

Adopted: 2-27-2019

Revised:

**NORTH METRO FLEX ACADEMY
POLICY No. 1.3
CIVIL RIGHTS AND COMPLAINT PROCEDURES**

I. PURPOSE

The purpose of this policy is to ensure all North Metro Flex Academy (NMFA) staff are aware of civil rights responsibilities and the complaint procedure. As it relates to child nutrition programs, the Civil Rights Coordinator is the NMFA Principal.

II. DUTIES

- A. Provide civil rights training to all staff annually.
- B. Implement procedures to determine and process civil rights complaints.
 - 1. Complaints will be handled by the Civil Rights Director and the NMFA Principal.
- C. Implement procedures to determine and process program related complaints.
- D. Notify the public, participants, and potential participants, upon request, of information about program requirements and the procedures for filing a complaint in English and/or in the appropriate language for persons with limited English proficiency.
- E. Notification will be mailed home with each meal application at the beginning of each school year.
- F. Ensure that the public, participants, and potential participants are notified that a complaint can be filed anonymously or by a third party.
- G. Develop a method to collect racial and ethnic data via self-identification or self-reporting by applicant.
 - 1. Each meal application will have a section requesting the information on a voluntary basis.
- H. Ensure that participants with disabilities are not excluded from enjoying the benefits or services due to inaccessibility of facilities. Every part of a facility must be accessible to and usable by persons with disabilities.
 - 1. All disabilities will be accommodated as required.
- I. Ensure the most current version of the federal nondiscrimination statement is included in a prominent location on all public information releases, publications, and on posters concerning nutrition program activities, except menus.
 - 1. NMFA nutrition program activities documents will contain the current federal nondiscrimination statement.
- J. Ensure “And Justice for All” posters are displayed in areas visible to program recipients, such as the food service area and the nutrition services office.

1. Posters are prominently displayed in serving locations.
- K. Send a public release announcing the availability of the program and of any changes in the program.
- L. Provide appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency.
 1. All documents will be provided in English and Spanish.
- M. Establish admission and enrollment procedures that do not restrict enrollment of minority persons or persons with disabilities. Ensure minority persons and participants with disabilities have equal access to all programs.
 1. Applications are submitted via mail or walk-in. All applications are taken at face value and processed according to the information on the application.
 2. Each application is date stamped when received and processed in the order received.
- N. Maintain a Complaint Log that includes the following:
 1. Name, address and telephone number or other means of contacting the complainant (if not anonymous).
 2. Serving site name and location.
 3. Nature of complaint or action that led to the charges being filed.
 4. For complaints that appear discriminatory the following information:
 - a. Basis on which the complainant feels that discrimination occurred (must feel discriminated against based on one or more of the protected classes).
 - b. Names, titles, and addresses of persons who may have knowledge of the discriminatory action or situation (if known).
 - c. Date(s) that the alleged discrimination occurred.
 5. All civil rights complaints should be forwarded to the USDA National Office in Washington, D.C. at the address provided below.

III. NONDISCRIMINATION STATEMENT

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, religious creed, disability, age, political beliefs, 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 How to File a Program Discrimination Complaint, at any USDA office, or write a letter addressed to the 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 by mail to:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 independence Avenue, SW
Washington, D.C, 20250-9410;
fax: (202) 690-7442; or
email: program.intake@usda.gov.

IV. COMPLAINT PROCEDURE

- A. Any individual or interested third party, public agency, or organization may file a complaint.
- B. Discrimination Complaint: A complaint alleging discrimination based on race, color, national origin, sex, age, or disability.
- C. Program Complaint: A complaint alleging violation of federal or state laws or regulations concerning the program.
- D. All civil rights complaints are to be directed to Therese Privette, North Metro Flex Academy Principal.
- E. Civil Rights Coordinator will maintain a log of all complaints and work with appropriate people to resolve complaints.
- F. If the nature of the complaint appears discriminatory, complaint should be forwarded to USDA National office in Washington, D.C.

V. COMPLAINT LOG

The Complaint Log is kept in an Excel format in a Civil Rights Procedures folder located in a shared drive (s:). Complaint Log will include:

- A. Date
- B. Name or Anonymous
- C. Address
- D. Telephone number
- E. Email address
- F. Complaint
- G. Location of complaint

H. Follow-up information