TO: Family Day Care Home Sponsors

FROM: Marla J. Moss, Director
Office of School Support Services

DATE: August 18, 2015

SUBJECT: Civil Right Compliance – Annual Reminder

The United States Department of Agriculture (USDA) requires that all institutions participating in the Child and Adult Care Food Program (CACFP) comply with the Food and Nutrition Service (FNS) Instruction 113.1, Civil Rights Compliance and Enforcement – Nutrition Programs and Activities.

A list of Civil Rights requirements can be found on the CACFP website at [CACFP web link](https://www.michigan.gov/cacfp). A list of the current requirements is attached. If you have any questions regarding this memorandum, contact the CACFP office at 517-373-7391.

Attachment

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1 [www.michigan.gov/cacfp](https://www.michigan.gov/cacfp)
Michigan Department of Education
Child and Adult Care Food Program

Civil Rights

1. Collect and compile ethnicity and race data on children each fiscal year. Refer to the Child and Adult Care Food Program (CACFP) website at [CACFP link] for the Ethnicity and Racial Beneficiary Data form, under Forms & Instructions, to compile these data. Sponsoring organizations must compile these data by site.

2. Include the following non-discrimination statement on all materials relating to the CACFP that are available to the public. This includes menus, parent handbook, and any other materials distributed. If the material is too small to permit the full statement to be included, the material will, at a minimum, include the statement, in print size no smaller than the text, “This institution is an equal opportunity provider.”

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual’s income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [USDA Program Discrimination Complaint Form link], or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [USDA Program Intake].

Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

USDA is an equal opportunity provider and employer.

Or Spanish version:

El Departamento de Agricultura de los Estados Unidos (por sus siglas en inglés “USDA”) prohibe la discriminación contra sus clientes, empleados y solicitantes de empleo por raza, color, origen nacional, edad, discapacidad, sexo, identidad de género, religión, represalias y, según corresponda,

2 www.michigan.gov/cacfp
3 www.ascr.usda.gov/complaint_filing_cust.html
4 program.intake@usda.gov
convicciones políticas, estado civil, estado familiar o paternal, orientación sexual, o si los ingresos de una persona provienen en su totalidad o en parte de un programa de asistencia pública, o información genética protegida de empleo o de cualquier programa o actividad realizada o financiada por el Departamento. (No todos los criterios prohibidos se aplicarán a todos los programas y/o actividades laborales).

Si desea presentar una queja por discriminación del programa de Derechos Civiles, complete el USDA Program Discrimination Complaint Form Link (formulario de quejas por discriminación del programa del USDA), que puede encontrar en internet en Discrimination Complaint Filing, o en cualquier oficina del USDA, o llame al (866) 632-9992 para solicitar el formulario. También puede escribir una carta con toda la información solicitada en el formulario. Envíenos su formulario de queja completo o carta por correo postal a U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, por fax al (202) 690-7442 o por correo electrónico a USDA Program Intake.

Las personas sordas, con dificultades auditivas o con discapacidad del habla pueden contactar al USDA por medio del Federal Relay Service (Servicio federal de transmisión) al (800) 877-8339 o (800) 845-6136 (en español).

Para obtener más información acerca de cuestiones del programa SNAP, las personas deben contactar al número de línea directa del USDA SNAP al (800) 221-5689, que también está en español, o llamar a State Information/Hotline Numbers (dé clic en el enlace para obtener un listado de números de línea directa por estado); lo puede encontrar en internet en USDA Supplemental Nutrition Assistance Program.

El USDA es un proveedor y empleador que ofrece igualdad de oportunidades.

3. Display the “And Justice for All” poster in a conspicuous place in each approved site and the administrative office. (Former non-discrimination version is acceptable until further notice.)

4. Train staff on civil rights annually. Specific subject areas include:

   - **Collecting and using data:** Data are collected on ethnicity and race. Parent self-declares. If they refuse, institution staff will code based on perception. All material must be filed in an area of restricted access and retained for three years.

   - **Effective public notification systems:** Display the “And Justice for All” poster, use the non-discrimination statement, provide information in other languages and alternative formats as needed, and convey equal opportunity in all photos and other graphics on websites, publications, etc.

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6 www.ascr.usda.gov/complaint_filing_cust.html
7 program.intake@usda.gov
8 www.fns.usda.gov/snap/state-informationhotline-numbers
• **Complaint procedures:** Procedures must be established to accept complaints or grievances based on race, color, national origin, sex, age, disability, gender identity, religion, reprisal and, where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or if all or part of an individual’s income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the USDA. (Not all prohibited bases will apply to all programs and/or employment activities.) CACFP participants must be advised of their right to file a complaint, how to file a complaint, and the complaint procedures.

• **Compliance review techniques:** Ensure civil rights requirements are being followed during review process.

• **Resolution of non-compliance:** Inappropriate actions must cease. A corrective action plan is required and appropriate procedures must be implemented.

• **Requirements for reasonable accommodation of persons with disabilities:** Entrances and exits to accommodate the disabled, Braille signage, and alternative arrangements for service must be available when needed including accommodations for food-related disabilities.

• **Requirements for language assistance:** Bilingual personnel and materials must be provided depending on need, resources available, and cost.

• **Conflict resolution:** Use alternative dispute resolution techniques when necessary. Treat others with respect.

• **Customer service:** Treat others the way they want to be treated or at least be aware of what that is.

The Michigan Department of Education (MDE) developed a Civil Rights on-line course. To register and take the class, visit [MDE CACFP webpage link](#), scroll down to the training section, and click on Civil Rights E-Learning Course.

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9 [www.michigan.gov/cacfp](http://www.michigan.gov/cacfp)