

CARLYNTON SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED: February 6, 2025

REVISED:

103-AR-2. FOOD & NUTRITION SERVICES CIVIL RIGHTS COMPLAINTS

The purpose of this administrative regulation is to establish a clear and consistent process for handling Civil Rights complaints related to Food and Nutrition Services (FNS) programs. It ensures compliance with federal Civil Rights laws and regulations while providing complainants with the appropriate resources and procedures to file complaints regarding discrimination based on race, color, national origin, age, sex, or disability.

This regulation outlines the responsibilities of district officials in receiving, documenting, and referring complaints to the appropriate federal and state agencies. It also emphasizes the importance of confidentiality, accurate record-keeping, and timely communication with relevant authorities. Additionally, the regulation encourages the resolution of issues at the lowest possible level whenever feasible while maintaining the complainant's right to escalate concerns to the federal level.

By implementing this procedure, the district ensures that all complaints are handled fairly, efficiently, and in accordance with federal guidelines, promoting equity and non-discrimination in Food and Nutrition Services programs.

Procedure for processing complaints

- 1) All complaints of this nature will be processed by the Title IX Coordinator in partnership with the Director of Food Service
- 2) Title IX Coordinator receives a Civil Rights complaint from the complainant (i.e. parent).
 - a) Title IX Coordinator, or designee, must inform complainant of Federal Civil Rights rules and regulations that have been established for protected classes. A protected class is any person or group of people who are protected from discrimination based on:
 - i) Race
 - ii) Color
 - iii) National Origin
 - iv) Age
 - v) Sex
 - vi) Disability

- b) Title IX Coordinator, or designee, must provide complainant the necessary information to file a complaint and direct them to one the following three options:
- i) Mailing address of the USDA:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
 - ii) USDA's Telephone/Fax numbers and Email address:

Phone Number: (866) 632-9992
Fax Number (202) 690-7442
Email Address: program.intake@usda.gov
 - iii) Electronic link to file a civil rights complaint:

http://www.ascr.usda.gov/complaint_filing_cust.html
 - iv) If the Title IX Coordinator, or designee, is unsure if the complaint falls under a protected class, the Title IX Coordinator, or designee, should provide complainant the federal complaint information
- c) After providing the complainant with the information on how to file a Civil Rights complaint directly at the Federal level, the Title IX Coordinator, or designee, may attempt to resolve the complaint if it is a matter that can be resolved quickly. Resolving complaints in real-time at the lowest possible level is encouraged.
- i) This is not an investigation as neither the sponsor nor the State agency has the authority to conduct complaint investigations. This step is designed to simply make an attempt to resolve the situation if it was potentially caused by a miscommunication.
 - ii) If the complainant refuses to discuss the matter any further with the sponsor or if the matter cannot be resolved quickly, then the Title IX Coordinator, or designee, must
 - (1) reiterate the complaint filing procedures in 1.b of this regulation
 - (2) document the complaint and actions taken in a Civil Rights complaint log that is separate from any other complaint log
 - (a) A separate Civil Rights complaint log is necessary due to confidentiality and privacy laws. See complaint log requirements in 1.d of this regulation
 - (3) notify the State agency of the discussion.
 - (a) It is important for the Title IX Coordinator, or designee, to notify the State agency because regular communication between the sponsor and State agency is key to operating the program successfully.
 - iii) If the complainant is willing to try to resolve the issue with the sponsor and a satisfactory resolution is achieved, then the sponsor should still remind the complainant (using the information in 1.b of this regulation of his/her right to file at the Federal level if necessary.

- (1) Complainants retain the right to file at the Federal level even if a resolution seems to have been reached at the district level.
 - (2) The Title IX Coordinator, or designee, needs to document the complaint and actions taken (i.e. how resolution was achieved) in a log that is separate from any other complaint log, and notify the State agency of the resolution.
- d) Regardless of whether the complainant wishes to file at the Federal level, the Title IX Coordinator, or designee, must document as much information as possible in their Civil Rights complaint log including, but not limited to, the following:
- i) Date Complaint Received
 - ii) Complainant's Name
 - iii) Complainant's Address
 - iv) Complainant's Telephone Number
 - v) Complainant's Email Address
 - vi) Allegation of Discrimination/Issue (i.e. FNS program involved, protected class(es) involved, etc.)
 - vii) Date of Alleged Discriminatory Action
- e) The Title IX Coordinator, or designee, must forward the information, within 5 days of receipt of complaint from complainant, to the State agency
- i) State Agency Civil Rights Coordinator, State Agency Director FNS Regional Office Civil Rights Contact, FNS Headquarters Civil Rights Office Complainant
 - (1) State Agency level must forward complaint information, within 5 days of receipt of complaint from the district, to the FNS regional office
 - (2) FNS team conducts complaint review and investigation, which includes contact with the complainant, State agency, and sponsor
- f) Additional Information
- i) Complainants must file within 180 days of the alleged action
 - ii) Confidentiality is extremely important
 - iii) USDA Complaint Form:
 - (1) http://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf