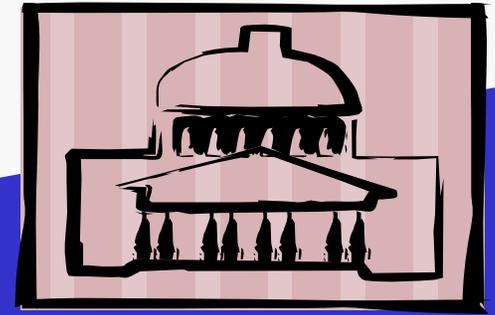


Louisiana WIC Program

CIVIL RIGHTS Training 2006



PURPOSE:



The purpose of this training is to provide you with the information that you will need to protect the Civil Rights of our applicants/participants and to guide you in the fair administration of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC).

The USDA Food and Nutrition Service (FNS) mandates that Civil Rights training be conducted annually to inform and update state and local agency staff of their obligations under the Civil Rights laws and regulations.

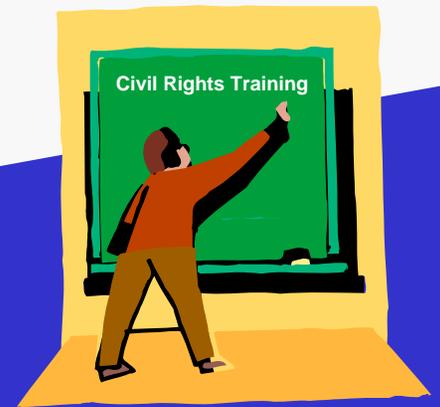
The Federal and State Management Evaluations will evaluate documentation of both the Annual and New Employee training

Federal Requirements

- **The USDA Food and Nutrition Service (FNS) mandates that Civil Rights training be conducted annually to inform and update state and local agency staff of their obligations under the Civil Rights laws and regulations.**

The Federal and State Management Evaluations will evaluate documentation of both the Annual and New Employee training

Civil Rights Training



Each WIC clinic is required to maintain a civil rights training file that includes completed signature sheets for both annual and new employee civil rights training.

A copy of the signature sheets for the Annual Civil Rights training for all employees must also be faxed to the WIC State Agency by the deadline.

Civil Rights Training for New Employees

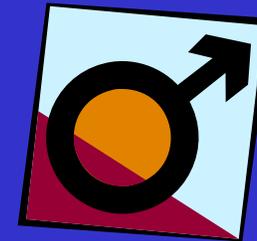
- ❖ **Each new employee will receive Civil Rights training within 30 days of employment.**
- ❖ **The latest Annual Civil Rights training will be used.**
- ❖ **The employee's supervisor will administer the training and ensure maintenance of the documentation at the site.**
- ❖ **The training documentation for new employees is reviewed during each Management and Self-Evaluation.**

A REVIEW OF CIVIL RIGHTS LAWS



No person can be denied benefits based on

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



RACE, COLOR, NATIONAL ORIGIN

- Title VI of the Civil Rights Act, 1964

Title VI of the Civil Rights Act of 1964 states that “*no person in the United States shall be discriminated against on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.*”

SEX (Gender)

- **Title IX of the Education Amendments, 1972**



Title IX is the portion of the Education Amendments of 1972 that prohibits sex discrimination in educational institutions that receive any federal funds.

In brief, Title IX states:

No person in the United States shall, on the basis of sex, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.

AGE

• Age Discrimination Act, 1975



The Age Discrimination Act of 1975 provides:

No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.

Section 17 of the Child Nutrition Act of 1966, as amended, defines the purpose of the WIC Program to provide benefits specifically to pregnant women, breastfeeding women, postpartum women, infants, and children of certain age limitations. Therefore, the eligibility determination according to age and sex in itself is not a violation of the civil rights laws. However, it would potentially be a violation of civil rights law to deny benefits to a woman strictly based on her age (e.g., a clinic cannot make eligibility decisions such as denying pregnant teen applicants as “immoral” or terminating a postpartum woman because she is over 40 years of age.

HANDICAP/DISABILITY

- **Section 504 of the Rehabilitation Act, 1973**



Handicap
Symbol

Section 504 of the Rehabilitation Act of 1973 added disability to Title VI.

Title II and Title III of the Americans with Disabilities Act of 1990 extended the requirements to all services, programs and activities of State and local governments and prohibits discrimination based on disability in other public services.

