Civil Rights Complaint Procedures
Food and Nutrition Services

Turlock Unified School District (TUSD) is a sponsor of the U.S. Department of Agriculture (USDA) Food and Nutrition Services (FNS) Child Nutrition Programs. TUSD 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, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs).

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:
  - District Compliance Officer and Title IX Coordinator for Employee Affairs
    - Joseph Silveira
      Assistant Superintendent, Human Resources
      1574 Canal Drive
      Turlock, CA 95380
      Or 209-667-0632 Ext. 2107
      josilveira@turlock.k12.ca.us
- Complaints may be filed in any language. Language assistance or translation services will be provided to ensure meaningful access for individuals with limited English proficiency.
- 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 complaints 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 TUSD 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.

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, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs).
- 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.

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
or 800-952-5609
CNPComplaints@cde.ca.gov

Forward all complaints alleging discrimination within **5 calendar days** of receipt to the USDA:

USDA
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW Mail Stop 9410
Washington, D.C. 20250-9410
Fax: (202) 690-7442
program.intake@usda.gov

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, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the state or local agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027 (PDF), found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by:

1. mail:
   U.S. Department of Agriculture
   Office of the Assistant Secretary for Civil Rights
   1400 Independence Avenue, SW, Mail Stop 9410
   Washington, D.C. 20250-9410;

2. fax:
   202-690-7442; or

3. email:
   Program.Intake@usda.gov.

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