



NUTRITION SERVICES

The Oakland Unified School District sponsors the U.S. Department of Agriculture (USDA) Food and Nutrition Services (FNS) Child Nutrition Programs. The Oakland Unified School District provides benefits to all eligible individuals without discrimination in accordance with Federal civil rights laws and USDA policy, as governed by <https://www.fns.usda.gov/cr/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.

Below are the procedures for receiving and processing complaints alleging civil rights discrimination within FNS school meal programs.

Accepting a Complaint

Civil rights complaints should be directed to: Mr. Gabriel Valenzuela

Contact Information:

Gabriel Vanezuela@ousd.org
Ombudsperson/Title IX Coordinator
Oakland Unified School District
Cole Campus
1011 Union Street, #906
Oakland, CA 94607
OFFICE: (510) 879-4281
DIRECT: (510) 879-3667
FAX (510) 879-3678

In the event a complainant makes the allegations verbally or in person and refuses (or is not inclined) to place such allegations in writing, the person to whom the allegations are made must write up the elements of the complaint for the complainant.

- An anonymous complaint must be handled the same as any other complaint.
- If complaint forms are used, notify complainants where they can be obtained. A complaint form is not a prerequisite for accepting a complaint.
- There will be no attempt by Gabriel Valenzuela to resolve the complaint, nor will the complaint process be a prerequisite for accepting a complaint.

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.



NUTRITION SERVICES

Transcribing a Complaint

- The Civil Rights Complaint Coordinator should maintain a complaint log that must include, at a minimum, the following information:
- The name, address, and phone number or other means of contacting the complainant, such as an e-mail address (if not anonymous)
- The specific location and name of the entity delivering benefits
- The nature of the complaint or action that led to the charges being filed
- Whether the allegation was made verbally or in person

The California Department of Education (CDE) Nutrition Services Division recommends that the Civil Rights Complaint Coordinator collect, in addition to the information above, the following information:

- The nature of the incident or action that led the complainant to feel discrimination was a factor, and an example of the method of administration that is having a disparate effect on the public, potential eligible persons, applicants, or participants.
- The basis on which the complainant believes discrimination exists. The basis for nondiscrimination is race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.
- 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 actions occurred or, if continuing, the duration of such actions.



NUTRITION SERVICES

Forwarding a Complaint

To file a program or Civil Rights complaint, please contact the state agency below:

Child Nutrition Programs

Civil Rights and Program Complaint Coordinator

California Department of Education

Nutrition Services Division

1430 N Street, Room 4503

Sacramento, CA 95814-5901

Phone number: 800-952-560

Email: CNPComplaints@cde.ca.gov

Forward all complaints alleging discrimination within **five calendar days** of receipt to the USDA:

USDA

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410

Phone: 866-632-9992

Fax: 833-256-1665

Email: program.intake@usda.gov



NUTRITION SERVICES

Note: The USDA will investigate and process complaints alleging discrimination.

Resources

- CDE Civil Rights and Complaints web page (<https://www.cde.ca.gov/ls/nu/cr/>)
- USDA FNS Civil Rights web page (<http://www.fns.usda.gov/civil-rights>)

USDA 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:

<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.