



**CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR PUBLIC HEALTH**

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Audrey Tayse Haynes
Secretary

MEMORANDUM

TO: WIC Coordinators

FROM: Fran Hawkins, MS, RD, LD *FH*
Manager
Nutrition Services Branch

DATE: November 20, 2015

SUBJECT: Nondiscrimination Statement for the WIC Program

The USDA has issued guidance in regard to the newly revised 2015 Nondiscrimination Statement (NDS) that is to be used on WIC Program materials. The revised 2015 NDS is attached to this memo. Procedures for local agencies to comply with changes in the NDS are outlined below.

1. Review locally developed materials.

WIC materials with the following NDS must be updated by December 31, 2015:

In accordance with Federal Law and Department of Agriculture (USDA) 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 Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired 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.

Short statement: This institution is an equal opportunity provider.

2. Locally developed WIC materials with the following NDS must be updated when supplies are depleted **or by** September 30, 2016:

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 http://www.ascr.usda.gov/complaint_filing_cust.html , 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 program.intake@usda.gov .

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.

Short Statement: USDA is an equal opportunity provider and employer.

3. Websites should be updated immediately with the 2015 revised NDS (see attachment).
4. The 2015 NDS must be used for all new locally developed materials that are printed.
5. The short statement is, "**This institution is an equal opportunity provider.**" Use of the short statement should be the exception and not the rule.
6. The Spanish translation of the revised 2015 NDS and the "And Justice for All" poster will be sent to local agencies when it is made available to us from the FNS, Southeast Regional office.

State produced materials will also be revised in accordance with this guidance.

If you or other health department staff has questions, please contact the WIC Office at (502) 564-3827.

Attachment

cc: Ruth Ann Shepherd, MD, FAAP, CPHQ
Administrators
Field Representatives

2015 USDA 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.

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.

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