

## **Business and Noninstructional Operations**

### **NUTRITION PROGRAM COMPLIANCE**

**E 3555**

#### **NONDISCRIMINATION STATEMENT FOR NUTRITION PROGRAMS**

The following statement shall be included, in a prominent location, on all forms available to the public regarding the availability of the district's child nutrition programs:

"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, audiotape, American Sign Language, etc.), 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: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to the 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)

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This institution is an equal opportunity provider."

On pamphlets, brochures, and flyers, in the same print size as the rest of the text, the district may print a short version of the nondiscrimination statement, as follows:

"This institution is an equal opportunity provider."

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#### *Policy Reference Disclaimer:*

*These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

#### **State**

5 CCR 15580-15584  
5 CCR 3080

5 CCR 4600-4670  
5 CCR 4900-4965

Ed. Code 200-262.4  
Ed. Code 42238.01  
Ed. Code 48985  
Ed. Code 49060-49079  
Ed. Code 49490-49590  
Pen. Code 422.6

#### **Federal**

20 USC 1400-1482  
20 USC 1681-1688  
  
28 CFR 35.101-35.190  
28 CFR 36.303  
  
29 USC 794  
34 CFR 100.1-100.13  
  
34 CFR 104.1-104.39  
34 CFR 106.1-106.61  
34 CFR 106.9  
42 USC 12101-12213  
42 USC 2000d-2000d-7  
42 USC 2000e-2000e-17

#### **Description**

*Child nutrition programs complaint procedures  
Applicability of uniform complaint procedures to complaints regarding students with disabilities  
Uniform complaint procedures  
Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance*

#### [Prohibition of discrimination](#)

*Definitions for purposes of funding  
Notices to parents in language other than English  
Student records  
Child nutrition programs  
Crimes; harassment*

#### **Description**

*Individuals with Disabilities Education Act  
Title IX of the Education Amendments of 1972; discrimination based on sex  
Americans with Disabilities Act  
Nondiscrimination on the basis of disability; public accommodations; auxiliary aids and services  
Rehabilitation Act of 1973; Section 504  
Nondiscrimination in federal programs; effectuating Title VI  
Section 504 of the Rehabilitation Act of 1973  
Discrimination on the basis of sex; effectuating Title IX  
Severability  
Americans with Disabilities Act  
Title VI, Civil Rights Act of 1964  
Title VII, Civil Rights Act of 1964, as amended*

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7 CFR 210.19	National School Lunch Program; additional responsibilities
7 CFR 210.23	National School Lunch Program; district responsibilities
7 CFR 215.14	Special Milk Program; nondiscrimination
7 CFR 215.7	Special Milk Program; requirements for participation
7 CFR 220.13	School Breakfast Program; special responsibilities of state agencies
7 CFR 220.7	School Breakfast Program; requirements for participation
7 CFR 225.11	Summer Food Service Program; corrective action procedures
7 CFR 225.3	Summer Food Service Program; administration
7 CFR 225.7	Summer Food Service Program; program monitoring
7 CFR 226.6	Child and Adult Care Food Program; state agency administrative responsibilities
7 CFR 250.15	Out-of-condition donated foods, food recalls, and complaints

#### **Management Resources**

California Department of Education  
Publication

U. S. Department of Agriculture  
Publication

U.S. Department of Agriculture  
Publication

U.S. Department of Agriculture  
Publication

U.S. DOE Office for Civil Rights  
Publication

Website

Website

Website

Website

Website

Website

#### **Cross References**

#### **Policy**

0410

#### **Description**

Civil Rights and Complaint Procedures, U.S. Department of Agriculture Child Nutrition Programs, June 2018

USDA Nondiscrimination Statement, December 2022

Application of *Bostock v. Clayton County* to Program Discrimination Complaint Processing – Policy Update, CRD 01-2022, May 2022

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

Notice of Non-Discrimination, August 2010

U. S. Department of Agriculture, And Justice for All Posters

[CSBA District and County Office of Education Legal Services](#)

[U.S. Department of Agriculture, Office for Civil Rights](#)

[U.S. Department of Agriculture, Food and Nutrition Service](#)

[California Department of Education, Nutrition Services Division](#)

[U.S. Department of Education, Office for Civil Rights](#)

#### **Description**

[Nondiscrimination In District Programs And Activities](#)

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1100	<a href="#"><u>Communication With The Public</u></a>
1312.1	<a href="#"><u>Complaints Concerning District Employees</u></a>
1312.1	<a href="#"><u>Complaints Concerning District Employees</u></a>
1312.3	<a href="#"><u>Uniform Complaint Procedures</u></a>
1312.3	<a href="#"><u>Uniform Complaint Procedures</u></a>
1312.3-E(1)	<a href="#"><u>Uniform Complaint Procedures</u></a>
1312.3-E(2)	<a href="#"><u>Uniform Complaint Procedures</u></a>
3312	<a href="#"><u>Contracts</u></a>
3550	<a href="#"><u>Food Service/ Child Nutrition Program</u></a>
3550	<a href="#"><u>Food Service/ Child Nutrition Program</u></a>
3551	<a href="#"><u>Food Service Operations/ Cafeteria Fund</u></a>
3551	<a href="#"><u>Food Service Operations/ Cafeteria Fund</u></a>
3552	<a href="#"><u>Summer Meal Program</u></a>
3552	<a href="#"><u>Summer Meal Program</u></a>
3553	<a href="#"><u>Free And Reduced Price Meals</u></a>
3553	<a href="#"><u>Free And Reduced Price Meals</u></a>
4231	<a href="#"><u>Staff Development</u></a>
5022	<a href="#"><u>Student And Family Privacy Rights</u></a>
5022	<a href="#"><u>Student And Family Privacy Rights</u></a>
5030	<a href="#"><u>Student Wellness</u></a>
5125	<a href="#"><u>Student Records</u></a>
5125	<a href="#"><u>Student Records</u></a>
5141.27	<a href="#"><u>Food Allergies/ Special Dietary Needs</u></a>
5141.27	<a href="#"><u>Food Allergies/ Special Dietary Needs</u></a>
5145.13	<a href="#"><u>Response To Immigration Enforcement</u></a>
5145.13	<a href="#"><u>Response To Immigration Enforcement</u></a>
5145.6	<a href="#"><u>Parent/ Guardian Notifications</u></a>
5145.6-E(1)	<a href="#"><u>Parent/ Guardian Notifications</u></a>
6159	<a href="#"><u>Individualized Education Program</u></a>
6159	<a href="#"><u>Individualized Education Program</u></a>
6164.6	<a href="#"><u>Identification And Education Under Section 504</u></a>
6164.6	<a href="#"><u>Identification And Education Under Section 504</u></a>
9321	<a href="#"><u>Closed Session</u></a>
9321-E(1)	<a href="#"><u>Closed Session</u></a>
9321-E(2)	<a href="#"><u>Closed Session</u></a>

Revised: 5-25-2023