



# COMMUNITY NUTRITION *conference*

## Summer Food Service Program: Complaints

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TEXAS DEPARTMENT OF AGRICULTURE  
COMMISSIONER SID MILLER



# INTRODUCTION: WHAT IS A COMPLAINT?

A concern or dissatisfaction regarding an F&N administered program that alleges a violation of federal or state regulations, TDA policy, or F&N's customer service expectations.

There are two types of complaints:

- Standard
- Civil Rights

# Complaint Allegation Categories

- ✓ Financial
- ✓ Legal
- ✓ Meals
- ✓ Participation
- ✓ Program Management
- ✓ Non-TDA Purview




# TDA Complaint Process

- Complaint Received
  - ☐ 30 Days
- Quality Assurance Quality Control (QAQC)
- QAQC Specialist
  - ☐ Research

# Contracting Entity Role

## Example

- Responsive to TDA requests
- Conducting research
  - ☐ Making contact with individuals
  - ☐ Conducting a site visit
  - ☐ Requesting documentation to assess allegations
  - ☐ Conduct review of documentation
- Report findings to TDA



Complaints

# TDA Complaint Process

- QAQC Specialist
- Compliance

# What is a Civil Rights Complaint?

- In the USDA nutrition programs, there are six bases protected against discrimination.
- Any complaint that refers to one or more of the six protected bases is a Civil Rights complaint.





# Civil Rights Complaints

## Protected Bases

- ❖ Race
- ❖ Color
- ❖ National Origin
- ❖ Sex
- ❖ Age
- ❖ Disability





# Discrimination is. . .

...is the treatment or consideration of, or making a distinction in favor or against, a person based on the group, class, or category to which the person belongs.

Discrimination may be either intentional, by neglect, or by the actions or lack of actions based on membership in one of the protected bases.

# Identifying Civil Rights Complaints

## The Four D's...

- Denied program benefits unfairly
- Delayed program benefits unfairly
- Treated differently – could involve a policy or practice that has an adverse impact of any form of intimidation or retaliation
- Given disparate treatment – could involve a policy or practice that is not discriminatory, but has a discriminatory impact in practice

# Notification and Procedures

## Public notification

- Nondiscrimination statement
- And Justice for All Poster

## Procedures for processing civil rights complaints

- Documentation of the procedures
- Explanation of the complaint process






## CIVIL RIGHTS COMPLAINT

- ✓ Complaint may be oral or written
- ✓ Complaint must be kept confidential
- ✓ CE must report all complaints to USDA
- ✓ CE must submit a courtesy copy to TDA

# Complaint Documentation

- ✓ Complainants Contact Information
- ✓ Location and name of organization or individual participating in program
- ✓ Nature of the incident or action
- ✓ Basis on which the complainant believes that discrimination exists
- ✓ Contact information of individuals who have knowledge of the alleged discriminatory action
- ✓ Date the alleged discriminatory action occurred



Complaints

A parent calls and complains that a school cafeteria worker told their child that boys get larger portions.

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Sex



A food pantry gives elderly recipients  
different foods than the younger  
recipients.

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Age

A parent claims their child is forced to have lunch alone in a room because of mobility impairment.

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**Disability**

A parent complains that children with fair skin are fed first at an outdoor summer feeding site.

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Color



A pastor e-mails that several of their parishioners are unable to access nutrition programs because the application is not available in their language.

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**National Origin**

# Available Resources

TDA: [www.squaremeals.org](http://www.squaremeals.org)

