

**GOODHUE COUNTY  
HEALTH & HUMAN SERVICES (GCHHS)**



**REQUEST FOR BOARD ACTION**

<b>Requested Board Date:</b>	February 18, 2025	<b>Staff Lead:</b>	Nina Arneson
<b>Consent Agenda:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Attachments:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Action Requested:</b>	Approve 2024 - 2026 State - County Civil Rights Assurance Agreement.		

**BACKGROUND:**

The U.S. Department of Agriculture (USDA), under the Supplemental Nutrition Assistance Program (SNAP) State agencies must ensure their own civil rights compliance as well as the compliance of their sub-recipients of Federal financial assistance, such as county human service agencies in Minnesota.

This agreement agrees to comply with all applicable Federal and State Civil Rights Laws, attached.

Assurance Agreement Review and Signature

Young, Sharieka (DHS) <Sharieka.Young@state.mn.us>  
To

You forwarded this message on 1/23/2025 11:16 AM.

Civil Rights Assurance Agreement 2024-26.pdf  
197 KB

You don't often get email from [sharieka.young@state.mn.us](mailto:sharieka.young@state.mn.us). [Learn why this is important](#)

**External Email - Use caution opening links or attachments!**

Dear County agency partners,

Happy New Year! My name is Sharieka Young, and I am DHS' interim Civil Rights Coordinator. It is that time of year for us to update Assurance Agreements. These agreements are your agency's written agreement promising to comply with Federal nondiscrimination laws. The new agreement will stay in place until December 31, 2026. Please take this time to update your expired agreements and sign them by the **due date of March 25, 2025**. Your agency's Civil Rights Coordinator should review, sign, and return the document or the Human Services Director.

Lastly, please anticipate future communications from EOAD regarding updating your Civil Rights Plan and "I Speak Posters." Thank you!

Best regards,

**Sharieka Young**  
Interim Civil Rights Coordinator  
Equal Opportunity & Access Division

**Minnesota Department of Human Services**  
540 Cedar Street, P.O. Box 64997  
St. Paul, MN 55104-0976  
O: 651-431-5731  
[mn.gov/dhs](http://mn.gov/dhs)

**RECOMMENDATION:** GCHHS Department recommends approval as requested.



## 2024-2026 STATE-COUNTY CIVIL RIGHTS ASSURANCE AGREEMENT

The County Agency Goodhue County Health and Human Services agrees to act in accordance with the provisions of the Food and Nutrition Act of 2008, as amended, implementing regulations and any applicable provisions of the FNS approved State Plan of Operation with the State of Minnesota. The County Agency and the State agency further agree to fully comply with any changes in Federal law and regulations. This agreement may be modified with the mutual consent of the County Agency, the State agency, and FNS USDA.

The County Agency agrees to comply with the State-County Civil Rights Assurance Agreement as a condition of receiving Federal financial assistance provided to the State of Minnesota by the USDA under the authority of the Food and Nutrition Act of 2008, as amended.

The State-County Civil Rights Assurance Agreement is binding upon the County Agency, its successors, transferees, and assignees for as long as the County Agency receives Federal financial assistance from the State of Minnesota by the USDA under the authority of the Food and Nutrition Act of 2008, as amended.

The State of Minnesota may enforce all parts of the Civil Rights Assurance Agreement as a condition of the County Agency's receipt of Federal funds from the State of Minnesota by the USDA under the authority of the Food and Nutrition Act of 2008, as amended.

**Compliance by Contractors and Vendors:** The County Agency further agrees that by accepting this Civil Rights Assurance Agreement, it will obtain a written statement of assurance from all of its contractors and vendors (*i.e.*, applying to all programs), assuring that they will also operate in compliance with the stated nondiscrimination laws, regulations, policies, and guidance. The written statement of assurance from all of its contractors and vendors must be maintained as part of the County Agency's Comprehensive Civil Rights Plan and must be made available for review upon request by the State of Minnesota or the U.S. Department of Agriculture.

