



Chester County
FoodBank

Annual Civil Rights Training

The Emergency Food Assistance Program - TEFAP



Agenda

- ▶ Key Definitions
- ▶ Concepts of Civil Rights Compliance
- ▶ Example Scenarios

Why Is Civil Rights Training Important?

- ▶ To protect the civil rights of the individuals we serve, volunteers and employees, and **advocate** for those whose civil rights have been violated.
- ▶ CCFB is the lead agency for distribution of **TEFAP** in Chester County.
- ▶ It is **mandated** for partners in our network who participate in **The Emergency Food Assistance Program (TEFAP)**.¹

Defining Civil Rights

- ▶ **Civil rights:** the personal rights guaranteed and protected by the U.S. Constitution and federal laws enacted by Congress, by Amendments to the Constitution and through Acts of Congress, including protection from unlawful discrimination.

USDA Civil Rights Standards

- ▶ **The United States Department of Agriculture (USDA)** forbids discrimination towards individuals on the basis of:
 - Race
 - Color
 - National Origin
 - Religious Creed
 - Sex (includes gender identity and sexual orientation)
 - Disability Status
 - Age
 - Marital Status
 - Family/Parental Status (Ancestry)
 - Income Derived from Public Assistance Program
 - Political Beliefs
 - Reprisal or retaliation for prior civil rights activity

Key Definitions

- ▶ **Stereotype:** a standardized mental picture that is held in common by members of a group and that represents an oversimplified opinion, prejudiced attitude, or uncritical judgment²
- ▶ **Prejudice:** an irrational attitude of hostility directed against an individual, a group, a race, or their supposed characteristics²
- ▶ **Discrimination:** the act, practice, or an instance of discriminating categorically rather than individually²

The Concepts of Civil Rights Compliance

for Food Pantries and Food Cupboards

1. Assurances
2. Public Notification
3. Data Collection
4. Training
5. Compliance Reviews
6. Accommodations for Individuals with Limited English Proficiency (LEP)
7. Accommodations for Individuals with Disabilities
8. Equal Opportunity for Religious Organizations

1. Assurances

- ▶ A **civil rights assurance statement** is required to be included in agreements between partnering agencies.
- ▶ Chester County Food Bank's assurance statement is in sections **three and four** of the Organization Criteria in the **Community Partner Agreement**.

2. Public Notification

Principles

- ▶ Make program information available upon request.
- ▶ Inform participants of any changes to the program.
- ▶ Convey a message of equal opportunity that is easily viewable.
- ▶ Include USDA Non-Discrimination Statement on all materials.
- ▶ Provide appropriate information in alternative formats for people with disabilities and/or limited English proficiency.

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, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the State or local Agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) 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, Mail Stop 9410, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.”³



2. Public Notification

Mandatory Displayed Documents

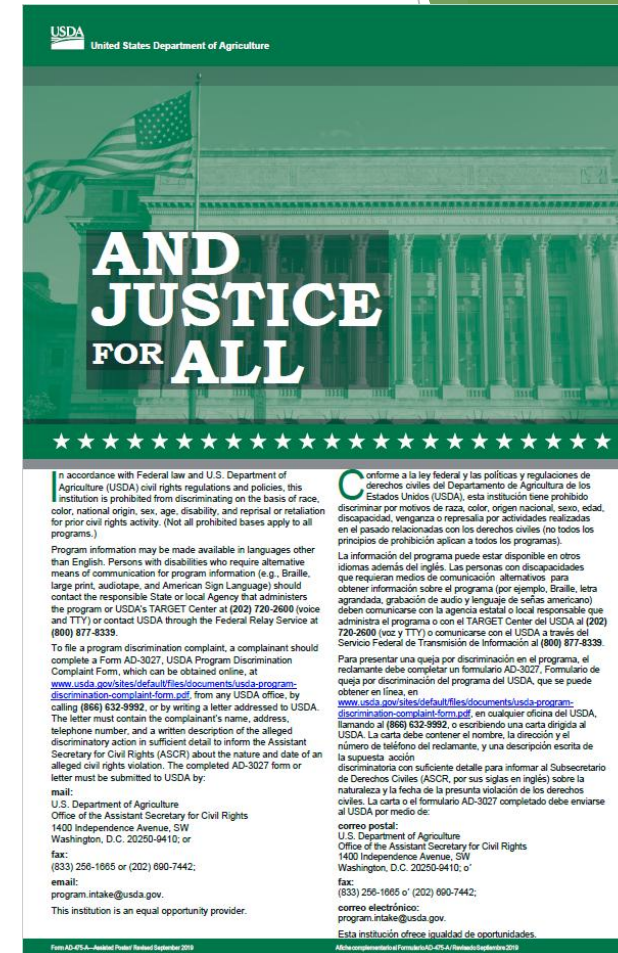
- ▶ “And Justice For All” Poster
- ▶ Civil Rights Complaint Form
- ▶ Notice for Faith-Based Organizations*

