

Civil Rights Grievance Policy and Procedures

Pendleton County School District School Nutrition Program Civil Rights Grievance Policy and Procedures

In accordance with FNS Instruction 113-1, the Pendleton County School District provides the following grievance procedure in the event a person believes they or others have been treated unfairly or discriminated against in the School Nutrition Program 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.

REGULATION: 7 CFR 210.23(b) *Civil rights*. In the operation of the Program, no child shall be denied benefits or be otherwise discriminated against because of race, color, national origin, age, sex, or disability. State agencies and school food authorities shall comply with the requirements of: Title VI of the Civil Rights Act of 1964; title IX of the Education Amendments of 1972; section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Department of Agriculture regulations on nondiscrimination (7 CFR parts 15, 15a, and 15b); and FNS Instruction 113-1.

GENERAL INSTRUCTIONS

When received at the Pendleton County District, all complaints alleging discrimination in the School Nutrition Program 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 shall be accepted and forwarded to the State Agency within 24 hours of acceptance unless conditions exist that preclude meeting that timeframe.

Procedures:

1. Right to File a Complaint

Any person alleging discrimination in the School Nutrition Program based on race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity has a right to file a complaint within 180 days of the alleged discriminatory action. All complaints within this timeframe will be accepted.

2. Acceptance

All complaints, written or verbal, shall be accepted. Anonymous complaints will be accepted in the same manner as non-anonymous complaints.

3. Complaint Information

A Civil Rights Complaint form will be used to collect all pertinent complaint information. Every effort shall be made to have the complainant provide the following information:

- a. Name, address, telephone number, or means of contacting the complainant.
- b. The specific location or entity that is the subject of the complaint.
- c. The nature of the incident(s) or action(s) that led the complainant to believe 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.
- d. The basis on which the complainant feels discrimination exists (race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity)
- e. The names, titles and addresses of the persons who may have knowledge of the discriminatory action(s).
- f. The date(s) during which the alleged discriminatory action occurred, or if continuing, the duration of such actions.

4. Verbal Complaints

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

5. Forwarding Complaints to the State Agency

When a complaint form is received or completed on behalf of a complainant, the information will be forwarded to the State Agency [within 24 hours/maximum five days] or as soon as possible if extenuating circumstances apply.

6. Complaint Investigation

Only the Food and Nutrition Service (FNS), Civil Rights Division has the authority to determine if complaints of discrimination alleged to have occurred in a School Nutrition Program will be reviewed, and, if so, the manner in which it will be reviewed. Pendleton County Board School District will comply with any request for assistance or information from the FNS, Civil Rights Division, FNS Regional Office, or SCN in the course of Civil Rights review and investigation into a complaint.

No efforts will be made by any administrator(s) or school staff to review, investigate, or resolve the complaint without the direction to do so from the FNS, Civil Rights Division, the FNS Regional Office, or SCN.

7. Complaint Log

All civil rights complaints will be tracked on the Civil Rights Complaint Log. The Log will be maintained for 3 years plus the current year from the date in which a complaint was resolved.

This Institution is an Equal Opportunity Provider