Individual with Disabilities may be defined as:

Person who has a physical or mental impairment which substantially limits one or more major life activities, has a history or record of such an impairment, or is perceived by others as having such an impairment.

ADA-Americans with Disabilities Act:

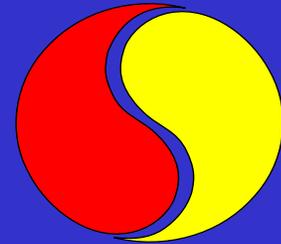


Guarantees equal opportunity for individuals with disabilities in:

- employment
- public services
- public transportation
- public accommodation, and
- telecommunications.

Definition of Race

- Race refers to people of the same ancestry



Definition of Ethnicity

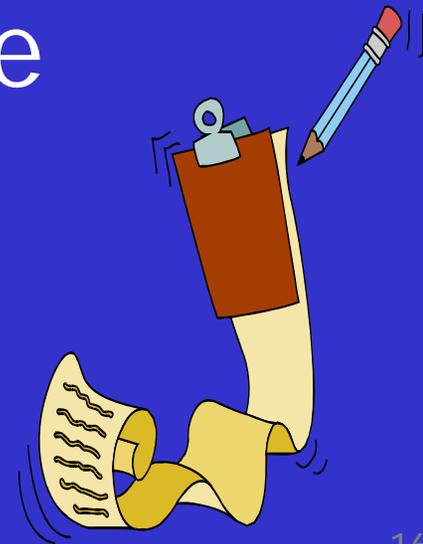


Ethnicity is defined as follows:

“Identity with or membership in a particular racial, national, cultural group and observance of that group’s customs, beliefs and language. It may also include a set of individuals whose identity as such is distinctive in terms of common cultural traditions or heritage.

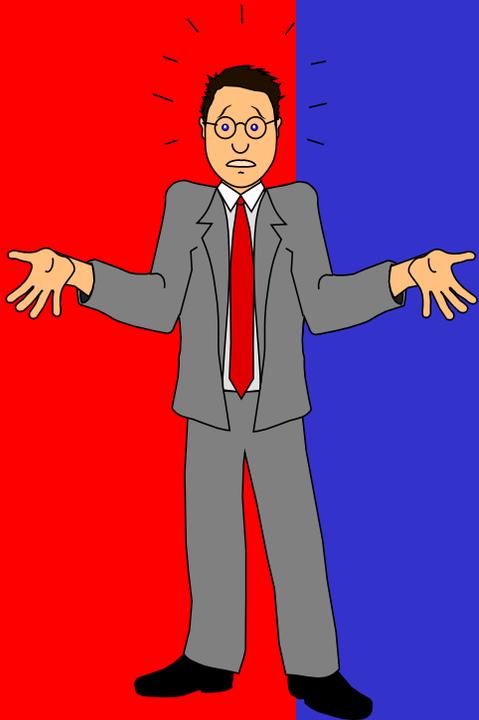
Racial/Ethnic data will be collected by each WIC Clinic in the PHAME Automated System

Data is used to generate reports required by the Federal and State Governments



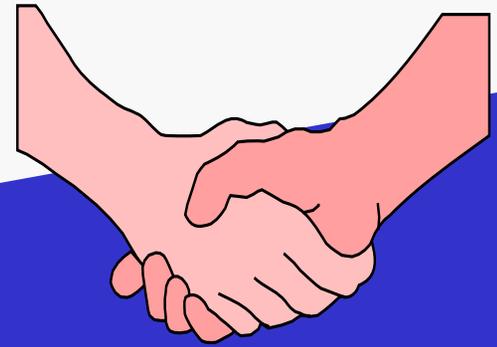
How is Racial and Ethnic Data of a WIC Applicant/Participant determined?

- Self-identification is the preferred means of obtaining information about an individual's race and ethnicity
- WIC Staff will ask the individual for their Racial/Ethnic Background.



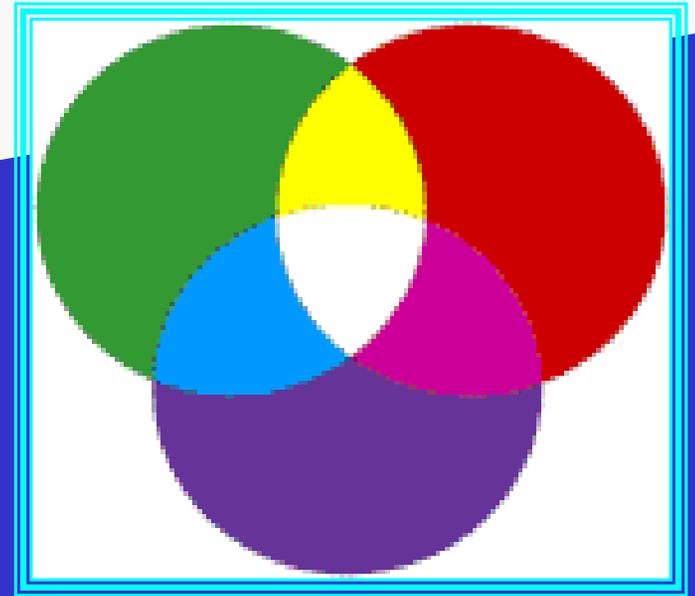
Racial identification:

UPDATED!!



- The applicant/caregiver must be allowed to read or have the following statement read to them before they are asked to provide their racial/ethnic background:
- “ The federal government collects information on racial/ethnic background to see if WIC is accessible to all groups of individuals. This information will in no way affect your eligibility for WIC or your participation in WIC.”
- See WIC Policy 9.1, 9.1.2 & 5.2

More than One Race



- Staff should make participants aware that they may declare more than one race.

A WIC participant chooses not to give racial/ethnic information



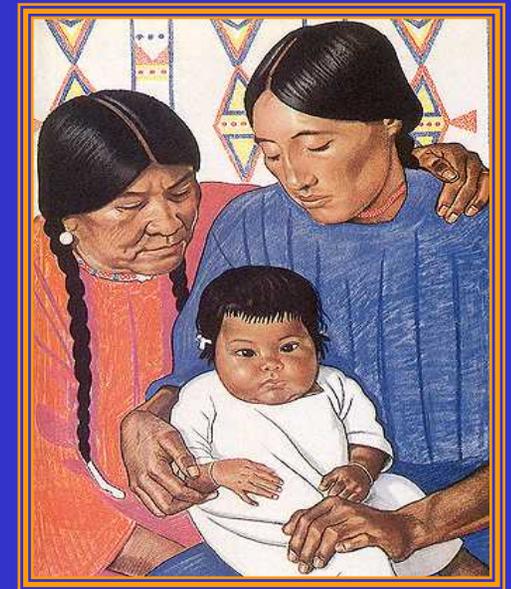
- If a participant chooses not to self-identify her/his racial and/or ethnic group, visual identification by a WIC program staff must be used to determine the participant's racial and ethnic category.
- The selection of one race is acceptable when the WIC staff performs visual identification.

Race is reported as...



American Indian or Alaskan Native

- A person having origins in any of the original peoples of North America and South America (including Central America, and who maintains tribal affiliation or community attachment.)



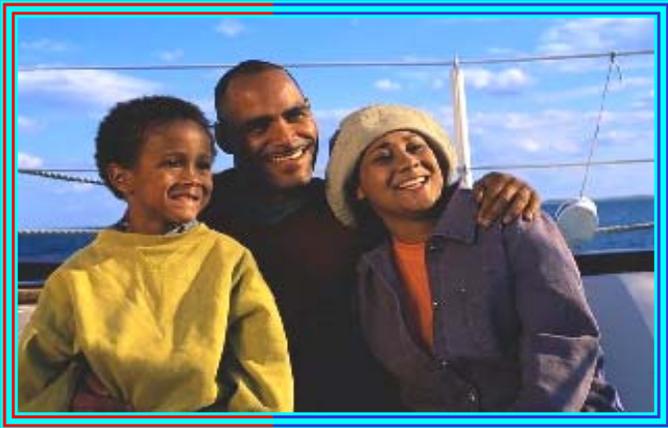
Asian or Pacific Islander

- A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam



Black or African American

- A person having origins in any of the black racial groups of Africa. Terms such as “Haitian” or “Negro” may be used by the applicant to denote that they are “Black or African American”.