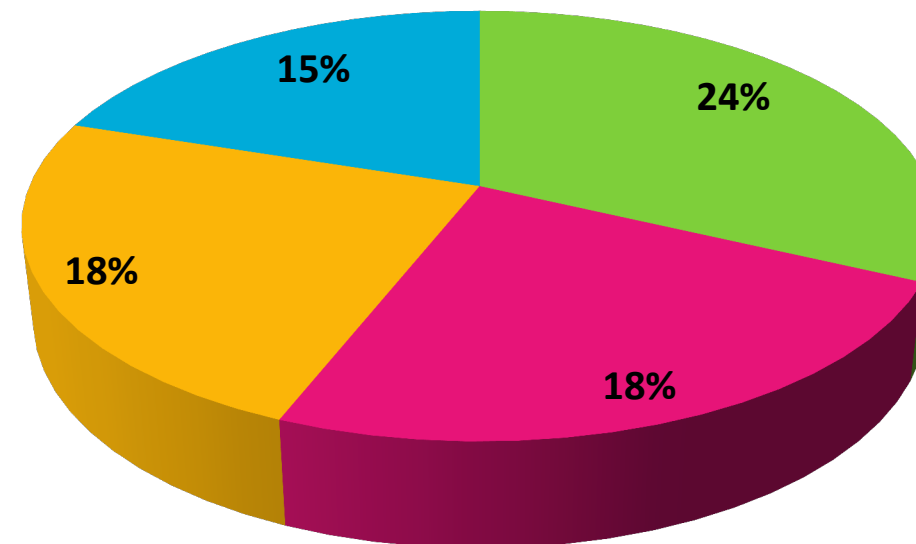
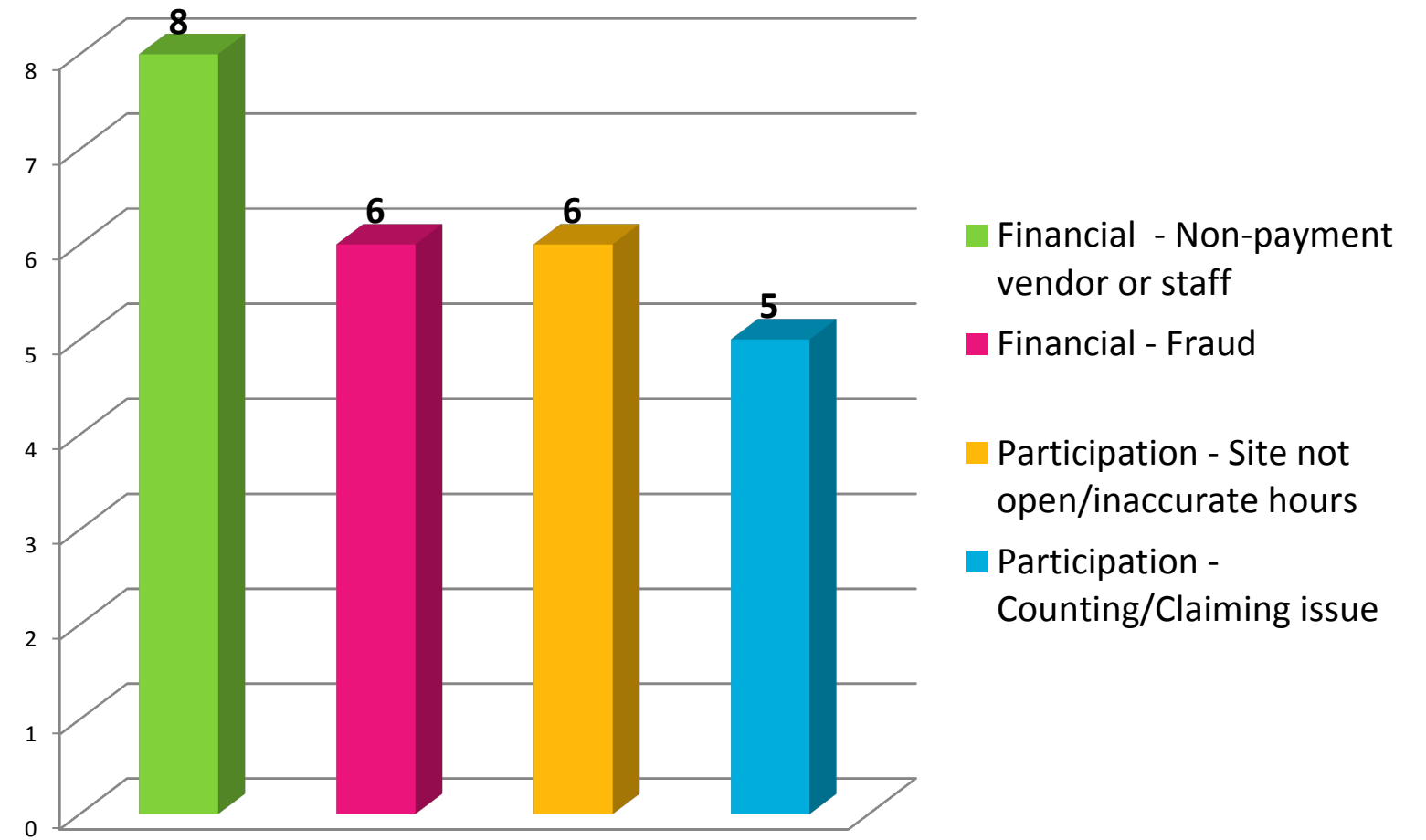
- ❖ [TDA's SFSP Supplemental Handbook](#)
- ❖ [Civil Rights training](#)

USDA: [www.fns.usda.gov](http://www.fns.usda.gov)

- ❖ USDA publications
  - ❖ [Administration Guide for SFSP](#)
  - ❖ [Policy](#)