*Only required for faith-based organizations

2. Public Notification

“And Justice For All” Poster

- ▶ The “And Justice for All” poster, with the USDA’s Non-Discrimination Statement, must always be posted during food service, distribution hours & activities.
- ▶ The poster notifies individuals of their civil rights and how to file a complaint if they believe their rights have been violated.
- ▶ Email agencysupport@chestercountyfoodbank.org if you do not have a poster.



“And Justice For All” Poster source: United States Department of Agriculture (Form AD-475A, September 2019).

2. Public Notification

USDA Discrimination Complaint Form

- ▶ Federal civil rights complaints must be filed within 180 days from the alleged act of discrimination, with some exceptions.
 - ▶ Send completed forms to program.intake@usda.gov
 - ▶ English form: [AD-3027, USDA Program Discrimination Complaint Form \(ENG\)](#)
 - ▶ Spanish form: [AD-3027, Formulario de quejas por discriminación en los programas del USDA \(ESP\)](#)

AD-3027 OMB Control No: 0508-0002
Expiration Date: 09/30/2027

U.S. Department of Agriculture
USDA Program Discrimination Complaint Form

Complainant Information		
First name	Middle Initial	Last Name
Mailing Address (Include Full City, State and Zip Code)		
Primary Phone Number	Alternate Phone Number	Email
Best way to reach you: <input type="checkbox"/> Mail <input type="checkbox"/> Phone <input type="checkbox"/> Email <input type="checkbox"/> Other		
<small>If you have difficulty understanding the English language, you may request language assistance services by calling 866-632-9992. Assistance will be available for individuals who are not proficient in English. Persons with disabilities who require alternative means of communication (e.g., braille, large print, American Sign Language) should contact the responsible State or local Agency that administers the program or contact the United States Department of Agriculture (USDA) through the Federal Telecommunications Relay Service at 711 (voice TTY).</small>		
Representative Information		
Do you have a representative? <input type="checkbox"/> Yes <input type="checkbox"/> No		Do you have written authorization from representative? If so, please attach. <input type="checkbox"/> Yes <input type="checkbox"/> No
First name	Last Name	
Mailing address (Include Full City, State and Zip Code)		
Phone	Email	
Complaint Information		
<small>(attach additional pages and supporting documentation as needed)</small>		
1. Provide the name of the program you applied for (if known/applicable).		
2. Select the USDA agency that conducts the program or provides Federal financial assistance for the program. <input type="checkbox"/> Agricultural Marketing Service, AMS <input type="checkbox"/> Foreign Agricultural Service, FAS/Trade and Foreign Agricultural Affairs, TFAA <input type="checkbox"/> Food and Nutrition Service, FNS <input type="checkbox"/> Forest Service, FS <input type="checkbox"/> Farm Service Agency, FSA <input type="checkbox"/> National Institute of Food and Agriculture, NIFA <input type="checkbox"/> Natural Resources Conservation Service, NRCS <input type="checkbox"/> Rural Development, RD <input type="checkbox"/> Other <input type="checkbox"/> Unknown		
3. Date of recent alleged discrimination (mm/dd/yyyy)	4. Location and/or address of the office where discrimination occurred	
5. Who do you believe discriminated against you? Include the name(s) of person(s) involved in the alleged discrimination (if known).		



2. Public Notification

Notice for Faith-Based Organizations

- ▶ Faith-Based or Religious Organizations are required to post a written notice explaining the right of the individuals served to be referred to a non-faith based or religious service provider if they choose.