Native Hawaiian or Other Pacific Islander



- A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands

White

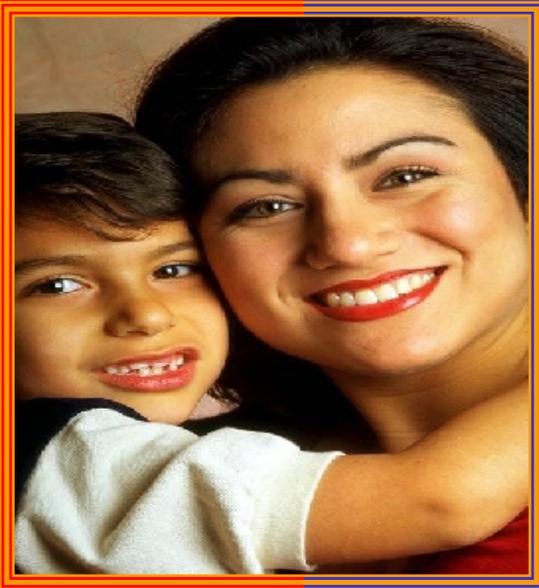
- A person with origins in any of the original peoples of Europe, the Middle East, or North Africa



Racial Information in PHAME is located on the Members General Screen

Certification	Scheduler	Food Instruments	Vendor	System Admin	Reports	Messages	Exit PHAME	
Functions	Actions	Reports	Letters	Help		Refresh	Comments	
Region: 1	Site #: 995	Family ID: 1071	Caregivers: Betty Brown					
Members	Address	Residency/Voter	Income	Participants	Information	Certify		
Family Members:	Brown, Bert	Add	Retrieve	Delete	Create Alias	Print VQC	Check MPI	Enter PASPORT ID
PHAME ID: 9211783452								
*First:	Bert	MI:		*Last:	Brown	Suffix:		
SSN:	###-##-####	*Date of Birth:	12/26/2003	*Sex:	Male			
SSN Consent:		*Ethnicity:	Non-Hispanic or Latine	Contact Phone:	###-###-####			
*Race:	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Black or African American						
	<input type="checkbox"/> American Indian or Alaskan Native	<input type="checkbox"/> Asian						
	<input type="checkbox"/> Native Hawaiian or Other pacific Islander							
History								
Relationship to Family *Effective Date End Date								
<input type="checkbox"/> Caregiver						Edit	Delete	
<input checked="" type="checkbox"/> Participant	04/22/2005	MM/DD/YYYY				Edit	Delete	
<input type="checkbox"/> Proxy						Edit	Delete	
Foster Child: <input type="checkbox"/>								
Caregiver Physical Disability: <input type="text"/>								
Caregiver Language Barriers: <input type="text"/>								
Disqualification Date: MM/DD/YYYY								
Disqualification End Date: MM/DD/YYYY								
Disqualification Reason: <input type="text"/>								
Notification of Disqualification Date: MM/DD/YYYY								

Ethnicity- Hispanic or Latino



- The following is the definition that must be used for ethnicity as Hispanic or Latino:
- A person of Cuban, Mexican, Puerto Rican, South or Central America, or other Spanish culture or origin, regardless of race.
- The term “Spanish origin” may be used by the applicant to denote that they are “Hispanic or Latino”.

Asking about Ethnicity

- According to the Louisiana WIC Civil Rights Policy 5.2, it is recommended that you ask the WIC Applicant/Participant the following question concerning ethnicity:
- *“Would you please state whether you/your child is “Hispanic or Latino” or state if they are “Not Hispanic or Latino”*
- The ethnicity information for the WIC applicant/participant may then be documented in the PHAME computer system.

Ethnicity Information is also collected on the PHAME General Members Screen

Certification	Scheduler	Food Instruments	Vendor	System Admin	Reports	Messages	Exit PHAME
Functions	Actions	Reports	Letters	Help		Refresh	Comments
Region: 1	Site #: 995	Family ID: 1071	Caregiver: Betty Brown				
<u>M</u> embers	Address	Residency/Voter	Income	Participants	Information	Certify	
Family Members:	Brown, Bert	Add	Retrieve	Delete	Create Alias	Print VOC	Check MPI
Enter PASSPORT ID							
PHAME ID: 9211783452							
*First:	Bert	MI:		*Last:	Brown	Suffix:	
SSN:	###-##-####	*Date of Birth:	12/26/2003				
SSN Consent:		*Ethnicity:	Non-Hispanic or Latino	Cont			
*Race:	<input checked="" type="checkbox"/> White		Hispanic or Latino				
	<input type="checkbox"/> American Indian or Alaskan Native		Non-Hispanic or Latino				
	<input type="checkbox"/> Native Hawaiian or Other pacific Islander						
History							

The Ethnicity information in PHAME is Located here. You may choose either Hispanic or Latino or Non-Hispanic or Latino. The Ethnicity field in PHAME is a Required Field.

