

Civil Rights Complaint Procedure

Minimum Requirements



The following topic areas must be included in a school food authority's (SFA) civil rights complaint procedure and include, at a minimum, the supporting information listed under each topic. The civil rights complaint procedure is not required to be written into the district's board policy; it can be a separate policy used by the SFA and district.

Accepting a Complaint

- Contact for whom civil rights complaints will be directed to at the district level
 - Include name, address, phone number and email
- Language stating that complaints can be received verbally, in writing or anonymously and within 180 days of the alleged discriminatory action

Note: If a complaint form is used, ensure that the form is not a prerequisite for accepting a complaint

Transcribing a Complaint

- Language stating that the complaint will be processed within 90 days
- Obtain the following information (verbally, in writing or anonymously):
 - Name, address, and telephone number of the complainant
 - The nature of the incident or action that led the complainant to feel discrimination was a factor
 - The basis on which the complainant believes discrimination exists
 - The names, telephone numbers, titles, and business or personal addresses of persons who may have knowledge of the alleged discriminatory action
 - The date(s) during which the alleged discriminatory action occurred

Forwarding a Complaint

Complaints cannot be processed by the sponsor and must be forwarded within five days. Indicate the agency you will forward complaints to (choose one):

- CDE School Nutrition Unit
1525 Sherman Street, Suite 309
Denver, CO 80203
- USDA Mountain Plains Regional Office
1244 Speer Blvd Suite 903
Denver, CO 80204-3581

- USDA Office of Civil Rights
1400 Independence Avenue, SW, Room 1095-S, Stop 0206
Washington, DC 20250
- FNS Office of Civil Rights
3101 Park Center Drive, Suite 1200
Alexandria, VA 23302-15

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

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Policy: United States Department of Agriculture (USDA)/Food and Nutrition Service (FNS) Instruction 113-1 (dated 11/8/05) delineates the civil rights requirements for participants in Child Nutrition Programs (CNP). The following is required at the local school food authority (SFA) level.

Any person alleging discrimination based on race, color, national origin, sex (including gender identity and sexual orientation), age, or disability has a right to file a complaint within 180 days of the alleged discriminatory action. All civil rights complaints within School Food Authority's Food and Nutrition Services Department should be directed to District Contact. District Contact can be reached via phone at xxx-xxx-xxxx or by email at email address. Complaints can be submitted verbally, in writing, or anonymously.

School Food Authority's Food and Nutrition Services Department will obtain all necessary complaint information and process the complaint within 90 days. The complaint will be forwarded to State or Federal Agency within five days.

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Civil Rights Complaint Form (optional)

Name: _____

School: _____

Address: _____

Phone: _____

Email: _____

1. What happened to you? Please include date, location and any supporting documentation that would help show what happened.

2. Who do you believe discriminated against you? List name(s).

3. Name(s) of witness(es) to alleged prohibited conduct if applicable:

4. It is a violation of the law to discriminate against you based on the following: race, color, national origin, religion, sex (including gender identity and sexual orientation), disability, age, marital status, sexual orientation, family/parental status, income derived from a public assistance program, and political beliefs. I believe I was discriminated against based on my:

5. How would you like to see this complaint resolved?

Complete form and submit to District Contact within 180 days of the alleged discriminatory action. Forms can be submitted via email to email address or through US mail to SFA address.

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