

**Authority for Civil Rights-FNS 113-1 comes from the following:**

- Title VI of the Civil Rights Act of 1964  
Implementing regulation, 7 CFR Part 15, Subpart A and Subpart C
- Americans with Disabilities Act
- Title IX of of the Education Amendments of 1972  
Implementing regulation, 7 CFR Part 15a
- Section 504 of the Rehabilitation Act of 1973  
Implementing regulation, 7 CFR Part 15b
- Age Discrimination Act of 1975
- PRWORA and DOJ Memorandum, 1999
- Civil Rights Restoration Act of 1987
- Food Stamp Act of 1977, as amended
- Enforcement of Title VI of the Civil Rights Act of 1964
- USDA Dept Reg 4330-2
- USDA Reg 7 CFR Part 16, Equal Opportunity for Religious Organizations



# CIVIL RIGHTS

COMMISSIONER TODD STAPLES  
TEXAS DEPARTMENT OF AGRICULTURE

The purpose of this brochure is to provide guidance and information regarding Civil Rights (FNS Instruction No. 113-1) and how it is applied in the Child Nutrition Programs.

## NON-DISCRIMINATION STATEMENT

(The paragraph below must be included on all printed material provided to the public.)

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer."



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A Program of the Texas Department of Agriculture's  
Food and Nutrition Division

Square Meals is the Texas Department of Agriculture's school nutrition education and outreach program, funded by the U.S. Department of Agriculture, Food and Nutrition Service.

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## Civil Rights Policies and Procedures Followed by Child Nutrition Programs:

Equal access to the Food and Nutrition Programs is essential. There is no discrimination allowed in eating periods, seating arrangements, serving lines or eating areas based on:

1. Age
2. Color
3. Disability
4. National Origin
5. Race
6. Sex

Participants must take reasonable steps to assure individuals with **Limited English Proficiency** (LEP) have access to information and services. This can be accomplished through translators, bilingual staff, outreach, Web sites or community organizations.



**The Public Notification** informs applicants, participants and potential eligibles of program availability, complaint information and the non-discrimination statement.

Districts must prominently display the **And Justice For All Poster** in the food service area and where applications are processed.

**Civil Rights Training** must be conducted annually with all Child Nutrition funded staff. Documentation of training must be kept on file.

**Data Collection** by race and ethnic category on potential eligibles is collected through the Public Education Information Management System at school districts.

Local Education Agencies must **maintain** required records pertaining to the program for five years.

**Complaint procedures** must be included on all appropriate program materials. Written or verbal complaints based on the six factors of discrimination must be forwarded to the Texas Department of Agriculture.

**Admission procedures** must not restrict enrollment by minority persons.



**Incorrectly denied free/reduced applications** must not be disproportionately composed of minority applications.

**Students living with disabilities (or special needs)** must be provided equal program benefits.

**Frequently Asked Question:** *Can we separate boy, girl, boy, girl when the students sit down to eat in the cafeteria?*

**Answer:** No. There is no separation based on race, color, sex, disability, age or national origin in eating periods, seating arrangements, serving lines or eating areas.