WIC Civil Rights Policy: Chapter 5

Civil Rights, Complaints and Fair Hearings

The Louisiana WIC Civil Rights Policy can be found in the Chapter 5 titled “Civil Rights, Complaints and Fair Hearings” of the WIC Policy and Procedure Manual.

WIC Nondiscrimination Statement

The Louisiana Office of Public Health WIC Program provides WIC benefits without regard to race, color, national origin, age, sex or disability.

WIC Non-Discrimination Statement

This means that on the basis of race, color, national origin, sex, age or disability, no individual will be:

1. Denied service or other benefits provided under the program.
2. Provided any service or benefits in a different manner from that provided to others under the program.
3. Subjected to segregation or separate treatment in any matter related to receipt of services under the program.
4. Restricted in the enjoyment of any advantage or privileges enjoyed by other receiving services under the program.
5. Treated differently from others in the determination of enrollment, admission or eligibility for any services or other benefits under the program.

Non-Discrimination Statement & WIC Outreach

If you have questions call 1-800-251-BABY or call your local WIC clinic.

LOUISIANA DEPARTMENT OF HEALTH & HOSPITALS Public Information Series

WIC Services

- Nutrition screening and assessment
- Nutrition counseling
- Nutritious food packages
- Breast-feeding guidance
- Breast pump loan program
- Food Tastings
- Nutrition activities and group classes
- Infant formula preparation education
- Cooking demonstrations and recipes
- Referral assistance to other public programs

Frequently Asked Questions

Q. It's hard for me to get off of work or school to come to all of the WIC appointments, what can I do?

A. The WIC Program lets you have a "proxy" or another person go to certain appointments for you and pick-up your WIC vouchers. Your proxy can also go to the grocery and pick-up your WIC foods for you.

Q. I can't take my child out of school to go to so many WIC appointments, what can I do?

A. Children should be present at their first visit, but there are certain times when this child does not have to be present. Please ask your local WIC office.

Q. Do I need to be eligible for Medicaid to qualify for WIC?

A. No, you just need to meet the income guidelines. You can find out the income guidelines by contacting your local WIC clinic.

WIC Food Package

The WIC food packages provide foods that are good sources of protein, calcium, iron, vitamin C, and vitamin A. These nutrients are important for growing babies and children as well as pregnant and breastfeeding women.



Special Supplemental Nutritional Program for Women Infants Children

Protein – builds strong muscles and body tissues. WIC sources are milk, evaporated milk, eggs, cheese, peanut butter, beans/peas, and tuna.

Calcium – important for growing strong bones and teeth. WIC sources include milk, evaporated milk, and cheese.

Iron – helps to keep your blood and body healthy. WIC sources of iron are infant formula, WIC cereals, beans/peas, peanut butter and tuna.

Vitamin C – builds healthy bones, teeth, and skin and also helps heal wounds and burns. WIC sources are fruit and vegetable juices.

Vitamin A – helps fetal and infant growth. WIC food source is carrots.

"USDA is an equal opportunity provider and employer." To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Andrew Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-4610 or call (202) 726-6868 voice and TDD. 800-455-9454

This public document is published at a total cost of \$ 8,100.00. 100,000 copies of this public document were published in this format at a cost of \$6,100.00. This document was published by Office of Public Health to inform the public of the WIC Program under the authority of 7 C.F.R. Part 246. This material was printed in accordance with standards for printing by State Agencies established in 45 C.F.R. 101.11. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes. BCTD 0104



OUTREACH (WIC Policy 5.5)

Outreach materials include all information sheets, brochures, publications, posters, and public announcements that inform the public about the WIC Program, benefits or eligibility criteria. All outreach materials that are developed by the clinic must be submitted to the State Agency for approval prior to implementation. Any materials that are considered as Outreach must contain the following appropriate nondiscrimination statement:

Note: The text of the non discrimination statement should be the same font or print size as the rest of the text used on the outreach materials

Non-Discrimination Statement

UPDATED!!

Full
Statement

"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 (202)720-6382 or 1-800-795-3272 (for Voice and TTX.) USDA is an equal opportunity provider and employer."

August 2006

Non-Discrimination Statement

UPDATED!!

**Minimum
Statement**

If the material is too small to permit the full statement to be included, at minimum include one of the following statements, in print no smaller than the text that...

“WIC is an equal opportunity provider” or “This institution is an equal opportunity provider”.

These statements may be used for radio and TV Public Service Announcements.

Non-Discrimination Statement

- Found on the WIC-2 Income Screening Form
- MUST be read to or read by each participant or authorized caregiver/proxy at each certification
- Must be signed by participant or authorized caregiver/proxy.



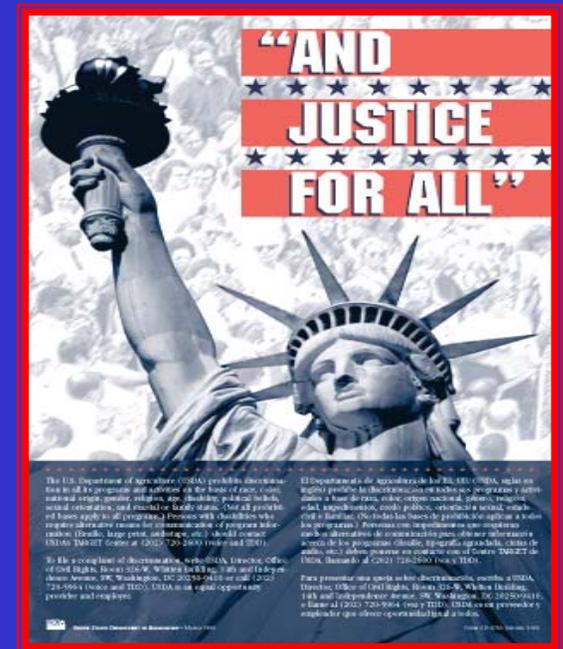
Notification Requirements

UPDATED!!

You must permanently display the following 3 items together in all the WIC waiting areas of your clinics for all WIC participants to see: *The “And Justice and For All Poster”, WIC Complaint Notice and WIC Complaint and Appeal Form.*

“And Justice For All” Poster

Most of you have seen the “And Justice For All Poster” on the wall in your clinic. This poster is a federally mandated requirement and is the most highly recognized form of public notification of the nondiscrimination policy. If you do not have an “And Justice For All “ poster or need a new one, please contact Gloria Powell the Civil Rights Policy Coordinator at the WIC State Agency at (225) 342-7899.



Notification Requirements

WIC Complaint Notice

The Office of Public Health WIC Complaint Notice is required to be displayed in the same area as the “And Justice for All” poster. The WIC Complaint Notice gives instructions on where to obtain a complaint form and how to file a civil rights complaint.

WIC Complaint and Appeal Form

A copy of the WIC Complaint and Appeal form must be displayed in the same area as the WIC Complaint Notice.

UPDATED!!

WIC COMPLAINT NOTICE

OFFICE OF PUBLIC HEALTH

WIC COMPLAINT NOTICE

DRAFT 7/31/06 GP

WIC CLIENT COMPLAINT

If you are dissatisfied with the WIC services or treatment you received, you may obtain a complaint form located in the waiting room of any WIC Clinic. Complete the complaint form and mail it to the address on the WIC Director's address on the form. If you feel you have been discriminated against, please see "Civil Rights Complaint" below.

CIVIL RIGHTS COMPLAINT

In accordance with Federal law and the 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 of Civil Rights
1400 Independence Avenue, SW
Washington, DC 20250-9410

Or call:

800-795-3272 (Voice)
202-720-6382 (TTY)

"USDA is an equal opportunity provider and employer"

BENEFIT APPEAL AND FAIR HEARING

If you have been:

- Denied benefits
- Terminated
- Suspended
- Required to make a cash repayment for excessive benefits received

To request a fair hearing, obtain a WIC Complaint and Appeal form located in the waiting room of any WIC Clinic. Complete the form and mail it to the WIC Director's address on the form.

"WIC is an equal opportunity provider"

CLIENTS MAY FILE A COMPLAINT WITHOUT FEAR OF HARRASSMENT OR PENALTIES

WIC Notification Requirements and Accessibility



The WIC applicant must always have accessibility to the “And Justice and for All” poster, the Office of Public Health WIC Complaint Notice and the WIC Complaint and Appeal Form. Failure to display these as instructed will result in non-compliance and a deficiency during the management evaluation (ME) conducted by the State Agency and Federal ME by USDA’s Southwest Regional Office.

