



**"AND  
JUSTICE  
FOR ALL"**

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

El Departamento de Agricultura de los EE. UU. (USDA, siglas en inglés) prohíbe la discriminación en todos sus programas y actividades a base de raza, color, origen nacional, género, religión, edad, impedimentos, credo político, orientación sexual, estado civil o familiar. (No todas las bases de prohibición aplican a todos los programas.) Personas con impedimentos que requieran medios alternativos de comunicación para obtener información acerca de los programas (Braille, tipografía agrandada, cintas de audio, etc.) deben ponerse en contacto con el Centro TARGET de USDA, llamando al (202) 720-2600 (voz y TDD).

Para presentar una queja sobre discriminación, escriba a USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410, o llame al (202) 720-5964 (voz y TDD). USDA es un proveedor y empleador que ofrece oportunidad igual a todos.



*Complaints alleging discrimination will be reported to the U.S. Department of Agriculture. 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](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office. You can also write a letter addressed to USDA and provide in the letter all of the information requested in the form or call (212) 720-5964. 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](mailto:program.intake@usda.gov).*

**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](mailto:program.intake@usda.gov)
    3. Electronic link to file a civil rights complaint:  
[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](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 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](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](http://www.ocio.usda.gov/sites/default/files/docs/2012/Spanish_Form_508_Compliant_6_8_12_0.pdf)