



## **Child Nutrition Programs (CNP) Bulletin**

### **May 23, 2022- Child Nutrition Programs (CNP) Bulletin No. 36 - Revised Nondiscrimination Statement and “And Justice for All” Poster Timelines and Guidance**

On May 5, 2022, the United States Department of Agriculture (USDA) Civil Rights Division announced gender identity and sexual orientation as protected bases in Child Nutrition Programs. The Nondiscrimination Statement and “And Justice for All” poster have been updated. This was a result of a 2020 Supreme Court decision and its applicability to United States Department of Agriculture (USDA) programs, including the Child Nutrition Programs.

Sponsors of the Child Nutrition Programs must use the updated 2022 Nondiscrimination Statement and new “And Justice for All” poster.

Guidance and timelines are as follows:

#### **The updated 2022 Nondiscrimination Statement (NDS):**

- The NDS on MDE and sponsor websites must be updated by August 3, 2022
- Printed and electronic documents, pamphlets, brochures, training materials, etc., using old 2015 NDS language must be updated when the current supply on hand is exhausted or by September 30, 2023
- All new printed and electronic materials must use the 2022 NDS

### **The new “And Justice for All” (AJFA) posters:**

- MDE will distribute the current AJFA posters until the new 2022 posters are available
- Do not remove current AJFA posters until the new 2022 posters are received
- The 2022 “And Justice for All” posters are in the design/printing phase and are not available to order yet
- MDE will provide further guidance to sponsors on receiving the 2022 posters once they are available

During this transitional period as outline above, sponsors will not be cited for non-compliance. However, once this period has passed, sponsors may be cited for non-compliance if the updated NDS and the AJFA posters are not displayed, posted on websites or informational materials, and sponsors cannot demonstrate a plan in place to make such updates.

### **Updated Nondiscrimination Statement and Information on the Supreme Court Case**

Updated Nondiscrimination Statement: [USDA Nondiscrimination Statement | Food and Nutrition Service](#)

[Application of Bostock v. Clayton County](#)

[Bostock Question and Answer Memo Final](#)

### **Updated Nondiscrimination Statement:**

**For all other FNS nutrition assistance programs, state or local agencies, and their subrecipients, must post the following Nondiscrimination Statement:**

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., Braille, large print, audiotope, 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: [USDA Program Discrimination Complaint Form](#), 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; or
2. **fax:** (833) 256-1665 or (202) 690-7442; or
3. **email:** [program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

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## Contact Us

Email: [MDE-SchoolNutrition@Michigan.gov](mailto:MDE-SchoolNutrition@Michigan.gov)

Nutrition Gateway: The Michigan Department of Education [Nutrition Gateway](#) provides Child Nutrition Program (CNP) agencies a singular system to access annual CNP applications (MEGSplus), monthly claims (MIND) and periodic administrative reviews (GEMS/MARS) through an integrated dashboard and portal.

If you or someone you know is interested in receiving the Child Nutrition Programs News and Updates and Bulletins, visit [Child Nutrition Programs News and Updates Subscription](#).

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USDA Civil Rights Complaint Link:

<https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>

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#### Links Used in This Document:

<https://www.fns.usda.gov/civil-rights/usda-nondiscrimination-statement-other-fns-programs>

<https://www.fns.usda.gov/cr/crd-01-2022>

<https://www.fns.usda.gov/cr/cr-02-2022>

<https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>

<https://mdoe.state.mi.us/gateway/Authentication/LoginClick>

[https://public.govdelivery.com/accounts/MIMDE/subscriber/new?topic\\_id=MIMDE\\_229](https://public.govdelivery.com/accounts/MIMDE/subscriber/new?topic_id=MIMDE_229)

<https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>