

## ***USDA Child Nutrition Programs Civil Rights Complaint Procedure***

1. The complainant must report a child nutrition programs civil rights complaint to a school staff member. If the school staff member is not the person responsible for handling child nutrition civil rights complaints, the staff member must relay the complaint to the school's USDA Child Nutrition Programs Civil Rights Coordinator. The USDA Child Nutrition Civil Rights Coordinator is: \_\_\_\_\_
2. The civil rights complaint should be written in the Child Nutrition Civil Rights Complaint Log regardless if the complaint is expressed in writing or verbally.
3. The complainant and/or school are then required to complete the Child Nutrition Civil Rights Complaint Form.
4. If you are calling, emailing or writing the school about a civil rights complaint, please include the following in your complaint message:
  - Your name, address and telephone number.
  - The name, address, and telephone number of your attorney or authorized representative, if you are represented.
  - The basis of your complaint. The basis is what you believe was the motivating factor for the discrimination. For example, you may believe you were treated differently because of your race, color, religion, sex, age, national origin, marital status, sexual orientation, familial/parental status, disability, or because all or a part of an individual's income is derived from a public assistance program. (Not all bases apply to all programs).
  - The date(s) that the incident(s) you are reporting as discrimination occurred. Please note that we cannot accept a complaint about an incident that took place more than 180 days prior to the filing of the complaint. If the discrimination occurred more than 180 days prior to filing your complaint, you may request a waiver of the filing requirement. *(Please contact USDA-FNS listed in the Non-Discrimination statement to file a waiver.)*
  - The name of the individual(s) or entity you believe discriminated against you and the agency or recipient that employs that/those individual(s).
  - The issue(s) of your complaint. The issue is a description of what happened, or the action that was taken by the individual(s) or agency that discriminated against you, resulting in some harm. Explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Please include how other persons were treated differently from you, if applicable. If you were denied a benefit or service, please provide a copy of the denial letter. If you have documents to support the events you are reporting, provide a copy of the supporting documents.

### **Important**

- It is necessary that the information provided be sufficient to determine the identity of the agency or individual towards which the complaint is directed and to indicate the possibility of a violation.
- Anonymous complaints are handled as any other complaints.
- In the event a complainant makes the allegations verbally or through a telephone conversation and 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 complaint for the complainant.
- All complaints with regard to race, color, national origin, sex and age, written or verbal, shall be accepted by the school and forwarded within five (5) business days to: Director, North Dakota Department of Instruction, Child Nutrition and Food Distribution at 600 East Boulevard Avenue, Department 201, Bismarck, ND 58505. Phone: 1-888-338-3663.

### **Child Nutrition Civil Rights Complaint Log**

A permanent log of all the school's Child Nutrition Civil Rights Complaints is located: \_\_\_\_\_

**Resource: FNS Civil Rights Compliance and Enforcement for Nutrition Programs and Activities**

<https://fns-prod.azureedge.net/sites/default/files/113-1.pdf>

***Any person alleging discrimination based on race, color, national origin, sex, age, or disability has a right to file a complaint within 180 days of the date of the alleged discriminatory action.***

This institution is an equal opportunity provider.