

Resolution of Discrimination Complaints

I. GENERAL

- A. All written or verbal complaints alleging discrimination on the basis of race, color, national origin, sex, age or disability shall be processed within 90 days upon receipt in the manner prescribed by this instruction.
- B. The Office of Minority Affairs (OMA) has been delegated the authority to determine the manner in which all civil rights complaints, investigations, preliminary inquiries and compliance reviews are to be handled. Regardless of the school nutrition programs administrative or operational level where a civil rights complaint is filed, it must be forwarded in accordance with paragraph B below to the Director, Civil Rights (CR) Division, for submission to the OMA. The OMA will prepare and issue letters of acknowledgment to the complainant(s).
- C. A preliminary inquiry or an investigation will be conducted on all valid complaints to substantiate or refute the allegations.

II. PROCEDURE FOR FILING COMPLAINTS OF DISCRIMINATION

- A. Right to File a Complaint. Any person alleging discrimination based on race, color, national origin, sex, age or disability has a right to file a complaint within 180 days of the alleged discriminatory action. Under special circumstances, this time limit may be extended by OMA.
- B. Acceptance. All complaints, written or verbal, shall be accepted by the SFA, State Agency of Food Nutrition Services Regional Office (FNSRO), forwarded to the FNSRO, as applicable, and then forwarded at once to CR Division. It is necessary that the information be sufficient to determine the identity of the agency or individual toward which the complaint is directed, and to indicate the possibility of a violation. Anonymous complaints shall be handled as any other complaint.
- C. Verbal Complaints. In the event that a complainant makes the allegation 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. Every effort should be made to have the complainant provide the following information:
 - 1. Name, address and telephone number or other means of contacting the complainant.
 - 2. The specific location and name of the entity delivering the program service or benefit.
 - 3. The nature of the incident(s) or action(s) that led the complainant to feel discrimination was a factor.
 - 4. The basis on which the complainant feels discrimination exists (race, color, national origin, sex, age or disability).
 - 5. The names, titles and addresses of persons who may have knowledge of the discriminatory action(s).
 - 6. The date(s) during which the alleged discriminatory action occurred, or if continuing, the duration of such actions.

Adopted: January 7, 1985

Revised: October 02, 2000

Legal Reference: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment
Opportunity Act of 1972

Cross Reference: