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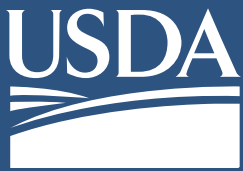
Civil Rights 101 Training

Commodity Supplemental Food Program (CSFP) & The Emergency Food Assistance Program (TEFAP)

Civil Rights Division

USDA, Food and Nutrition Service

**Online Webinar
January 8, 2025**



Agenda

- Civil Rights Authorities
- Areas of Compliance
 - Assurances
 - Public Notification Requirements
 - Race and Ethnicity Data Collection
 - Complaints of Discrimination
 - Compliance Reviews
 - Resolution of Noncompliance
 - Civil Rights Training
 - Language Access for People with Limited English Proficiency
 - Equal Opportunity Access for People with Disabilities



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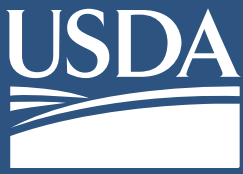
Legal Authorities



Title VI of the Civil Rights Act of 1964

"No person in the United States shall, on the ground of **race**, **color**, or **national origin**, be...subjected to discrimination under any program or activity receiving federal financial assistance."





Civil Rights Authorities

Civil Rights Restoration Act of 1987

- Clarifies the scope of the Civil Rights Act of 1964

Section 504 of the Rehabilitation Act of 1973 & Americans w/Disabilities Act (ADA) of 1990 and ADA Amendments Act of 2008

- Disability

Title IX of the Education Amendments of 1972

- Sex

Age Discrimination Act of 1975

- Age



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Civil Rights Authorities (continued)

7 CFR 15(a)(b)(c)

USDA implementing
regulations for federally
assisted programs

7 CFR 16, "Equal
Opportunity for Religious
Organizations"

Gives equal footing to
religiously affiliated
organizations

Code of Federal Regulations
A point in time eCFR system

Title 7

Displaying title 7, up to date as of 1/06/2025. Title 7 was last amended 1/06/2025. [view historical versions](#)

There have been changes in the last two weeks to Part 247. [view change](#)

Enter a search term or CFR reference (eg. fishing or 1 CFR 1.1) [Q](#)

Title 7 / Subtitle B / Chapter II / Subchapter A / Part 247 [Previous](#) / [Next](#) / [Top](#)

ECFR CONTENT

ENHANCED CONTENT

[View table of contents](#) for this page.

PART 247—COMMODITY SUPPLEMENTAL FOOD PROGRAM

Authority: Sec. 5, Pub. L. 93-86, 87 Stat. 249, as added by Sec. 1304(b)(2), Pub. L. 95-113, 91 Stat. 980 (7 U.S.C. 612c note); sec. 1335, Pub. L. 97-98, 95 Stat. 1293 (7 U.S.C. 612c note); sec. 209, Pub. L. 98-8, 97 Stat. 35 (7 U.S.C. 612c note); sec. 2(8), Pub. L. 98-92, 97 Stat. 611 (7 U.S.C. 612c note); sec. 1562, Pub. L. 99-198, 99 Stat. 1590 (7 U.S.C. 612c note); sec. 101(k), Pub. L. 100-202; sec. 1771(a), Pub. L. 101-624, 101 Stat. 3806 (7 U.S.C. 612c note); sec. 402(a), Pub. L. 104-127, 110 Stat. 1028 (7 U.S.C. 612c note); sec. 4201, Pub. L. 107-171, 116 Stat. 134 (7 U.S.C. 7901 note); sec. 4221, Pub. L. 110-246, 122 Stat. 1886 (7 U.S.C. 612c note); sec. 4221, Pub. L. 113-79, 7 U.S.C. 612c note).

Source: 70 FR 47063, Aug. 11, 2005, unless otherwise noted.



More Civil Rights Authorities

28 CFR 35

Covers nondiscrimination on the basis of disability in State & local government services (public entities)

28 CFR 36

Covers nondiscrimination on the basis of disability in public accommodation services.

28 CFR 42

Covers nondiscrimination in Federally assisted programs



DOJ and USDA Civil Rights Authorities

- **Executive Order 13166** - "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, August 11, 2000)
- **Executive Order 13988** – "Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation" (86 FR 7023, January 20, 2021)
- "USDA Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons With Limited English Proficiency" (79 FR 229, November 28, 2014) (**USDA LEP Guidance**)



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USDA and FNS Civil Rights Authorities

USDA Departmental Regulation 4300-003

Equal Opportunity Public Notification Policy

USDA Departmental Regulation 4330-002

Prohibits discrimination in programs and activities receiving federal financial assistance from the USDA

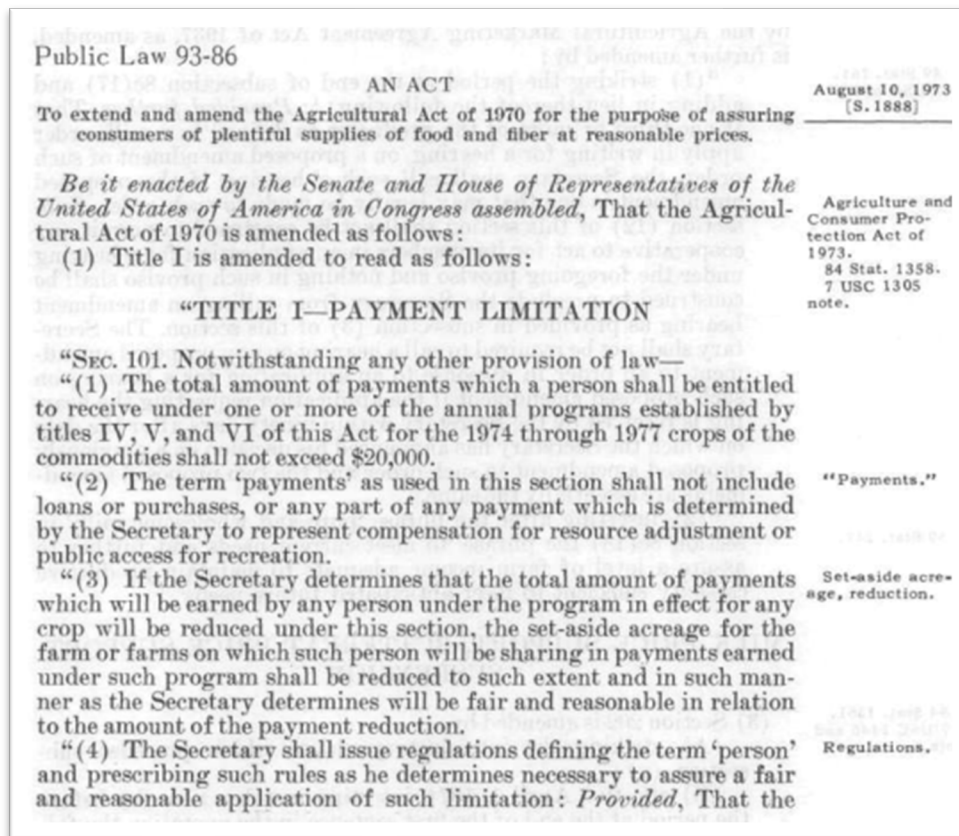
FNS Instruction 113-1 and Appendix C

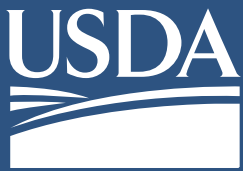
Civil Rights compliance and enforcement



CSFP Authorities

- Sections 4(a) and 5 of the Agriculture and Consumer Protection Act of 1973 (Public Law 93-86), as amended (CSFP)
- 7 CFR 250 and 247





TEFAP Authorities

- The Emergency Food Assistance Act of 1983 (Public Law 98-8), as amended.
- 7 CFR 250 & 251 (TEFAP)

118TH CONGRESS
1ST SESSION

H. R. 5059

To amend the Emergency Food Assistance Act of 1983 to allow certain States to directly purchase commodities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2023

Ms. TOKUDA (for herself, Mr. MOYLAN, Mrs. PELTOLA, Mr. SABLAN, and Mr. CASE) introduced the following bill; which was referred to the Committee on Agriculture

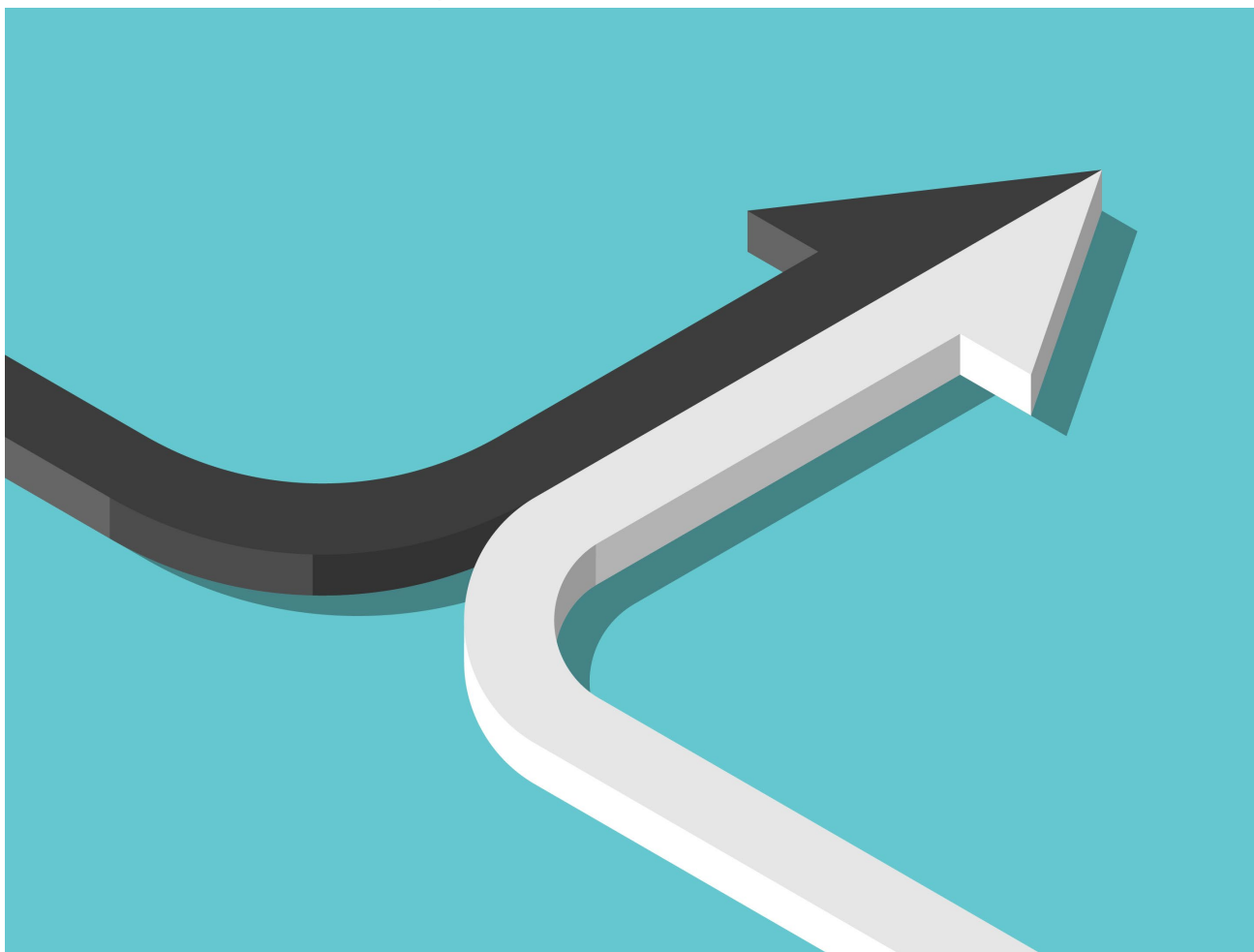
A BILL

To amend the Emergency Food Assistance Act of 1983 to allow certain States to directly purchase commodities and for other purposes



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Civil Rights Assurances





What is discrimination?

Different treatment which makes a distinction of one person or a group of persons from others; either intentionally, by neglect, or by the actions or lack of actions based on a protected class

Protected classes:

Race

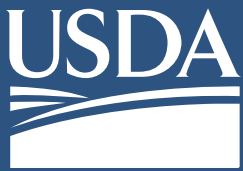
Color

National Origin

Age

Disability

Sex (including gender identity & sexual orientation)



Assurances

To qualify for federal financial assistance, an application must be accompanied by a written assurance that the entity to receive financial assistance will be operated in compliance with all nondiscrimination laws, regulations, instructions, policies, and guidelines.

A Civil Rights assurance statement must be incorporated in all agreements between:

- Federal agencies, state agencies, and ITOs (FNS Form 74)
- State agencies and their local agencies or subrecipients
- Local agencies, ITOs, and their subrecipients (if applicable)

FNS Instruction 113-1 and Appendix C

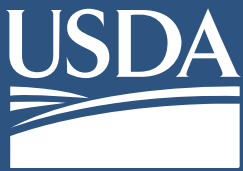


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Public Notification

How we get information to
participants, community
groups and the general
public





Public Notification

- All FNS assistance programs must include a public notification system.

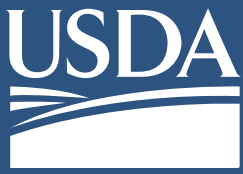
- The purpose of this system is to inform applicants, participants, and potentially-eligible persons of:
 - program availability
 - program rights and responsibilities
 - the policy of nondiscrimination
 - the procedure for filing a complaint



Elements of Public Notification

State agencies and their subrecipients must:

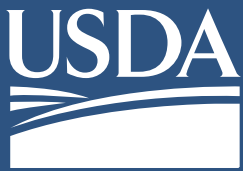
- Make program information available to the public upon request in a language and/or format that they can understand.
- Prominently display the “And Justice for All” poster.
- Inform potentially eligible persons, applicants, participants and community organizations of programs or changes in programs.
- Convey the message of equal opportunity in all photos and other graphics that are used to provide program or program-related information.



Public Notification - Accessibility

States agencies and their subrecipients must:

- Notify persons with disabilities about the availability of reasonable modifications and auxiliary aids and services.
- Notify persons with limited English proficiency (LEP) of their right to free language assistance services.
- Provide appropriate information in alternative formats for persons with disabilities and in the appropriate language(s) for persons with LEP.



Nondiscrimination Statement

Update all documents, pamphlets, websites, etc. with the 2022 NDS as follows:

- Update websites within 90 days of the date of the May 5th guidance memorandum.
- Update Documents, pamphlets, brochures, etc. using 2015 NDS statement when current supply on hand is exhausted or by September 30, 2023.
- Use the 2022 NDS on all new printing.



The Nondiscrimination Statement is available in 50+ languages on the [FNS website](#)!

Nondiscrimination Statement

[HOME](#)

Resource type

Training and Outreach

Resource Materials

The Nondiscrimination Statement (NDS) is for use by state and local agencies and their subrecipients for all FNS programs.

- [For SNAP and FDIPIR state or local agencies, and their subrecipients](#)
- [For all other FNS nutrition assistance programs, state or local agencies, and their subrecipients](#)
- [Joint Application Form](#) (HHS)

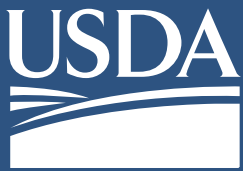
All documents, pamphlets, websites, etc., should be updated as follows:

- All new printing must use the 2022 NDS
- All websites must use the 2022 NDS

*Translations for SNAP, SNAP-Ed, FDIPIR and all other FNS nutrition assistance programs (e.g., CACFP, CSFP, FDD, NSLP, SFSP, WIC) are currently being updated. **Please see the Spanish translations below that are now available.** Check back soon for additional languages. Please send questions to: sm.fn.crd-web@usda.gov.*

Please see below for translations of the AD-3027 Discrimination Complaint Form.

▼	NDS Translations for Albanian through Croatian
▼	NDS Translations for Dari through Hmong
▼	NDS Translations for Igbo through Korean
▼	NDS Translations for Kru through Romanian
▼	NDS Translations for Russian through Tigrinya
▼	NDS Translations for Turkish through Yoruba



Nondiscrimination Statement Requirements

At a minimum, the full Nondiscrimination Statement must be on:

- Application form(s)
- Notification of eligibility or ineligibility
- Notification of adverse action
- Program (Home) webpage (or a link to it)
- Public information, including program literature



Nondiscrimination Statement (continued)

USDA Nondiscrimination Statement

Short versions

- **This institution is an equal opportunity provider.**
- **Esta institución es un proveedor que ofrece igualdad de oportunidades.** (Spanish)
- *Can be used in special circumstances only

Translations

- **Translations are available on the FNS Civil Rights webpage - [FNS Nondiscrimination Statement](#)**



United States Department of Agriculture

"And Justice For All" Poster

Display the poster in a prominent location for all to view.

AD-475A for CFSP & TEFAP

Until new posters are received, State agencies may...

- Print AJFA from [FNS Website](#) in required 11x17 size, color, and 14-point font requirements
- Distribute AJFA posters currently on hand to local agencies and subrecipients until new posters are received.

NOTE: AJFA posters currently posted must not be removed until replaced with the new poster.

The poster is titled "AND JUSTICE FOR ALL" in large, bold, white letters against a green background featuring a faint image of the U.S. Capitol. Above the title, it says "FNS USE ONLY" and "SOLO PARA FNS". Below the title is a row of 17 stars. The main body of the poster contains two columns of text, one in English and one in Spanish, providing information about the USDA's civil rights regulations and the process for filing a complaint. At the bottom, there are contact details for the U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights.

English Text:

in accordance with Federal 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), age, disability, and 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 for program information (e.g., Braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (800) 725-2868 (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 www.usda.gov/sites/default/files/documents/usda-program-discrimination-complaint-form.pdf, from any USDA office, by calling (866) 833-8882, 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 (AS-CR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
fax:
256-1666 or (202) 690-7442; or
email:
program.intake@usda.gov.

This institution is an equal opportunity provider.

Spanish Text:

Conforme a la ley federal y las políticas y regulaciones de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta institución tiene prohibido discriminar por motivos de raza, color, origen nacional, sexo (incluyendo identidad de género y orientación de sexual), edad, discapacidad, venganza o represalia por actividades realizadas en el pasado relacionadas con los derechos civiles.

La información del programa puede estar disponible en otros idiomas además del inglés. Las personas con discapacidades que requieren medios de comunicación alternativos para obtener información sobre el programa (por ejemplo, Braille, letra agrandada, grabación de audio y lenguaje de señas americano) deben comunicarse con la agencia estatal o local responsable que administra el programa o con el TARGET Center de USDA al (800) 725-2868 (voz y TTY) o comunicarse con el USDA a través del Servicio Federal de Transmisión de Información al (800) 877-8339.

Para presentar una queja por discriminación en el programa, el reclamante debe completar un formulario AD-3027, Formulario de queja por discriminación del programa del USDA, que se puede obtener en línea, en <http://www.usda.gov/sites/default/files/documents/USDA-Program-Complaint-Form-Spanish-Section-508-Complaint.pdf>, en cualquier oficina del USDA, llamando al (866) 833-8882, o escribiendo una carta dirigida al USDA. La carta debe contener el nombre, la dirección y el número de teléfono del reclamante, y una descripción escrita de la supuesta acción discriminatoria con suficiente detalle para informar al Subsecretario de Derechos Civiles (AS-CR), por sus siglas en inglés, sobre la naturaleza y la fecha de la presunta violación de los derechos civiles. La carta o el formulario AD-3027 completado debe enviarse al USDA por medio de:

cómo postal:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; o
fax:
(833) 256-1666 o (202) 690-7442; o
cómo electrónico:
program.intake@usda.gov.

Esta institución ofrece igualdad de oportunidades.

Form AD-475A - Justice/Poster/Poster May 2022



United States Department of Agriculture

Race and Ethnicity Data Collection





Race and Ethnicity Data Collection

TEFAP is exempt from data collection.

FNS Instruction 113-1, Appendix C, Section D



Race and Ethnicity Data Collection

Purpose:

- To determine how effectively FNS programs are reaching potentially eligible persons and beneficiaries
- To monitor Civil Rights compliance, State agencies must establish a system for the collection of race and ethnicity data for each person applying for and participating in FNS programs.



Race and Ethnicity Data Collection

Requirements:

- Inform applicants that providing race and ethnicity data is requested solely for the purpose of determining compliance with federal civil rights laws and has no effect on eligibility.
- Notify the applicant that another data collection method will be used if they decline to self-identify.
- Do not survey children.



Race and Ethnicity Data Collection

Requirements:

- State agencies must ensure local agencies, and subrecipients that operate CSFP *collect and retain race and ethnicity data at the service delivery point.*
- ITOs that operate CFSP also must *collect and retain race and ethnicity data at the service delivery point.*
- Ensure that access to data is limited to authorized personnel.



Race and Ethnicity Data Collection

Requirements:

- Inform applicants that they may choose:
 - ✓ Only one category for ethnicity
 - ✓ One or more races
- Use Form FNS-191, Racial/Ethnic Group Participation – Commodity Supplemental Food Program to record and submit to FNS race and ethnicity participation data for CSFP households.

FNS Instruction 113-1, Appendix C, Section D



Race and Ethnicity Categories

Data Collection Form - Two Question Format:

1. Ethnicity

Hispanic or Latino

Not Hispanic or Latino

2. Race (***may select one or more of the following***)

American Indian or Alaska Native

Asian

Black or African American

Native Hawaiian or Other Pacific Islander

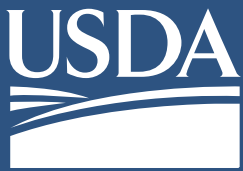
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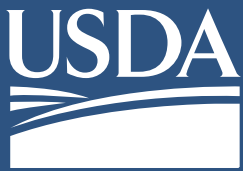
Complaints of Discrimination





Complaints of Discrimination

- Notify participants of the option to file a complaint with the USDA.
- Applicants and participants must file within 180 days of the alleged act of discrimination.
- Develop complaint forms (optional), but the use of such forms cannot be a pre-requisite for acceptance.
- Maintain Civil Rights complaints in a log separate from other program complaints.
- Confidentiality is extremely important and must be maintained.



Complaints of Discrimination

Requirements:

- Accept and forward all Civil Rights complaints to the FNS Civil Rights Division (CRD) or to the Office of the Assistance Secretary for Civil Rights in accordance with **FNS Instruction 113-1** and the **FNS State agency Complaints Processing MOU**, if in place.
- Accept written, verbal or anonymous.
- Forward complaints based on race, color, national origin, sex (including gender identity and sexual orientation), and disability to CRD ***within five (5) calendar days of receipt.***
- Forward complaints based on age (or a combination of age and other bases to CRD ***within five (5) business days of receipt.***



Complaints of Discrimination

Complaints should include:

- Name, address, and telephone number of the complainant
- The location and name of the organization or office
- The nature of the incident or action
- The names, titles, and business addresses of persons who may have knowledge of the discriminatory action
- The date(s) during which the alleged discriminatory actions occurred
- The basis for the alleged discrimination



Complaints of Discrimination Form

USDA Complaint Form:

- English version

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

- Spanish version:

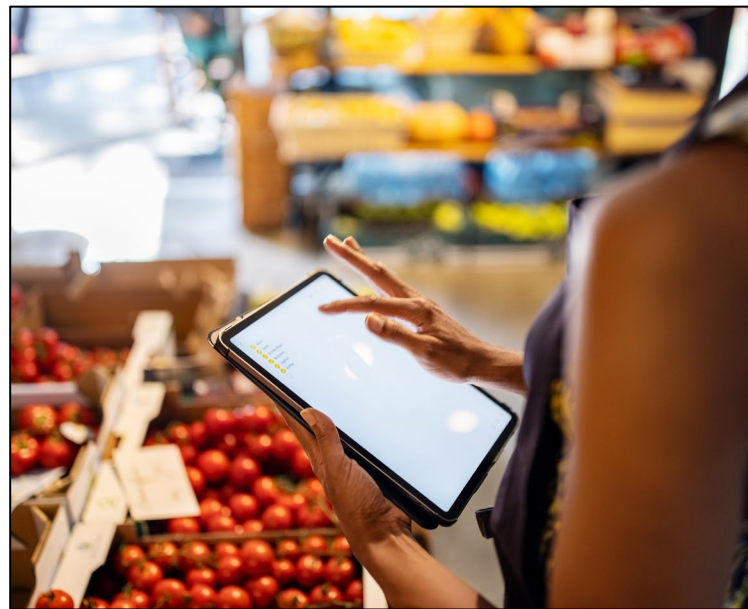
<https://www.usda.gov/sites/default/files/documents/ad-3027s.pdf>

- There are over 50 translations of the Complaint Form available on the FNS Website



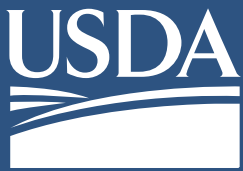
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Compliance Reviews and Resolution



Compliance Reviews

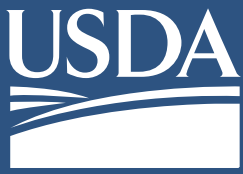
- Examine the activities of State agencies, ITOs, subrecipients and local sites to determine Civil Rights compliance.
 - ✓ FNS Civil Rights and FNS Program staff review state agencies and ITOs.
 - ✓ FNS staff and state agencies review local agencies.
 - ✓ Local agencies and ITOs review their subrecipients.
- Significant findings must be provided in writing to the reviewed entity and to FNS.