United States Department of Agriculture

NOTICE TO BENEFICIARIES AND PROSPECTIVE BENEFICIARIES

Name of Organization:

Name of Program:

Contact Information for Program Staff: [provide name, phone number, and email address, if appropriate]

Because this program is supported in whole or in part by financial assistance from the Federal Government, we are required to let you know that:

- (1) We may not discriminate against you on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice;
- (2) We may not require you to attend or participate in any explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) that are offered by our organization, and any participation by you in such activities must be purely voluntary;
- (3) We must separate in time or location any privately funded explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) from activities supported with direct Federal financial assistance; and
- (4) You may report violations of these protections, including any denials of services or benefits by an organization, by contacting or filing a written complaint with the Office of the Assistant Secretary for Civil Rights, Center for Civil Rights Enforcement, Program Complaint Division by mail, fax, or e-mail at:

Mail:

United States Department of Agriculture
Director, Center for Civil Rights Enforcement
1400 Independence Avenue, SW
Washington, DC 20250-9410

Fax: (202) 690-7442

Email: program_intake@usda.gov

- (5) If you would like to seek information about whether there are any other federally funded organizations that provide these kinds of services in your area, please contact [INSERT State Administrative Agency contact information].

This written notice must be provided to you before you enroll in the program or receive services from the program, unless the nature of the service provided, or exigent circumstances make it impracticable to provide such notice before we provide the actual service. In such an instance, this notice must be provided to you at the earliest available opportunity.

Chester County

FoodBank



2. Public Notification

Notice for Faith Based Organizations

- ▶ Faith-based organizations must ensure:
 - Participation in religious activities is never required for receiving services.
 - Any religious activities must be separate from federally funded services in time or location.
 - They must not discriminate based on religious beliefs.
 - If a client objects to the religious nature of your organization, you must make reasonable efforts to refer them to another provider

2. Public Notification

Notice for Faith Based Organizations

- ▶ *Review question:* If you run a church pantry, can you require families to send their children to Vacation Bible School (VBS) in order to receive food?

3. Data Collection

- ▶ All data must be **confidential** and stored in a **secure place**.
- ▶ Requirements for data collection must be followed:
 - ▶ TEFAP is a self-declaration of need programs, therefore, partners are **not allowed to ask for *proof* of income or photo ID**.
 - ▶ TEFAP records must be retained for **four years**.
 - ▶ TEFAP forms past the retainment period must be **shredded and disposed of in a secure manner**.

4. Training

- ▶ All program coordinators, volunteers, and staff who interact directly with the individuals and families served by your organization are required to undergo annual civil rights training.
- ▶ A Quick Guide to Civil Rights is located in Appendix H of the Community Partner Handbook. Volunteers can sign and date the back of this guide.

Appendix H

A Quick Guide to Civil Rights

To ensure equal access to our programs, participating entities MUST:

- 1. Let people know how to apply for the TEFAP/CSFP and how to file a Civil Rights Complaint:**
 - Place the "And Justice for All" poster where it can easily be seen;
 - Use the Nondiscrimination Statement on all materials and websites that mention FNS Programs;
 - Notify community groups that the program is available;
 - Provide information when an individual or group requests it;
 - Schedule hours of operation according to the needs of the community
- 2. Identify and accommodate Language needs:**
 - Find out what languages are spoken in your service area;
 - Make sure that *everyone* knows what to do when a Limited English Proficient participant needs help;
 - Provide translated material if there are many people who speak another language;
 - Hire bilingual staff when possible; otherwise, use certified interpreters or contract services (i.e. Language lines)
 - Do not ask participants to bring their own interpreters
- 3. Accommodate Persons with Disabilities:**
 - Accommodate persons with disabilities by allowing them to use pre-designated proxies to pick up food packages
 - Provide participant with hearing and vision impairments the accommodations that they need.
- 4. Data on race and ethnicity *must* be collected (ONLY FOR CSFP)**
 - Explain to participants that collecting the data is required by law; it will not affect their eligibility, and will help to prevent discrimination;
 - Remember that you **MUST** ask participants to self-identify their race and ethnicity;
 - Participants may identify more than one race
- 5. If a participant states that s/he has been treated different because of race, color, national origin, age, sex or disability:**
 - Try to resolve issues as quickly as possible;
 - Refer the participant to the Civil Rights contact, or to the address provided on the poster; and
 - Offer the participant a civil rights complaint form (available in English and Spanish)



For more information, see FNS Instruction 113 or contact FNS MARO OCR at (810) 259-5062/5123



5. Compliance Reviews

- ▶ Partners wishing to participate in TEFAP must already be compliant with civil rights requirements.
- ▶ In addition, the site visits by CCFB, a representative from the USDA or Pennsylvania Department of Agriculture may also conduct a compliance visit.

