XI. CIVIL RIGHTS

(Please indicate) **State Agency:** NC WIC Program for **FY** 2025

The Civil Rights section of the State Plan covers the training of State and local staff on issues, rules and regulations related to civil rights, public notification of nondiscrimination requirements, the monitoring of local agencies and clinics for compliance with civil rights regulations and rules, the collection of relevant racial/ethnic information and procedures for handling civil rights complaints.

During disasters, emergencies, public health emergencies, or a supply chain disruption, the State agency may request to implement existing and allowable regulatory flexibilities or waivers to support the continuation of Program benefits and services. Waivers granted under Access to Baby Formula Act of 2022 (codified at 7 CFR 246.4a(30)) or temporary provision(s) authorized by Congress are not permanent amendments to the State Plan and should not be reflected in answers below. Instead, waiver flexibilities impacting Program benefits and services should be recorded in Appendix C. However, State agencies should consider any historical amendments as the result of waivers granted under prior waiver authority to develop policies and procedures for current and future disasters.

A. ***Administration*** **-** ***7 CFR 246.4(a)(17):*** describe the procedures the State will use to comply with the civil rights requirements described in 246.8, including the processing of discrimination complaints.

B. ***Public Notification Requirements and Nondiscrimination Notification*** **-** ***7 CFR 246.8(a)(1):*** describe the policies and procedures used to ensure that public notification regarding nondiscrimination in the WIC Program reaches all participants and potential participants in an appropriate language (246.8(c)) through WIC Program materials.

C. ***Compliance Review and Monitoring Activity*** **-** ***7 CFR 246.8(a)(2):*** describe the policies and procedures used to monitor and review local agencies to verify that they are in compliance with civil rights laws and regulations.

D. ***Data Collection and Reporting*** **-** ***7 CFR 246.8(a)(3):*** describe the methods used to collect and monitor racial/ethnic data in compliance with title VI of the Civil Rights Act of 1964.

E. ***Complaint Handling*** **-** ***7 CFR 246.4(a)(17):*** describe the policies and practices used to ensure civil rights complaints are handled properly at the State and local level.

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A. Administration

1. The State agency designates an individual to coordinate, implement, conduct training, and enforce civil rights efforts.

☒ Yes ☐ No

a. The following methods are used to inform and update State and local agency staff of their obligations under civil rights rules, regulations, and instructions:

	State Agency	Local Agency
Briefing for new employees	☐	☐
Handouts for new employees	☐	☐
Memos and updates	☐	☐
Presentations by civil rights coordinator	☐	☐
Presentation by staff other than WIC Program	☐	☐
Other	☐	☐

If other, specify: _____

b. Civil rights training is provided annually

State agency staff	☒ Yes	☐ No
Local agency staff	☒ Yes	☐ No

c. Civil rights training includes the following:

	State Agency	Local Agency
Collection and use of racial/ethnical data	☒	☒
Effective public notification systems	☒	☒
Complaint procedures	☒	☒
Compliance review techniques	☒	☒
Resolution of noncompliance	☒	☒
Requirements for reasonable accommodation of persons with disabilities	☒	☒
Requirements for language assistance	☒	☒
Conflict resolution	☒	☒
Customer Service	☒	☒

If other, specify: _____

DETAIL: Civil Rights Appendix and/or Procedure Manual (citation): North Carolina WIC

2. The State agency has copies of the following materials on file:

- ☒ FNS Instruction, 113-1
- ☒ Title VI (1964), 7 CFR 15
- ☒ Title IX, Education Amendments, 7 CFR 15a (sex discrimination)
- ☒ Section 504, Rehabilitation Act of 1973, 7 CFR 15b
- ☒ Racial/Ethnic data collection policy and reporting requirements
- ☒ Age Discrimination Act of 1975, 45 CFR Part 91

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- ☒ Americans with Disabilities Act, 28 CFR Part 35
- ☒ Civil Rights Restoration Act of 1987

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
North Carolina WIC Program Manual Chapter 4: Civil Rights

3. The State agency's policy for reasonable accommodation includes the most up-to-date provisions for individuals with disabilities.

