

Civil Rights Complaint Procedure for School Nutrition Program

NOTE: The United States Department of Agriculture (USDA) requires school districts receiving federal funding for child nutrition programs to have a written civil rights complaint procedure. This sample contains the language CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

This exhibit does not need to be filed in the Board's policy manual and should be kept by the district in another location, such as the district's nutrition services manual.

In accordance with the United States Department of Agriculture (USDA) civil rights regulations and policies, the district is prohibited from discriminating 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 in any school nutrition program.

A participant in the district's school nutrition program who alleges discrimination on the basis of any of the above-listed federally-protected classes has the right to file a complaint within 180 days of the alleged discrimination, in accordance with this procedure.

Filing a complaint

If an individual has an unlawful discrimination complaint concerning his or her participation in a school nutrition program, the complaint may be directed to: Crystal Garcia, Food Service Director, P.O. Box 129, Deer Trail, CO 80105, 303-769-4421 x 157, cgarcia@dt26j.com.

Complaints may be made verbally (in person or over the phone) or may be submitted in writing to the district contact listed above. Complaints may be filed anonymously.

When filing a complaint, the following information will be requested:

1. complainant's name, address and telephone number (unless the complainant wishes to remain anonymous);
2. the nature of the incident or action that led the complainant to feel discrimination was a factor;
3. the basis on which the complainant believes discrimination exists;
4. the names, telephone numbers, titles and business or personal addresses of persons who may have knowledge of the alleged discriminatory action; and
5. the date(s) during which the alleged discriminatory action(s) occurred.

Forwarding a complaint

Upon the district's receipt of the complaint, the district shall forward the complaint as soon as possible but no later than five business days to the following agency:

USDA Office of Civil Rights
1400 Independence Ave., SW, Rm 1095-S
Stop 0206
Washington, DC 20250
(or e-mailed to program.intake@usda.gov)

The designated agency shall then conduct the complaint review and investigation within the required timeline (90 days).

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Revised: June 2023

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LEGAL REF.: USDA Food and Nutrition Service (FNS) Instruction 113-1 (*civil rights compliance and enforcement - nutrition programs and activities*)
7 C.F.R. §15d.2 (*definition of discrimination in programs or activities conducted by the U.S. Department of Agriculture*)
USDA Nondiscrimination Statement

NOTE: The USDA has a program complaint form available on its website or at any USDA office. To request a copy of the complaint form, call 866-632-9992.