Civil Rights Complaint Procedures for School Nutrition Programs

Christine Duncan's Heritage Academy

This document provides a process for school food authorities (SFAs) to follow for handling civil rights complaints. SFAs must insert the required information in the gray highlighted sections to customize the template with district-specific information.

Christine Duncan's Heritage Academy is a sponsor of the U.S. Department of Agriculture (USDA) Food and Nutrition Services (FNS) Child Nutrition Programs, including the National School Lunch Program (NSLP), School Breakfast Program (SBP), Seamless Summer Option (SSO) of the NSLP, Afterschool Snack Program (ASP), and Fresh Fruit and Vegetable Program (FFVP). The Christine Duncan's Heritage Academy provides benefits to all eligible individuals without discrimination in accordance with Federal civil rights laws and USDA policy, as governed by FNS Instruction 113-1. The USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity.

Program participants who feel they have been discriminated against while participating in the Child Nutrition Programs, including during the serving of meals, will be instructed to contact Yoana Rodriguez, School's Administrative Assistant at 505-839-4971 for procedures to voice their complaint. All complaints alleging discrimination on the basis of race, color, national origin, sex (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity either written or verbal, must be processed within the established time frames.

Right to file

Any person or representative alleging discrimination based on a prohibited basis has the right to file a complaint within **180 days** of the alleged discriminatory action. Only the Secretary of Agriculture may extend this time under special circumstances. The complainant must be advised of confidentiality and Privacy Act applications. The Yoana Rodriguez will not attempt to resolve the complaint themselves, without first providing the complainant with information on how they can file a complaint.

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Forms

The School's Administrative Assistant, Miss Yoana Rodriguez, will provide, all persons wishing to file a complaint, instructions on where to obtain the USDA Program Discrimination Complaint Form online or where they can obtain a hard copy. However, use of this form will not be a prerequisite for acceptance of the complaint.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) may contact USDA through the USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. for assistance in filing a complaint.

Filing a complaint

The Yoana Rodriguez will provide instructions to the complainant on where to forward the completed USDA Program Discrimination Complaint Form by:

- mail: U.S. Department of Agriculture
  Office of the Assistant Secretary for Civil Rights
  1400 Independence Avenue, SW
  Washington, D.C. 20250-9410; or
- fax: (833) 256-1665 or (202) 690-7442; or
- e-mail: program.intake@usda.gov.

Verbal complaints

In the event a complainant wishes to make the allegations verbally or in person and refuses or is not inclined to place such allegations in writing, the administrative assistant, Miss Yoana Rodriguez, will write up the elements of the complaint for the complainant utilizing the USDA Program Discrimination Complaint Form.

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Acceptance of written or verbal

All complaints received by Yoana Rodriguez, written or verbal, will be forwarded to the U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights (OCR) within 5 calendar days of receipt of the complaint. Anonymous complaints will be handled as any other complaints, to the extent feasible, based on available information. Complaints will be forwarded to OCR via:

- mail: U.S. Department of Agriculture
  Office of the Assistant Secretary for Civil Rights
  1400 Independence Avenue, SW
  Washington, D.C. 20250-9410; or
- fax: (833) 256-1665 or (202) 690-7442; or
- e-mail: program.intake@usda.gov.

Christine Duncan's Heritage Academy will:

- maintain a copy of any correspondence regarding the complaint for at least four years after the date the complaint is closed;
- make its employees available to the FNS Civil Rights Director (CRD) to be interviewed as necessary during investigations;
- provide necessary documents as requested by the FNS CRD or the Connecticut State Department of Education (CSDE) within the timeframes established by FNS guidance;
- participate in attempts to resolve the complaint

State agency notification

If the administrative assistant, Miss Yoana Rodriguez, is notified that a program participant has filed a Civil Rights complaint or they have filed a complaint on behalf of a program participant, they will notify their school nutrition team member at the CSDE. The iadministrative assistant, Miss Yoana Rodriguez, will provide information as requested by the CSDE during the OCR investigation of the complaint.

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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), 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 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

This institution is an equal opportunity provider.