil Rights are the non-political rights of a citizen, the rights of personal liberty guaranteed to United States citizens by the 13th and 14th Amendments to the U.S. Constitution and Acts of Congress.

The Association for Child Development (ACD) is dedicated to protecting the Civil Rights of our Participants. Additionally, ACD provides guidance and direction to ensure compliance with enforcement of the prohibition against discrimination.

## What is **DISCRIMINATION?**

Discrimination is defined as different treatment which makes a distinction between one person or a group of persons and others based on the following:

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

Discrimination can either intentional, by neglect, or by actions or lack of actions.

The goals of civil rights are to:

- Provide equal treatment for all applicants and beneficiaries.
- Provide knowledge of rights and responsibilities.
- Eliminate illegal barriers that prevent or deter people from receiving benefits.
- Provide dignity and respect for all.

## The **NON-DISCRIMINATION STATEMENT**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; or (2) fax:(833) 256-1665 or (202) 690-7442; (3) or email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

## What are **THE LAWS?**

### Title VI - Civil Rights Act of 1964

- Prohibits discrimination on the basis of race, color, or national origin.

### Title IX of the Education Amendments of 1972

- Prohibits discrimination on the basis of sex.

### Section 504 of the Rehabilitation Act of 1973

- Protects people with disabilities.

### Age Discrimination Act of 1975

- Prohibits discrimination based on age in programs or activities that receive federal financial assistance.



# ACD's Responsibilities

What does the

## USDA REQUIRE ACD TO DO?

- Maintain on file the number of potential eligible children benefited by ethnic/racial category for the area served by ACD.
- Collect and maintain the ethnic/racial category of each beneficiary (i.e., child enrolled) annually.

**Providers and parents/guardians are to self-declare each child's ethnicity/racial category when completing Child Enrollment Forms.**

The data collected is used to determine how effectively ACD reaches potentially eligible children and where further outreach may be needed.

This data is kept for three years in a secure and confidential location. ACD provides the data to representatives for the state agency and USDA during administrative reviews.

If you or the parent/guardian refuse to complete this portion of the form, an ACD staff member will select the enrolled children's ethnicity/racial category based on perception, in accordance with CACFP regulations.

Specific outreach efforts can be targeted from the data collected. In general, any data collected about beneficiaries is kept secure and confidential.

### Scenario:

A Child Care Provider does not provide infant foods and/or formula to infants in their care and requires parents to supply these items.

### Response:

All children enrolled in your child care operation must be provided equal access to the benefits of the CACFP. Infant formula food must be offered by the Child Care Provider; parents cannot be required to supply them. This would be age discrimination.

### Scenario:

A Child Care Provider has a child in care with a physical disability. The parent has asked for meal accommodations, which include changing from a solid food to a mashed form, but serving the same food to all children in care.

### Response:

Child Care Providers should offer meal accommodations as this is a reasonable accommodation that falls under the Americans with Disabilities Act. A special Dietary Needs Form indicating a disability and requesting meal accommodations needs to be signed by a medical authority and kept on file.

In accordance with the USDA, ACD strives to create an inclusive environment in which every employee is respected, trusted, and valued.

ACD provides assistance to persons with Limited English Proficiency (LEP). LEP allows equal access opportunities to read, write, and understand the English language. For more information and language assistance resources please visit the [www.lep.gov](http://www.lep.gov).

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