

USDA Child Nutrition Programs Civil Rights Complaint Procedure

Filing a Complaint of Discrimination Based on Protected Class

- 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: Douglas Rogers Jr., Director of Student Services at 1110 S. 6th St, Sunnyside, WA, 98944. Phone: 509-837-5851.
- 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.
 - **Step 1. Write Out Your Complaint**
 - o 1. Describe the conduct or incident. Use facts: what, who, and when.
 - o 2. Explain why you believe discrimination has taken place.
 - o 3. Describe what actions you believe the district or charter school should take to resolve the problem.
 - o Send your written complaint—by mail, fax, email, or hand delivery—to the district or civil rights compliance coordinator, Douglas Rogers Jr., Director of Student Services at 1110 S. 6th St, Sunnyside, WA, 98944.
 - o Deadline for Filing a Complaint School districts and charter schools are allowed to adopt a filing deadline for complaints. This deadline must be at least one year after the incident or conduct—the subject of the complaint—took place. Find out if your district or charter school imposes a deadline for filing a complaint related to discrimination.
 - **Step 2. School District or Charter School Investigates Your Complaint**
 - o Your civil rights coordinator has an important role to play once the school district or charter school receives your written complaint. The coordinator must:
 - Give you a copy of the procedure to follow for discrimination complaints
 - Make sure a prompt and thorough investigation takes place
 - **Important!** At this point, you could decide to resolve your complaint immediately instead of proceeding with the investigation.
 - 30 Calendar Days and the Extended Deadline Once the district or charter school receives your written complaint, the superintendent or administrator must respond to you in writing within 30 calendar days—unless you agree on a different time period.
 - If your complaint involves exceptional circumstances that demand a lengthier investigation, the district or charter school must notify you in writing and state (1) why staff need this time extension and (2) a new date for their written response.

- **Step 3.** School District or Charter School Responds to Your Complaint
 - In a written response, the district or charter school must include this information:
 - Summary of the results of the investigation
 - Determination that states clearly whether or not the district or charter school failed to comply with civil rights law
 - Notification that you can appeal this determination: how and where to file a formal appeal, and to whom it must be addressed
 - Any measures, determined through the investigation, necessary to bring the district or charter school into compliance with civil rights law.
 - Corrective measures must be put into effect within 30 calendar days after this written response—unless you agree to a different time period.
- Mediation is an option you could consider. Under state law, school districts and charter schools can offer—at their own expense—the option to resolve complaints through an impartial mediator.³ Mediation must be voluntary on the part of parents and guardians. If you decide to use a mediator, it is also possible to extend the 30-calendar day time period during which the district or charter school must respond.

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: Sunnyside School District Child Nutrition Director, Child Nutrition at 1110 S. 6th St, Sunnyside, WA, 98944. Phone: 1-509-836-8714.

Child Nutrition Civil Rights Complaint Log

A permanent log of all the school's Child Nutrition Civil Rights Complaints is located: Child Nutrition Office at 1110 S. 6th St, Sunnyside, WA, 98944

Resource: FNS Civil Rights Compliance and Enforcement for Nutrition Programs and Activities
<https://www.fns.usda.gov/fns-instruction-113-1>

Any person alleging discrimination 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 date of the alleged discriminatory action.

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Civil Rights Complaint Form

Name of Complainant _____

Address _____

Phone Number (Inc. area code) _____

Email Address _____

List Name/Location of Organization Providing Benefits:

Indicate the discriminatory action or incident (include date action occurred):

On what basis does the complainant believe he/she was discriminated against (race, color, national origin, gender, age, disability, reprisal or retaliation for prior civil rights activity)?

Persons who may have knowledge of the discriminatory action:

Name	Title	Address	Phone #
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____