

Emanuel County School Nutrition Program

Civil Rights Complaint Procedure

1. USDA Civil Rights Complaints forms will be available in every school cafeteria and the School Nutrition Program (SNP) office.
2. The “And Justice for All” poster will be visible to customers in the cafeteria and at other points of service (such as a classroom) when students do not come into the cafeteria.
3. The School Food Authority (SFA) will receive civil rights complaints in written or verbal form. Persons wishing to make a written complaint will be provided the USDA Complaint form. A complainant may also be directed to the USDA on-line complaint form. If a verbal complaint is made, the SFA staff member receiving the verbal allegation will transcribe the complaint onto the USDA complaint form.
4. Complaints will be forwarded as they were written or described within 5 working days of receipt to the Food Nutrition Service (FNS) Regional Civil Rights Director (CRD) or the USDA Office of Assistant Secretary for Civil Rights.
5. A copy of the complaint will be sent to the Georgia Department of Education School Nutrition Program (GaDOE SNP) Area Consultant.
6. The SFA will cooperate in the resolution of the complaint as directed by FNS CRD and/or GaDOE SNP.
7. A copy of any correspondence regarding the complaint will be maintained for at least five (5) years after the date the complaint is closed.
8. A confidential record of civil rights complaints will be kept separate from program complaints. The Civil Rights Complaint log will record the following:
 - a. complainant name
 - b. contact information
 - c. location
 - d. nature of complaint
 - e. verbal or written complaint
 - f. date of the alleged discrimination
 - g. name of the individuals(s) and organizations(s) alleged to have engaged in discrimination
 - h. date of referral to the FNS CRD
 - i. findings of any investigation by the FNS
 - j. description of the final disposition of the complaint including any corrective action planned or taken.
9. All school nutrition program staff will receive annual training about how to handle civil rights complaints. This is in addition to the required Civil Rights training outlined in the Free and Reduced-Price Policy.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and sex or reprisal or retaliation for prior civil rights activity. The USDA regulations at 7 CFR 15 require school food authorities (SFA) participating in the National School Lunch Program (NSLP), School Breakfast Program (SBP), or Special Milk Program (SMP) to comply with requirements respecting nondiscrimination. SFAs must comply with the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.);
- Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.);
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
- Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.);
- Title II and Title III of the Americans with Disabilities Act (ADA) of 1990 as amended by the ADA Amendment Act of 2008 (42 U.S.C. 12131-12189);
- Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (August 11, 2000);
- All provisions required by the implementing regulations of the Department of Agriculture (USDA) (7 CFR Part 15 et seq.);
- Department of Justice Enforcement Guidelines (28 CFR Parts 35, 42 and 50.3);

Additionally, SFAs must comply with Food and Nutrition Service (FNS) directives and guidelines to the effect that, no person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity for which the Program applicant receives Federal financial assistance from USDA.

Specific directions for implementing these statutes and regulations are contained in the FNS Instruction 113-1, Civil Rights Compliance and Enforcement-Nutrition Programs and Activities, November 8, 2005. Areas of compliance are required as spelled out by FNS Instructions 113-1.