6. Accommodations for Individuals with Limited English Proficiency (LEP)

- ▶ Employ staff/volunteers who know the languages commonly spoken in the area, **if possible**.
- ▶ Compile translated materials and paperwork
- ▶ Ensure employees & volunteers know the process for serving individuals with LEP.
- ▶ Offer professional interpreters or language lines when possible
 - e.g. Google Translate

7. Accommodations for Individuals with Disabilities

- ▶ The USDA defines a **disability** as a physical or mental impairment that significantly limits one or more major life activities.
- ▶ Reasonable accommodations must be made for people with disabilities by ensuring the following are done at your organization:

7. Accommodations for Disabilities

- ▶ Recommend using pre-identified **proxies** to pick up food.
- ▶ **Helping to carry** food up and down stairs and to vehicles.
- ▶ **Reconfiguring space**, when possible, to provide an efficient flow for individuals that may use a wheelchair or have mobility challenges.
- ▶ **Providing tools** for volunteers to communicate with individuals who may be hearing or visually impaired.

8. Equal Opportunity for Religious Organizations

- ▶ Discrimination is prohibited against an organization by the USDA on the basis of religion, religious beliefs, or character.

Example Scenarios

Scenario 1

- ▶ Members of an ethnic minority group say an organization is discriminatory because it does not provide them with food that is familiar to them. Is their complaint legitimate?

Scenario 1 Explained

- ▶ It is not discriminatory for an organization to not have certain foods for specific ethnic groups. In fact, it could become discriminatory if ethnic food is provided to some groups but not to others. It is best to offer everyone diverse food choices and be sensitive to the dietary needs/habits of your consumers.
- ▶ If there are regular requests of certain types of food, it would be a good idea to try and accommodate the request if possible.

Scenario 2

- ▶ An organization wants to include religious literature with food packages that contain TEFAP commodity foods and say a prayer with shoppers as they depart. Are these activities allowed?

Scenario 2 Explained

- ▶ No. This is not allowed during food distribution hours, nor is prayer, as these acts would be in direct violation of the USDA's guidelines for freedom of religion and religious beliefs.

Scenario 3

- ▶ A pantry that receives TEFAP commodity foods is located in the basement of a building and is not accessible to people with wheelchairs or people unable to utilize stairs/steps. What are some ways to ensure that all people have equal opportunity to benefit from the food pantry?

Scenario 3 Explained

- ▶ Attempts should be made to improve access to the food pantry by way of making an elevator accessible or moving the pantry to the ground level. If these are not possible alternatives, services can be provided in another manner such as bringing a variety of food items downstairs for the person to choose from, taking their food order and delivering it to their car, or encouraging proxies.

Your Responsibility

In summary:

- ▶ **Train** staff/volunteers annually in Civil Rights and maintain necessary documentation.
- ▶ **Keep** your Civil Rights Training Certificate on file annually. (You will receive electronically within two weeks after this training)
- ▶ **Hang** the appropriate posters and forms.
- ▶ **Treat** all program participants with dignity and respect.
- ▶ **Handle** disputes with compassion and notify Chester County Food Bank when appropriate.

Questions?

Contact Information

- ▶ Laura Bender, Senior Manager of Community Partnerships
 - ▶ Email: lbender@chestercountyfoodbank.org
 - ▶ Work Phone: 610-873-6000 extension 130

Thank You!



References

- ▶ ¹Pennsylvania Department of Agriculture, Bureau of Food Distribution. (2025). *The Emergency Food Assistance (TEFAP) Outlet Manual*. https://www.pa.gov/content/dam/copapwp-pagov/en/pda/documents/food/food_assistance/the-emergency-food-assistance-program/documents/tefap%20outlet%20manual.pdf
- ▶ ²Merriam-Webster Dictionary. <https://www.merriam-webster.com/dictionary>
- ▶ ³ “About the FNS Civil Rights Division.” *Food and Nutrition Service U.S. Department of Agriculture*, 3 Feb. 2025, <https://www.fns.usda.gov/cr/about-fns-civil-rights-division>
- ▶ York County Food Bank. Civil Rights Training [PDF Presentation]. <https://yorkfoodbank.org/wp-content/uploads/2021/12/TEFAP-Civil-Rights-Training.pdf>

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