☒ Yes ☐ No

(Refer to FNS Instruction 113-1, Civil Rights Compliance and Enforcement–Nutrition Programs and Activities)

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
North Carolina WIC Program Manual Chapter 4: Civil Rights

B. Public Notification Requirements and Nondiscrimination

1. Public Notification

a. The State agency requires its local agencies to include the nondiscrimination statement and civil rights complaint procedure on the following (check all that apply):

- ☒ Outreach letters to the general public
- ☒ Program information letters
- ☒ Program information brochures
- ☒ Program information bulletins
- ☒ Newspaper announcements
- ☒ Internet
- ☒ Letters of invitation in the public hearing process
- ☒ Certification forms to be signed by participants
- ☒ Application forms (including computer-based forms)
- ☒ Radio announcements
- ☒ Publications
- ☒ Posters
- ☒ Newsletters
- ☒ Referral material
- ☒ Television announcements
- ☐ Other (specify): _____

b. The State agency requires that the USDA nondiscrimination poster, "And Justice For All," or an FNS- approved substitute be displayed in the following places frequented by applicants and participants:

- ☒ Clinic waiting rooms
- ☐ Food instrument issuance offices
- ☐ Group/individual nutrition education areas
- ☐ Test kitchens
- ☐ Distribution centers or locations
- ☐ Other (specify): _____

c. Check the group categories that the State agency and its local agencies publicly inform of the following information (check all that apply; see key below):

1	2	3	
☒	☒	☒	Availability of Program benefits

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☒	☒	☒	Eligibility criteria for participation
☒	☒	☒	Location of LA/clinics operating WIC Program and (800) telephone numbers
☐	☐	☐	Hours of service of LA/clinics operating WIC Program
☐	☐	☒	Rights and responsibilities
☒	☒	☒	Nondiscrimination statement
☒	☐	☒	Civil rights complaint procedure

1 = general public
2 = grassroots/community organizations that deal with potentially eligible low-income individuals
3 = potential eligible individuals/participants

d. The State agency ensures that advocacy/minority organizations and the general public are informed of the benefits/policies listed above (please provide the appropriate Procedure Manual citation of materials used):

☒ Annually ☐ More frequently

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
North Carolina WIC Program Manual Chapter 4: Civil Rights and Chapter 10:

2. Nondiscrimination Notification

a. The State agency or local agency:

☒ Provides applicants/participant with key information, such as applications and materials describing eligibility criteria and procedures for delivery of benefits, in appropriate languages other than English in areas where a significant proportion of people with limited English proficiency (LEP) reside.

☒ Provide applicants/participants with key information, such as applications and materials describing eligibility criteria and procedures for delivery of benefits using inclusive language.

☒ Appropriate bilingual staff, volunteers, or other translation resources are available to serve applicants and participants in areas where a significant proportion of people with limited English proficiency (LEP) reside.

☒ All rights and responsibilities listed on the certification form are read to or by the applicants and participants in the appropriate language, or if the participant is sight or hearing impaired and requires assistance.

☐ In circumstances where the applicant completes WIC certification using an online application Tool, the rights and responsibilities and the nondiscrimination statement is available in the language most spoken by the applicant.

b. The State agency provides WIC Program materials and translators in the following languages (Check all that apply; M = Materials, VT = Volunteer Translators, PT = Paid Translators, BS = Bilingual Staff):

M	VT	PT	BS	
☒	☐	☐	☐	English
☒	☐	☐	☐	Spanish
☐	☐	☐	☐	French
☐	☐	☐	☐	Vietnamese
☐	☐	☐	☐	Chinese
☐	☐	☐	☐	Other Asian/Pacific (specify): _____

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☐ ☐ ☐ ☐ Tribal (specify): _____

☐ Braille

☐ ☐ ☐ ☐ Sign language Interpreter

☐ ☐ ☒ ☒ Other languages (specify): Autonomous local agencies

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
North Carolina WIC Program Manual Chapter 4: Civil Rights, XI_Civil

C. Compliance Review and Monitoring Activity

1. Compliance Review

a. Civil rights reviews of local agencies are conducted:

☐ Separately

☒ In conjunction with another department, organization, or service as part of an overall review

☐ Other (specify): _____

b. The State agency reviews all its local agencies for civil rights compliance with the Civil Rights requirements when it does its reviews.

☒ Yes ☐ No

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
North Carolina WIC Program Manual, Chapter 15: Monitoring, Attachment 1

2. Monitoring Activity

a. In addition to the local agency reviews, the State agency uses the following means to ensure that local agencies operate in a nondiscriminatory manner:

☐ Review of the racial/ethnic enrollment and/or participation data applications

☒ Review of denied

☒ Review of complaints

☐ Review of participant surveys

☐ Participant interviews

☐ Review of waiting lists

☒ Other (specify): Observation of clinic act

b. The State agency checks for the following in local agency applications:

- ☐ The local agency has corrected all past substantiated civil rights problems or noncompliance situations
- ☐ The Civil Rights Assurance is included in the State-Local Agency Agreement
- ☐ A description of the racial/ethnic makeup of the service area is included in the application
- ☐ The local agency uses inclusive language with developing its program materials
- ☐ Appropriate staff, volunteers, or other translation resources are available in areas where a significant proportion of people with limited English proficiency (LEP) reside

c. The State agency checks for the following in its civil rights reviews of its local agencies:

