

PROCEDURE FOR FOOD AND NUTRITION SERVICES
CIVIL RIGHTS COMPLAINTS
PORTAGE AREA SCHOOL DISTRICT
84 MOUNTAIN AVE
PORTAGE PA. 15946

Summer feeding program and alternate feeding locations:
call 211
call 1.866.3Hungry or 1.877.8Hambre
text "MEALPA" TO 877877 during the summer months
Visit the website: <http://www.fns.usda.gov/summerfoodrocks>
or visit the site locator for smartphones - Rangeapp.org

Civil rights statement and USDA link procedure:

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
 - (2) Fax: (202) 690-7442; or
 - (3) E-mail: program.intake@usda.gov.
- This institution is an equal opportunity provider.

**Procedure for Food and Nutrition Services (FNS) Civil Rights Complaints
Pennsylvania Department of Education
Division of Food and Nutrition**

- 1) Sponsor receives a Civil Rights complaint from the complainant (i.e. parent).
 - a) Sponsor must inform complainant of Federal Civil Rights rules and regulations that have been established for protected classes. (A protected class is any person or group of people who are protected from discrimination based on):
 1. Race
 2. Color
 3. National Origin

4. Age
5. Sex
6. Disability

b) Sponsor must provide complainant the necessary information to file a complaint, which is:

1. Mailing address of the USDA:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

2. USDA's Telephone/Fax numbers and Email address:

(866) 632-9992 / (202) 690-7442 F/ program.intake@usda.gov

3. Electronic link to file a civil rights complaint:

http://www.ascr.usda.gov/complaint_filing_cust.html

Note: If the sponsor is unsure if the complaint falls under a protected class, sponsor should provide complainant the federal complaint information.

c) **After providing the complainant with the information on how to file a Civil Rights complaint directly at the Federal level**, the sponsor may attempt to resolve the complaint if it is a matter that can be resolved quickly. Resolving complaints in real-time at the lowest possible level is encouraged. (***Note:** This is not an investigation as neither the sponsor nor the State agency has the authority to conduct complaint investigations. This is simply trying to resolve the situation if it was potentially caused by a miscommunication.)

If the complainant refuses to discuss the matter any further with the sponsor or if the matter cannot be resolved quickly, then the sponsor should:

1. reiterate the complaint filing procedures in 1)b),
2. document the complaint and actions taken (i.e. referral to Federal complaint procedures) in a Civil Rights complaint log that is separate from any other complaint log, (***Note:** A separate Civil Rights complaint log is necessary due to confidentiality and privacy laws. See complaint log requirements in d) below.), and
3. notify the State agency of the discussion. (***Note:** it is important for the sponsor to notify the State agency because regular communication between the sponsor and State agency is key to operating the program successfully.)

If the complainant is willing to try to resolve the issue with the sponsor and a satisfactory resolution is achieved, then the sponsor should still remind the complainant (using the information in 1)b)) of his/her right to file at the Federal level if necessary. (***Note:** Complainants retain the right to file at the Federal level even if a resolution seems to have been reached at the sponsor level.) The sponsor needs to document the complaint and actions taken (i.e. how resolution was achieved) in a log that is separate from any other complaint log, and notify the State agency of the resolution.

d) Regardless if the complainant wishes to file at the Federal level, the sponsor should document as much information as possible in their Civil Rights complaint log including, but not limited to, the following:

- Date Complaint Received
- Complainant's Name
- Complainant's Address
- Complainant's Telephone Number

- Complainant's Email Address
- Allegation of Discrimination/Issue (i.e. FNS program involved, protected class(es) involved, etc.)
- Date of Alleged Discriminatory Action

1. The sponsor **must forward** the information, **within 5 days of receipt of within 5 days of receipt of complaint** from complainant, to the State agency (process depicted below):

State Agency Civil Rights Coordinator State Agency Director* FNS Regional Office Civil Rights Contact FNS Headquarters Civil Rights Office Complainant

2. *State Agency level **must forward** complaint information, **within 5 days of receipt of complaint** from sponsor, to the FNS regional office.

3. FNS team conducts complaint review and investigation, which includes contact with the complainant, State agency, sponsor, etc.

2) Additional Information:

- a) Complainants must file within 180 days of the alleged action
- b) Confidentiality is extremely important
- c) USDA complaint form:

English version:

http://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf

Spanish version:

http://www.ocio.usda.gov/sites/default/files/docs/2012/Spanish_Form_508_Compliant_6_8_12_0.pdf