Compliance Review Types

There are three types of Compliance Reviews:

- Pre-Award
- Routine (Post-Award)
- Special compliance reviews



Pre-Award Reviews

- State agencies usually conduct these as desk reviews of information provided by potential recipients in their applications to operate a FNS program.
- No Federal funds are provided to state agencies, ITOs, or other potential recipients until a Pre-Award Compliance Review determines the applicant complies with applicable federal Civil Rights statutes and regulations.



Routine/Post-Award Reviews

FNS and state agencies must conduct routine compliance reviews as identified by FNS Instruction 113-1 and program-specific regulations and policies.

- Assess all Civil Rights compliance areas.
- Sample post-award review questions:
 - Do printed materials and websites contain the nondiscrimination statement?
 - How are applicants and participants advised of their right to file a Civil Rights complaint of discrimination?
 - Are reasonable modifications and auxiliary aids and services appropriately made for people with disabilities?
 - Are reasonable steps taken to ensure meaningful access for persons with limited English proficiency?

Special Reviews

- Conducted by USDA's Office of the Assistant Secretary for Civil Rights independently or in conjunction with FNS program or Civil Rights staff
- Scheduled or unscheduled in follow-up to previous findings of noncompliance or to investigate reports of noncompliance by other agencies, media, or grassroots organizations
- May occur to resolve a specific incident or policy
- May occur because of an entity's history of statistical underrepresentation of group(s)
- May occur if a pattern of complaints of discrimination exists

Resolution of Noncompliance

- A factual finding that any Civil Rights requirement, as provided by law, regulation, policy, instruction, or guidelines, is not being adhered to by a state agency, ITO, local agency or subrecipient agency.
- Steps must be taken immediately to obtain compliance.
- A finding's effective date is the date of notice to the reviewed entity.



Voluntary Resolution Agreement

- A written agreement that the reviewed entity voluntarily enters with FNS to ensure compliance with Federal Civil Rights laws
- Between two or more parties (e.g., FNS CRD, state agency, ITO, subrecipient, complainant, etc.)
- To closeout a Civil Rights Review in lieu of issuing a written Compliance Review report with findings



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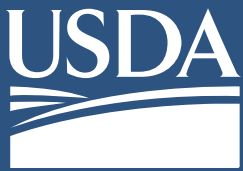


Civil Rights Training

Civil Rights Training

- State agencies are responsible for training subrecipient agencies on an **annual basis**.
- Subrecipient agencies are responsible for training their local sites, including “frontline staff” who interact with participants on an **annual basis**.
- New employees before participating in program activities must receive training.
- Volunteers must receive training appropriate to their roles and responsibilities.





Civil Rights Training Topics

Train on all aspects of Civil Rights compliance, including:

- Assurances
- Public notification
- Complaints of discrimination
- Civil Rights training
- Race and ethnicity data collection
- Language access for people with Limited English Proficiency
- Equal opportunity access for people with disabilities
- Compliance reviews and resolution of noncompliance
- **Conflict Resolution**
- **Customer Service**



United States Department of Agriculture

Language Access

你好

HALLO

안녕

HOLA

नमस्ते

CIAO

γεια

HELLO

こんにちは

привет

BONJOUR

مرحبا

OLÁ



Limited English Proficiency (LEP)

Who are people with LEP?

- Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English because of their national origin



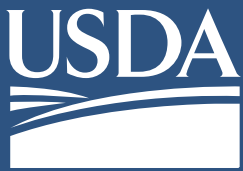
Language Access Requirements

- Title VI of the Civil Rights Act of 1964 and its implementing regulations prohibit discrimination on the basis of race, color, or national origin by recipients of federal financial assistance.
- Providing services only in English denies LEP people meaningful access to CSFP and TEFAP programs and activities and thus violates Title VI.
- Consequently, State agencies, ITOs, local agencies and other subrecipients must **take reasonable steps to ensure “meaningful” access to their programs and activities for individuals with limited English proficiency (LEP).** (USDA LEP Guidance).



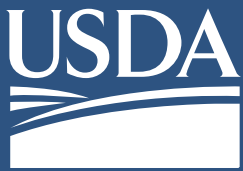
What is Meaningful Access?

- Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual.
- For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals. (See *DOJ Language Access Plan*.)



