STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

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STATE SUPERINTENDENT

FISCAL YEAR 2013
CHILD AND ADULT CARE FOOD PROGRAM
OPERATIONAL MEMO #12

TO: Child and Adult Care Food Program Institutions

FROM: Kyle L. Guerrant, Director KG 3-8-13
Office of School Support Services

DATE: March 8, 2013

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 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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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 www.michigan.gov/cacfp for the Ethnicity and Racial Beneficiary Data form, under Forms & Instructions, to compile this data. Sponsoring organizations must compile this data by site.

2. Include the following nondiscrimination statement on all materials relating to the CACFP that are available to the public. This includes menus, parent handbook, and any other materials distributed.

   "In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint alleging discrimination, write USDA, 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." (Rev. 8/2012)

3. Display the "And Justice for All" poster in a conspicuous place in each approved site and the administrative office.

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

   - **Collecting and using data:** Data is 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 nondiscrimination 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.

   - **Complaint procedures:** Procedures must be established to accept complaints or grievances based on race, color, national origin, sex, age, or disability. 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.

- **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 www.michigan.gov/cacfp, scroll down to the training section, and click on Civil Rights E-Learning Course.