WIC staff is responsible for reading the “And Justice for All” poster and the Office of Public Health WIC Complaint Notice to individuals who are unable to read.

Language Translation for non-English Speaking participants



The information from the “And Justice for All” poster and the WIC Complaint Notice must be translated for all non-English speaking participants.

The Louisiana Office of Public Health contracts with a Language Line Service to provide translation in the appropriate language for non-English speaking participants. The following procedure is used by All WIC Clinics to access the Language Line Service:

Accessing the Language Line Service

All WIC Clinics should

- ❖ Call 1-800-752-6096
- ❖ Provide the Clinic Client ID Number
- ❖ Provide your organization (personal code)
- ❖ Provide your Access Code

Language Line Service- Not Just for Civil Rights!!

In addition to the translation of the Civil Rights materials, the Language Line Service may be used at any point during the WIC assessment when translation is needed for non-English speaking WIC applicants/participants

Right to File a Complaint

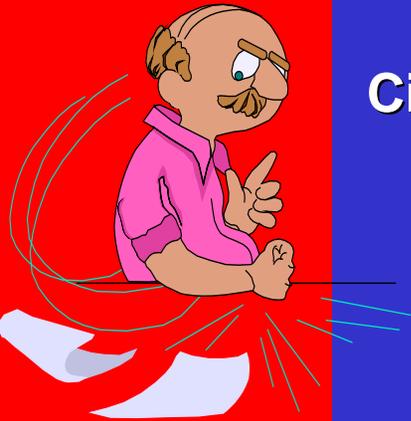
CIVIL RIGHTS COMPLAINT PROCEDURE

Civil Rights Complaints (Chapter 5.6)

All WIC applicants and participants have a right to file a complaint alleging discrimination based on race, color, national origin, sex, age or disability of the alleged discriminatory action.

Civil Rights Complaint Folder

It is recommended that all WIC clinics create and maintain a **Civil Rights Complaint Folder** that contains documentation of all the civil rights complaints that have been filed at their clinics either verbally or in written form. The Civil Rights Complaint Folder should be available at all times even if a Civil Rights complaint has not been filed.



ALL CIVIL RIGHTS COMPLAINTS WILL BE ACCEPTED:

- Written
- Oral
- Anonymous



UPDATED!!

Rules for Handling Civil Rights Complaints:



Participants should send Civil Rights Complaints to the following address as stated on the WIC Complaint Form:

USDA

Director of Civil Rights

1400 Independence Avenue, SW

Washington, DC 20250-9410

Rules for Handling Civil Rights Complaints



Civil Rights complaints will be processed by the USDA with assistance provided by the WIC Director as requested. The time frames for processing assistance is determined by USDA.

The WIC Director will track and record the closure of Civil Rights Complaints.

A copy of the Civil Rights complaint and the resolution must be maintained at the State Agency, at the site of occurrence, and another copy forwarded to the OPH Regional Administrator.

Rules for Handling Non-Civil Rights Complaints

Must be acknowledged within 14 days and resolved within 45 days of receipt.

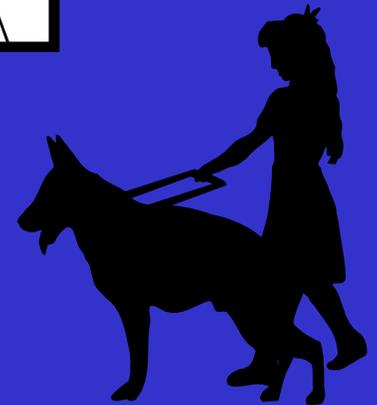
Every effort shall be made to protect the applicant/ participant from punitive actions

The WIC Director manages the resolution of all non - civil rights complaints

Original complaints and the resolution must be maintained in the WIC State Agency

A copy of the complaint and the resolution must be maintained at the site of occurrence and another copy forwarded to the OPH Regional Administrator

CIVIL RIGHTS



Thanks!!

Please Sign the 2006 WIC Employee Annual Civil Rights Training Signature Sheet once you have completed this power point presentation, keep the original in your annual civil rights training file and fax a copy to Your Regional Nutritionist.

Thank You for Your Cooperation!!