- ☐ Case records include racial/ethnic data
- ☐ Where applicable, an explanation of why the racial/ethnic WIC participant level is not proportionate to the income eligible racial/ethnic population
- ☐ The local agency has conducted civil rights training for its staff
- ☐ The project area displays the USDA nondiscrimination poster, "And Justice For All," or an FNS-approved substitute
- ☐ Program information has been provided to applicants, participants, and grassroots organizations or similar minority groups
- ☐ The nondiscrimination policy statement and civil rights complaint procedure are included on all printed materials such as applications, pamphlets, forms, or any other materials distributed to the public
- ☐ Racial/ethnic data are collected and maintained on file for 3 years
- ☐ The local agency has corrected all past substantiated civil rights problems or noncompliance situations
- ☐ Civil rights complaints are handled in accordance with the procedures outlined in FNS Instruction 113-1

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
NC WIC Program Manual, Chapter 4: Civil Rights and Chapter 15

D. Data Collection and Reporting

1. Data Collection

a. The State agency ensures the following when collecting civil rights data:

- ☐ All racial/ethnic categories are collected and reported as part of the program participant characteristics report
- ☐ Racial/ethnic data definitions are in accordance with current OMB guidance and clinic procedures are in place to ensure the data is collected accurately
- ☐ Data reported on participant characteristics include the number of persons on WIC master lists or persons listed in WIC operating files who are certified to receive benefits
- ☐ Collected racial/ethnic data and records are accessible only to authorized personnel

b. The State agency maintains a civil rights file which retains collected racial/ethnic data for three years.

☐ Yes ☐ No

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
XI_Civil Rights_Appendix 2 Crossroads System Participation Reporting by

2. The State agency instructs its local agencies to obtain a participant's racial/ethnic category by (check all that apply):

- ☒ Allowing self-identification by participant (must be used at participant's request)
- ☒ Visual identification by participant (must be used at participant's request)
- ☐ Local agency staff personally know participant's racial/ethnic category
- ☐ Other (specify): _____

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
NC WIC Program Manual, Chapter 4: Civil Rights

E. Complaint Handling

1. The State agency ensures the following:

- ☒ WIC Program applicants and participants are informed where and how they may file a complaint of discrimination by directing them to the USDA Office of the Assistant Secretary for Civil Rights (OASCR) website (https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint) for proper Discrimination Complaint Filing processes.
- ☒ WIC Program applicants and participants are informed that they can file their complaints directly with the U.S. Department of Agriculture or directly with the FNS HQ Civil Rights Division, their State agency, or their local agency. However, the local/State agency must then forward their complaint either directly to the FNS HQ Civil Rights Division or the U.S. Department of Agriculture.
- ☒ All local agency staff are trained in discrimination complaint procedures.
- ☒ All written and verbal complaints alleging discrimination based on race, color, national origin, age, sex (including gender identity and sexual orientation), or disability are accepted from applicants and participants by State agency and local agency staff and forwarded to the FNS HQ Civil Rights Division.
- ☒ Complaints alleging discrimination based on race, color, national origin, or age are forwarded to the FNS HQ Civil Rights Division through an FNS-established complaint procedure. (Regional Office receives copy of all complaints.)
- ☒ State and local agencies without an FNS-approved grievance procedure for complaints alleging discrimination based on sex or disability in place forward all complaints to the FNS HQ Civil Rights Division).
- ☒ Complaints alleging discrimination based on sex or disability are forwarded to the State agency that has an FNS-approved grievance procedure in place.

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
NC WIC Program Manual, Chapter 4: Civil Rights

2. The State agency uses a discrimination complaint form it has developed for acceptance of a complaint.

☐ Yes ☒ No

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
NC WIC Program Manual, Chapter 4: Civil Rights

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3. **The State agency has an FNS approved complaint procedure that ensures local agencies implement specific timeframes concerning discrimination complaints:**

   ☐ An individual has the right to file a complaint within 180 days of the alleged discriminatory action.
   ☐ All complaints are processed and closed within 90 days of receipt.

4. The State agency transfers complaints immediately upon receipt to the FNS HQ Civil Rights Division if no FNS-approved complaint procedure timeline is in place.

   Yes ☐ No ☐ If no, specify _____

ADDITIONAL DETAIL: Civil Rights Appendix and/or Procedure Manual (citation):
NC WIC Program Manual Chapter 4: Civil Rights