### **RECIPIENT AGREES TO COMPLY WITH ALL APPLICABLE FEDERAL AND STATE CIVIL RIGHTS LAWS:**

#### **The County Agency agrees to:**

1. Administer all programs in accordance with the provisions contained in the Food and Nutrition Act of 2008, as amended, and in the manner prescribed by regulations issued pursuant to the Act; and to follow the FNS-approved State Plan of Operation.
2. Assurance of Civil Rights Compliance: Comply with Title VI of the Civil Rights Act of 1964 ([42 U.S.C. 2000d et seq.](#)), Title IX of the Education Amendments of

1972 ([20 U.S.C. 1681 et seq.](#)), Section 504 of the Rehabilitation Act of 1973 ([29 U.S.C. 794](#)), the Age Discrimination Act of 1975 ([42 U.S.C 6101 et seq.](#)), section 11(c) of the Food and Nutrition Act of 2008, as of amended (7 U.S.C 2020), Title II and Title III of the Americans with Disabilities Act (ADA) of 1990 as amended by the ADA Amendments Act of 2008 ([42 U.S.C. 12131-12189](#)) as implemented by Department of Justice regulations at [28 CFR part 35](#) and [36](#), Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” (August 11, 2000), and all requirements imposed by the regulations issued by the Department of Agriculture to the effect that, no person in the United States shall, on the grounds of sex, including gender identity and sexual orientation, race, color, age, political belief, religious creed, disability, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under SNAP. This includes program-specific requirements found at [7 CFR part 15 et. seq.](#) and [7 CFR 272.6](#).

This assurance is given in consideration of and for the purpose of obtaining any and all Federal assistance extended to the State by the USDA under the authority of the Food and Nutrition Act of 2008, as amended. Federal financial assistance includes grants, and loans of Federal funds; reimbursable expenditures grants or donations of Federal property and interest in property; the detail of Federal personnel; the sale, lease of, or permissions to use Federal property or interest in such property; the furnishing of services without consideration, or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting the recipient or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient; or any improvements made with Federal financial assistance extended to the State by USDA. This assistance also includes any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of cash assistance for the purchase of food, cash assistance for purchase or rental of food service equipment or any other financial assistance extended in reliance on the representations and agreements made in this assurance.

By accepting this assurance, the County agency agrees to compile data, maintain records, and submit records and reports as required, to permit effective enforcement of nondiscrimination laws and permit authorized USDA personnel during hours of program operation to review and copy such records, books, and accounts, access such facilities and interview such personnel as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the State agency, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the County agency, its successors, transferees and assignees as it receives assistance or retains possession of any assistance from USDA. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the County agency.

3. (For States with Indian Reservations only). Implement the program in a manner that is responsive to the special need of American Indians on reservations and

consult in good faith with tribal organizations about that portion of the State’s Plan of Operation pertaining to the implementation of the Program for the members of the tribe on reservations.

- 4. FNS agrees to: 1. Pay administrative cost in accordance with the Food and Nutrition Act of 2008, implementing regulations, and an approved Cost Allocation Plan.
- 2. Carry out any other responsibilities delegated by the Secretary in the Food and Nutrition Act of 2008, as amended.

**By signing on behalf of the County Agency, I state that I am authorized to bind the County Agency to the terms of the 2024-2026 Civil Rights Assurance Agreement and commit it to the above provisions.**

\_\_\_\_\_  
Signature of agency representative

\_\_\_\_\_  
Print Name

Goodhue County Health and Human Services  
\_\_\_\_\_  
Name of County Agency

426 West Ave. Red Wing, MN 55066  
\_\_\_\_\_  
Street Address, City, State, Zip Code

**Unless amended or rescinded, this 2024-2026 Civil Rights Assurance Agreement is valid through December 31, 2026.**

## **ADDENDUM**

### **Clarification of SNAP Civil Rights Requirements - Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)," and Titles II and III of the Americans with Disabilities Act.**

This addendum clarifies core civil rights requirements to ensure meaningful access to programs, services, and information for persons with Limited English Proficiency (LEP) and persons with disabilities in accordance with Federal law, regulations, and current guidance from the U.S. Department of Department of Justice (DOJ) and the U.S. Department of Agriculture (USDA).

#### **Meaningful Access for LEP Individuals**

County agencies that participate in the Supplemental Nutrition Assistance Program (SNAP) must take reasonable steps to ensure that LEP persons have meaningful access to programs, services, and benefits. This includes the requirement to provide bilingual program information and certification materials and interpretation services to single-language minorities in certain project areas. SNAP County agencies that do not provide meaningful access for LEP individuals risk violating prohibitions against discrimination based on National Origin in the Food and Nutrition Act of 2008, as amended, Title VI of the Civil Rights Act of 1964 (Title VI), and SNAP program regulations.

Federal LEP regulations and guidance include:

- SNAP regulations provided by 7 CFR Part 272.4 (b), "Bilingual requirements";
- Executive Order 13166 of August 11, 2000, "Improving Access to Services for Persons with Limited English Proficiency," reprinted in 65 FR 50121, 50122 (August 16, 2000);
- DOJ policy guidance titled, "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons," published in 67 FR 41455, 41457 (June 18, 2002); and
- USDA policy guidance titled, "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons," published in 79 FR 70771-70784 (November 28, 2014).

#### **Four Factor Analysis for Assessing LEP Needs**

To be in compliance, the Title VI guidance provided by DOJ and USDA instructs County Agencies to assess the LEP needs of the population served and determine the LEP services required by balancing four factors:

1. The number or proportion of persons with limited English proficiency are eligible to be served or likely to be encountered within the area serviced by the recipient;

2. The frequency with which persons with limited English proficiency come in contact with the program;
3. The nature and importance of the program, activity, or service to people's lives; and
4. The resources available to the recipient and costs.

SNAP County agencies must also comply with the specific requirements established by 7 CFR Part 272.4 (b) and should include these obligations in the LEP assessment.

### **Developing an LEP Plan**

After completing an assessment of LEP needs, SNAP County agencies should develop an implementing plan to address the LEP needs of the population served. This may include contracting for oral interpretation services, hiring bilingual staff, arranging for telephone interpreters and/or language lines, coordinating community volunteers, translating vital documents, and providing written notice that language line services are available in appropriate languages. Quality and accuracy of the language service is critical in order to avoid serious consequences to the LEP person and to the recipient. LEP needs should be considered in developing County and local budgets and front-line staff should understand how to obtain LEP services.

USDA's 2014 policy guidance includes detailed information on assessing LEP needs, identifying practices for translating documents that will be seen as strong evidence of compliance. For additional assistance and information regarding LEP matters, please also visit <http://www.lep.gov>. The website includes online LEP mapping tools designed to help assess the language needs of the population served by a particular program or facility.

### **Ensuring Equal Opportunity Access for Persons with Disabilities**

SNAP County agencies must also ensure equal opportunity access for persons with disabilities. This includes ensuring that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with people without disabilities. County agencies that do not provide persons with disabilities equal opportunity access to programs may risk violating prohibitions against disability discrimination in the Rehabilitation Act of 1978, the Americans with Disabilities Act (ADA), and SNAP program regulations. DOJ published revised final regulations implementing Titles II and III of the ADA on September 15, 2010. These regulations are codified at 28 CFR Part 35, "Nondiscrimination on the Basis of Disability in State and Local Government Services" and 28 CFR Part 36, "Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities." In accordance with the implementing regulations, County Agencies must provide auxiliary aids and services where necessary to ensure effective communication and equal opportunity access to program benefits for individuals with disabilities. The type of auxiliary aids and services required will vary, but a County agency may not require an individual with a disability to bring another individual to interpret, and may rely on a person accompanying a

disabled individual only in limited circumstances. When a County agency communicates with applicants and beneficiaries by telephone, it must provide text telephone services (TTY) or an equally effective electronic telecommunications system to communicate with individuals who are deaf, hard of hearing, or hearing impaired. County agencies must also ensure that interested persons, including people with low vision or who are hard of hearing can obtain information as to the existence and location of accessible services, activities, and facilities. For more information, please visit the ADA website: [www.ada.gov](http://www.ada.gov)

**Please submit the signed 2024-2026 STATE-COUNTY CIVIL RIGHTS ASSURANCE AGREEMENT to:**

**Civil Rights Coordinator  
Minnesota Department of Human Services  
Equal Opportunity and Access Division (EOAD)  
P.O. Box 64997  
St. Paul, MN 55164-0997**

**Email: [dhs.equalopportunity@state.mn.us](mailto:dhs.equalopportunity@state.mn.us)**

**EOAD Telephone: 651-431-3040 (voice) or use your preferred relay service**