LEP and Program Access

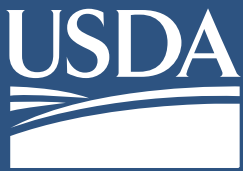
- Conduct assessments to determine language profile for their State, considering regional differences and updating as appropriate.
- Translate vital documents and online information.
- Post multilingual notices of free interpretation services.
- Utilize qualified and competent interpreters and translators.
- Train frontline staff regarding how to provide LEP populations with meaningful access.



LEP and Program Access (continued)

Factors included in assuring “meaningful” access:

- The number or proportion of LEP people eligible to be served or likely to be encountered by the program
- The frequency with which LEP individuals come in contact with the program
- The nature and importance of the program, activity, or service provided by the program to people’s lives
- The resources available to the recipient and costs



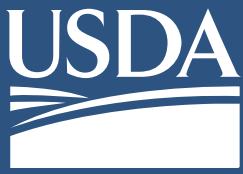
More on LEP and Program Access

Language services

- Applicants and participants **cannot** be asked to bring their own interpreters.
- Children should **not** be used as interpreters except in exigent circumstances when no qualified interpreter is available.
- Written waivers are permissible, but **cannot** be mandated

Examples of language services

- Qualified Bilingual staff
- Qualified telephonic interpreter services
- Qualified contract in-person interpretation services
- Qualified written language services (translation)

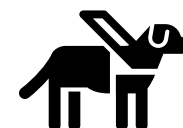
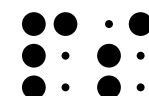
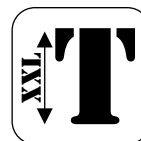


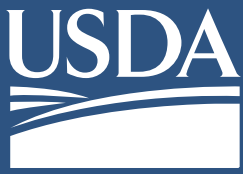
LEP Population and Data Sources

Population data sources:

- Department of Justice site: LEP.GOV
<http://www.lep.gov/maps/>
- US Census Data
[Data \(census.gov\)](http://www.census.gov/data/)
- American Community Survey
<http://www.census.gov/acs/>
- Migration Policy Institute's National Center on Immigrant Integration Policy
<http://www.migrationpolicy.org/>

Disability Access





Disability Access

What is the definition of disability?

- A person who has 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
- Major life activity means functions such as caring for self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- Functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, and reproductive functions

(ADA Amendments Act of 2008)

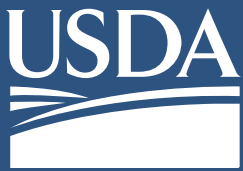


Disability Access

Equally Effective Communication

State agencies, ITOs, local agencies, and subrecipients are required to:

- Ensure communication with people with hearing, visual, or speech disabilities is as effective as communication with others.
- Notify people with disabilities about the availability of auxiliary aids and services and how to request these services in a format that they can understand.
- Provide auxiliary aids and services, e.g., qualified sign language interpreters, large print, Braille, audio tapes, or other auxiliary aids and services for people with communication disabilities may be necessary to ensure equally effective communication.



Disability Access Requirements

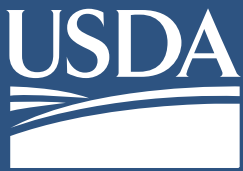
Reasonable Modifications

- A public entity shall make reasonable modifications in policies, practices, or procedure when the modifications are necessary to avoid discrimination on the basis of disability...[28 CFR 35.130(b)(7)(i)]
- Unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.
- This requirement also applies to recipients of federal financial assistance and public accommodations.



More Disability Access Requirements

- As programs and offices modernize, State and local agency **websites** and **digital services** should be readily accessible to and useable by persons with visual impairments and other disabilities.
- In addition, programs must ensure physical accessibility to buildings and facilities, particularly to persons who rely on **service animals, wheelchairs, mobility aids, and Other Power-Driven Mobility Devices**.
- At times, different or special treatment may be necessary to ensure equal opportunity access and equally effective communication for people with disabilities.



Most Integrated Setting

- Recipients, public entities, and public accommodations are obligated to administer services, programs and activities in **the most integrated** setting appropriate to the needs of qualified individuals with disabilities.
- The most integrated setting provides individuals with disabilities an opportunity to fully interact with individuals without disabilities.
- They must give priority to methods that provide services, programs and activities in the most integrated setting appropriate.

Questions





United States Department of Agriculture

We want to hear from you!

Please remember to complete the
[post-training feedback form](#):





United States Department of Agriculture

THANK YOU!!!!

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