



Food and
Nutrition
Service

October 26, 2015

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

SUBJECT: WIC Program Policy Memorandum #2016-2
Updated Nondiscrimination Statement for WIC Materials

TO: Regional Directors
Special Nutrition Programs
All Regions

WIC State Agency Directors
All Regions

This policy memorandum transmits changes from the Office of the Assistant Secretary for Civil Rights regarding the appropriate nondiscrimination statement to use on Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) materials. This policy memorandum supersedes Civil Rights Memorandum, *USDA Nondiscrimination Statement Update*, dated, May 24, 2013, and the last issued WIC Policy Memorandum 2010-7 dated April 15, 2010.

Per WIC Regulations §248.6 (a), the State agency shall comply with the requirements of title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Department of Agriculture regulations on nondiscrimination (7 CFR parts 15, 15a and 15b), and FNS instructions to ensure that no person shall, on the grounds of race, color, national origin, age, sex or handicap, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under the Program. Compliance with title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and regulations and instructions issued thereunder shall include, but not be limited to: notification to the public of the nondiscrimination policy and complaint rights of participants and potentially eligible persons.

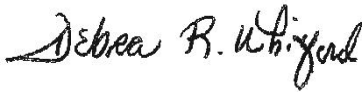
WIC State agencies are required to update WIC related materials by the dates indicated in the attached memo.

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Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

Regional Directors and WIC State Agency Directors
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State agencies with questions regarding the attached memo should contact their respective Regional Civil Rights Director.

A handwritten signature in black ink that reads "Debra R. Whitford". The signature is written in a cursive style with a large initial 'D'.

DEBRA R. WHITFORD
Director
Supplemental Food Programs Division

Attachment

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United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

October 14, 2015

Subject: Revised Equal Opportunity Public Notification Policy

To: Associate Administrators
Deputy Administrators
Regional Administrators
Staff Directors

On June 2, 2015, the Office of the Assistant Secretary for Civil Rights' Policy staff, released Departmental Regulation (DR) 4300-003, Equal Opportunity Public Notification Policy. The DR updates the Nondiscrimination Statement and the "*And Justice For All*" poster.

The DR, which includes the Nondiscrimination Statement language for our programs, can be found at: <http://www.ocio.usda.gov/policy-directives-records-forms/directives-categories/whats-new>. New "*And Justice For All*" posters are in the design/printing phase. Posters will be shipped directly to States when printed based on the orders received by each regional office in September. A timeline for distribution cannot be determined until printing commences.

Attached is the revised 2015 Nondiscrimination Statements (NDS) to be used for all FNS programs. All documents, pamphlets, websites, etc. should be updated as follows:

1. Websites must be updated by November 20, 2015;
2. Documents, pamphlets, brochures, etc. using NDS language prior to 2013 must be Updated by December 31, 2015;
3. Documents, pamphlets, brochures, etc. using 2013 NDS language should be updated when supplies are exhausted or by September 30, 2016; or
4. All new printing must use the 2015 NDS.

Please provide this information to your National and Regional Office program staffs and State and local agencies and subrecipients.

If you have questions, please contact Crystal Tolar, Chief, Compliance Branch, at: crystal.tolar@fns.usda.gov or your Regional Civil Rights Director.


David E. Youngblood, Director
Civil Rights Division

Attachment

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USDA Nondiscrimination Statement

SNAP and FDPIR State or local agencies, and their subrecipients, must post the following Nondiscrimination 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, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, 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
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

USDA Nondiscrimination Statement (Continued)

For all other FNS nutrition assistance programs, State or local agencies, and their subrecipients, must post the following Nondiscrimination 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, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

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USDA Nondiscrimination Statement (Continued)

Joint Application Form (HHS)

This institution is prohibited from discriminating on the basis of race, color, national origin, disability, age, sex and in some cases religion or political beliefs.

The U.S. Department of Agriculture also prohibits discrimination based on race, color, national origin, sex, religious creed, disability, age, political beliefs or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish or call the [State Information/Hotline Numbers](#) (click the link for a listing of hotline numbers by State); found online at: http://www.fns.usda.gov/snap/contact_info/hotlines.htm.

To file a complaint of discrimination regarding a program receiving Federal financial assistance through the U.S. Department of Health and Human Services (HHS), write: HHS Director, Office for Civil Rights, Room 515-F, 200 Independence Avenue, S.W., Washington, D.C. 20201 or call (202) 619-0403 (voice) or (800) 537-7697 (TTY).

This institution is an equal opportunity provider.

USDA Nondiscrimination Statement 2015 (Spanish Translation)

SNAP and FDPIR State or local agencies, and their subrecipients, must post the following Nondiscrimination Statement:

Las agencias estatales o locales de SNAP y FDPIR, y sus beneficiarios secundarios, deben publicar el siguiente Aviso de No Discriminación:

De conformidad con la Ley Federal de Derechos Civiles y los reglamentos y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA, por sus siglas en inglés), se prohíbe que el USDA, sus agencias, oficinas, empleados e instituciones que participan o administran programas del USDA discriminen sobre la base de raza, color, nacionalidad, sexo, credo religioso, discapacidad, edad, creencias políticas, o en represalia o venganza por actividades previas de derechos civiles en algún programa o actividad realizados o financiados por el USDA.

Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano, etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las personas sordas, con dificultades de audición o con discapacidades del habla pueden comunicarse con el USDA por medio del Federal Relay Service [Servicio Federal de Retransmisión] llamando al (800) 877-8339. Además, la información del programa se puede proporcionar en otros idiomas.

Para presentar una denuncia de discriminación, complete [el Formulario de Denuncia de Discriminación del Programa del USDA](#), (AD-3027) que está disponible en línea en: http://www.ascr.usda.gov/complaint_filing_cust.html y en cualquier oficina del USDA, o bien escriba una carta dirigida al USDA e incluya en la carta toda la información solicitada en el formulario. Para solicitar una copia del formulario de denuncia, llame al (866) 632-9992. Haga llegar su formulario lleno o carta al USDA por:

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

Esta institución es un proveedor que ofrece igualdad de oportunidades.

USDA Nondiscrimination Statement 2015 (Spanish Translation Cont'd)

For all other FNS nutrition assistance programs, State or local agencies, and their subrecipients, must post the following Nondiscrimination Statement:

Los demás programas de asistencia nutricional del FNS, las agencias estatales y locales, y sus beneficiarios secundarios, deben publicar el siguiente Aviso de No Discriminación:

De conformidad con la Ley Federal de Derechos Civiles y los reglamentos y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA, por sus siglas en inglés), se prohíbe que el USDA, sus agencias, oficinas, empleados e instituciones que participan o administran programas del USDA discriminen sobre la base de raza, color, nacionalidad, sexo, discapacidad, edad, o en represalia o venganza por actividades previas de derechos civiles en algún programa o actividad realizados o financiados por el USDA.

Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano, etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las personas sordas, con dificultades de audición o discapacidades del habla pueden comunicarse con el USDA por medio del Federal Relay Service [Servicio Federal de Retransmisión] al (800) 877-8339. Además, la información del programa se puede proporcionar en otros idiomas.

Para presentar una denuncia de discriminación, complete el [Formulario de Denuncia de Discriminación del Programa del USDA](#), (AD-3027) que está disponible en línea en: http://www.ascr.usda.gov/complaint_filing_cust.html y en cualquier oficina del USDA, o bien escriba una carta dirigida al USDA e incluya en la carta toda la información solicitada en el formulario. Para solicitar una copia del formulario de denuncia, llame al (866) 632-9992. Haga llegar su formulario lleno o carta al USDA por:

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1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; o
- (3) correo electrónico: program.intake@usda.gov.

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USDA Nondiscrimination Statement 2015 (Spanish Translation Cont'd)

Joint Application Form (HHS)

Formulario de Solicitud Conjunta (HHS)

Se prohíbe a esta institución discriminar sobre la base de raza, color, nacionalidad, discapacidad, edad, sexo y, en algunos casos, creencias religiosas o políticas.

El Departamento de Agricultura de los EE. UU. también prohíbe la discriminación por motivos de raza, color, nacionalidad, sexo, credo religioso, discapacidad, edad, creencias políticas, o en represalia o venganza por actividades previas de derechos civiles en algún programa o actividad realizados o financiados por el USDA.

Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano, etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las personas sordas, con dificultades de audición o discapacidades del habla pueden comunicarse con el USDA por medio del Federal Relay Service [Servicio Federal de Retransmisión] al (800) 877-8339. Además, la información del programa se puede proporcionar en otros idiomas.

Para presentar una denuncia de discriminación, complete el [Formulario de Denuncia de Discriminación del Programa del USDA](#), (AD-3027) que está disponible en línea en: http://www.ascr.usda.gov/complaint_filing_cust.html y en cualquier oficina del USDA, o bien escriba una carta dirigida al USDA e incluya en la carta toda la información solicitada en el formulario. Para solicitar una copia del formulario de denuncia, llame al (866) 632-9992. Haga llegar su formulario lleno o carta al USDA por:

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Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
- (2) fax: (202) 690-7442; o
- (3) correo electrónico: program.intake@usda.gov.

Para obtener información adicional relacionada con problemas con el Programa de Asistencia Nutricional Suplementaria (SNAP, por sus siglas en inglés), las personas deben comunicarse con el número de línea directa USDA SNAP Hotline al (800) 221-5689, que también está disponible en español, o llame a los números de [información/líneas directas de los estados](#) (haga clic en el vínculo para ver una lista de los números de las líneas directas de cada estado) que se encuentran en línea en: http://www.fns.usda.gov/snap/contact_info/hotlines.htm

Para presentar una denuncia de discriminación relacionada con un programa que recibe asistencia financiera federal a través del Departamento de Salud y Servicios Humanos de los EE. UU. (HHS, por sus siglas en inglés), escriba a: HHS Director, Office for Civil Rights, Room

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14 de octubre de 2015

515-F, 200 Independence Avenue, S.W., Washington, D.C. 20201, o llame al (202) 619-0403 (voz) o al (800) 537-7697 (sistema TTY).

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