

Child Nutrition Programs
PROCEDURE FOR COMPLAINTS OF DISCRIMINATION

The Sponsor or Institution shall accept all complaints of discrimination, whether written or verbal, relating to the Child Nutrition Programs (CNP). Discrimination is defined as different treatment which makes a distinction of one person or a group of persons from others; intentionally, by neglect, or by the actions or lack of actions based on the six protected classes in the Child Nutrition Programs: race, color, national origin, sex, age, or disability.

Washington County School District will keep a log of all discrimination complaints, with the same information as that forwarded to the USBE Child Nutrition Programs or USDA.

1. Discrimination complaints from individuals will be handled by Washington County School District or the School Principal depending on the nature of the complaint.
2. Complaints of discrimination will contain the following information:
 - Name, address, telephone number and any other means to contact the complainant (person issuing the complaint).
 - Specific name, location, and telephone number of the location where the alleged discrimination took place that caused the discrimination complaint.
 - Nature of the incident or action that led the complainant to feel discriminated against.
 - A list of which of the six listed protected classes were discriminated against with a description of the complaint. The six protected classes are: race, color, national origin, sex, age or disability.
 - Name(s), title(s), and addresses of people who may know of the alleged discrimination or action that caused the complaint (for example: teacher, cook or director).
 - The date(s) the action(s) causing the discrimination complaint occurred and how long or how often it occurred.

NOTE: While an effort should be made to obtain this information to ensure the complaint is well recorded, missing information must not keep an institution from receiving and/or reporting complaints.

3. The person filing the complaint must do so within 180 days of the alleged discrimination. If submitted to the institution, it will be immediately forwarded to USBE Child Nutrition Programs or USDA Office of the Assistant Secretary for Civil Rights. The sponsor or institution will handle anonymous complaints in the same manner as other non-anonymous complaints.

Utah State Board of Education,
Director of Child Nutrition Programs
250 East 500 South
PO Box 144200
Salt Lake City, Utah 84114-4200

OR

USDA
Office of the Assistant Secretary for Civil Rights
1400 Independence Ave, SW, Stop 9410
Washington, D.C. 20250-9410

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FREQUENTLY ASKED QUESTIONS

Is your institution meeting civil rights compliance?

Read the following questions and answers to determine your knowledge and compliance performance.

What is Discrimination?

Discrimination is defined as treatment which treats one person or a group of persons differently from others, intentionally, by neglect, or by the actions or lack of actions based on six protected classes in the Child Nutrition Programs: race, color, national origin, sex, age, or disability.

How are citizens' rights protected?

The following laws have been passed designed to defend against discrimination:

- Title VI of the Civil Rights Act of 1964 - Race, Color, National origin
- Title IX of Education Amendments of 1972 – Sex
- Section 504 of Rehab. Act of 1973 – Disability
- Age Discrimination Act of 1975 – Age

Civil Rights Laws provide regulation that no person in the United States shall on the grounds of race, color, national origin, sex or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

What do these laws require of organizations participating in child nutrition programs?

Civil Rights can be broken into these areas of focus for compliance:

- Public Notification System
- Limited English Proficiency
- Accommodations for those with Disabilities
- Data Collection
- Civil Rights Complaints
- Assurances

What is required for public notification?

- All institutions must display the "And Justice For All" poster in a prominent place.
- All institutions must provide informational materials in the appropriate translations concerning the availability and nutritional benefits of the meal programs.
- All materials provided to the public which mention the NSLP or associated programs must contain the nondiscrimination statement.

What must be included in the nondiscrimination statement?

The long nondiscrimination statement may be found at <https://www.fns.usda.gov/fns-nondiscrimination-statement>. Select the appropriate language and be sure to use the correct statement for FNS nutrition assistance programs.

What if the space on the document is too small to fit all nondiscrimination information on?

If the material is too small to permit the full statement to be included, here is the short statement: "This institution is an equal opportunity provider." This must be printed in a font no smaller than the majority of the rest of the text.

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Are there any additional requirements for providing public notification?

Institutions have two additional responsibilities, as follow:

- Make program information available to the public upon request; and
- Must notify the community/grassroots organizations of program benefits at a minimum through an annual public release.

What is required in the Limited English Proficiency (LEP) area?

When a significant portion of the population eligible for program benefits needs service or information in a language other than English to be informed of or to participate in the program, the sponsor will take reasonable steps to provide information in appropriate language for participants. Factors to consider in addressing Limited English Proficiency include number of LEP individuals participating in the Program, frequency of contact with the Program, nature and importance of the Program and resources available. Limited English Proficiency resources are available from USDA, including "I Speak" documents. These resources are available at <https://www.fns.usda.gov/documents-available-other-languages>.

What data must be collected and how must it be maintained?

- Institutions must have a system in place that collects racial and ethnic data;
- Data must be updated at least annually; and
- Each institution agrees to maintain racial and ethnic data on file for three years plus the current year.

How do we collect that data?

Visual identification, personal knowledge may be used by the institution's official or voluntary self-identification by applicant on the free and reduced-price meal application form.

What other assurances must the institution provide?

- Admission procedures must not restrict enrollment by minority persons;
- Denied free and reduced priced applications cannot be based on race, color, national origin, sex, age, or disability; and
- Institutions shall make reasonable accommodation to persons with disabilities unless the accommodation would pose undue hardship on the operation of its program or place of business.

How do we handle civil rights complaints?

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 alleged discriminatory action. Complaints can be written or verbal. Anonymous complaints should be handled as any other complaints. Complaints must be reported the USBE Child Nutrition Programs.

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