

New Hampshire WIC Policy & Procedure Manual

Chapter 11. Civil Rights

Public Notification and Nondiscrimination Statement

Purpose	All local agencies shall ensure the standards used for determining eligibility and participation in the WIC Program and for the delivery of services shall be the same for everyone. All materials concerning outreach, nutrition education, program information or participants' rights and responsibilities that are distributed to the public or posted for public viewing shall include a nondiscrimination statement.
Policy	To ensure that public notification regarding nondiscrimination in the WIC Program reaches all participants and potential participants through the materials used and in an appropriate language.
Authority	7 CFR 246.8 (a)(1) and 7 CFR 246.8 (b)
Procedure	<p>Each local agency shall take positive and specific actions to implement a public notification program throughout its jurisdiction, which informs participants and applicants of their program rights and responsibilities, their protection against discrimination, and the procedure for filing a complaint. The local agency shall:</p> <ol style="list-style-type: none">1. Display the USDA nondiscrimination poster, "<u>And Justice For All,</u>" and the NH DHHS nondiscrimination poster in prominent places, such as certification clinics, benefit issuance, waiting rooms and other areas frequented by participants and applicants.2. Ensure that appropriate staff, volunteers or other translation resources are available to serve participants and applicants.3. Display an "I Speak" poster in prominent places for applicants and participants to access upon entry to the WIC clinic.4. Provide participants and applicants access to civil rights information. This information includes <u>procedures for filing complaints</u>, program specifics, and rights and responsibilities of participants and applicants.5. Ensure the nondiscrimination statement is used: "In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g.,

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Braille, large print, audiotape, American Sign Language), should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, *USDA Program Discrimination Complaint Form* which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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.

In Spanish:

De acuerdo con la ley federal de derechos civiles y las normas y políticas de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta entidad está prohibida de discriminar por motivos de raza, color, origen nacional, sexo (incluyendo identidad de género y orientación sexual), discapacidad, edad, o represalia o retorsión por actividades previas de derechos civiles.

La información sobre el programa puede estar disponible en otros idiomas que no sean el inglés. Las personas con discapacidades que requieren medios alternos de comunicación para obtener la información del programa (por ejemplo, Braille,

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letra grande, cinta de audio, lenguaje de señas americano (ASL), etc.) deben comunicarse con la agencia local o estatal responsable de administrar el programa o con el Centro TARGET del USDA al (202) 720-2600 (voz y TTY) o comuníquese con el USDA a través del Servicio Federal de Retransmisión al (800) 877-8339.

Para presentar una queja por discriminación en el programa, el reclamante debe llenar un formulario AD-3027, formulario de queja por discriminación en el programa del USDA, el cual puede obtenerse en línea en:

<https://www.fns.usda.gov/sites/default/files/resource-files/usda-program-discrimination-complaint-form-spanish.pdf>, de cualquier oficina de USDA, llamando al (866) 632-9992, o escribiendo una carta dirigida a USDA. La carta debe contener el nombre del demandante, la dirección, el número de teléfono y una descripción escrita de la acción discriminatoria alegada con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR) sobre la naturaleza y fecha de una presunta violación de derechos civiles. El formulario AD-3027 completado o la carta debe presentarse a 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:**
(833)256-1665 o (202) 690-7442; o
- (3) **correo electrónico:**
program.intake@usda.gov

Esta institución es un proveedor que ofrece igualdad de oportunidades.

6. This statement may not be modified. The statement is read to or read by the applicant at the time of certification. The applicant acknowledges understanding of the statement on the "**Rights and Rules-WIC English/Spanish**" by providing an electronic signature.
7. When space is limited, print, "**This institution is an equal opportunity provider.**" or "**Esta institución es un proveedor que ofrece igualdad de oportunidades.**" in place of the full non-discrimination statement described in #5. above. This statement shall be in font size no smaller than the text of

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the document. This shall be the exception, not the standard.

8. When providing information for radio and television public services announcements, the nondiscrimination statement does not have to be read in its entirety. Rather, a statement such as **“WIC is an equal opportunity provider”** is sufficient to meet the nondiscrimination requirement.
9. The statements shall be in English and in languages appropriate to the local population, and in alternative means of communication (Braille, large print, audiotape, etc).
10. The nondiscrimination statement is required if the material:
 - a. Describes eligibility requirements of the WIC Program,
 - b. Identifies the benefits of WIC participation,
 - c. Gives instructions for WIC participation,
 - d. Provides notice of conditions to continue eligibility, and/or
 - e. Provides notice of ineligibility or disqualification.
11. Nutrition education and breastfeeding promotion and support materials that strictly provide a nutrition message with no mention of WIC (as described in 9. above) are not required to contain the nondiscrimination statement.

Exception

N/A