**PY2018**

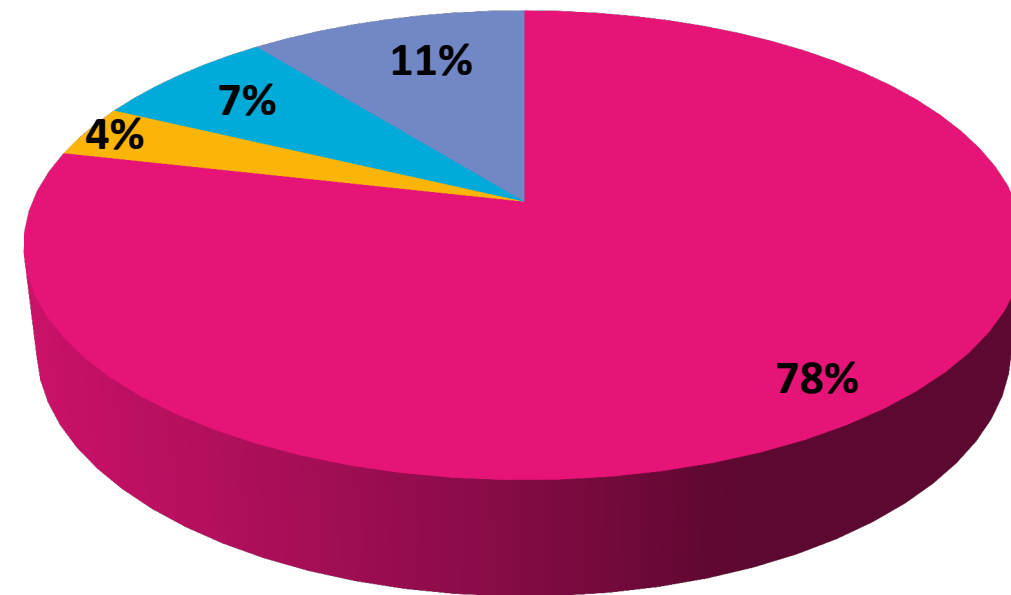
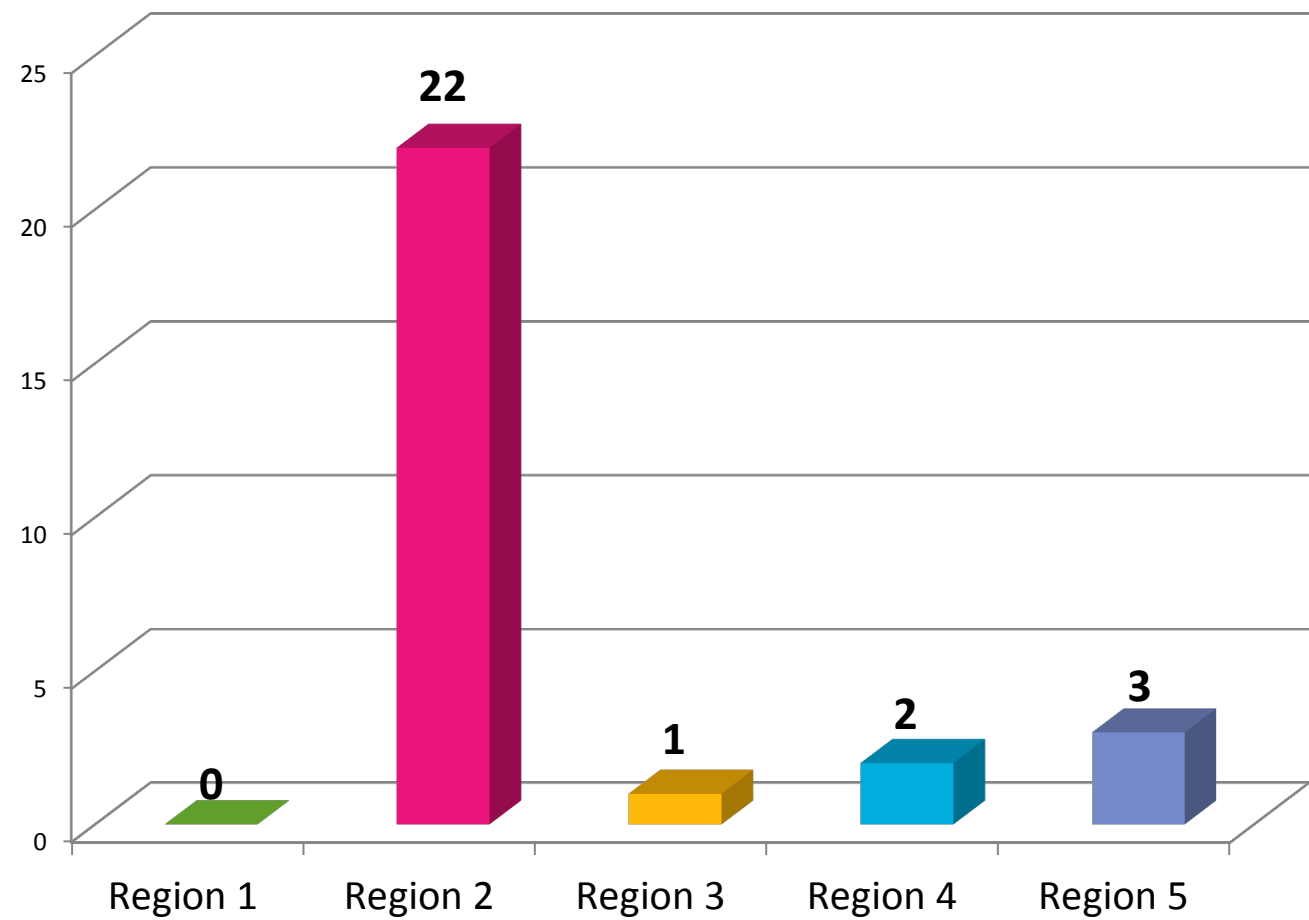
# SFSP Complaint Allegations





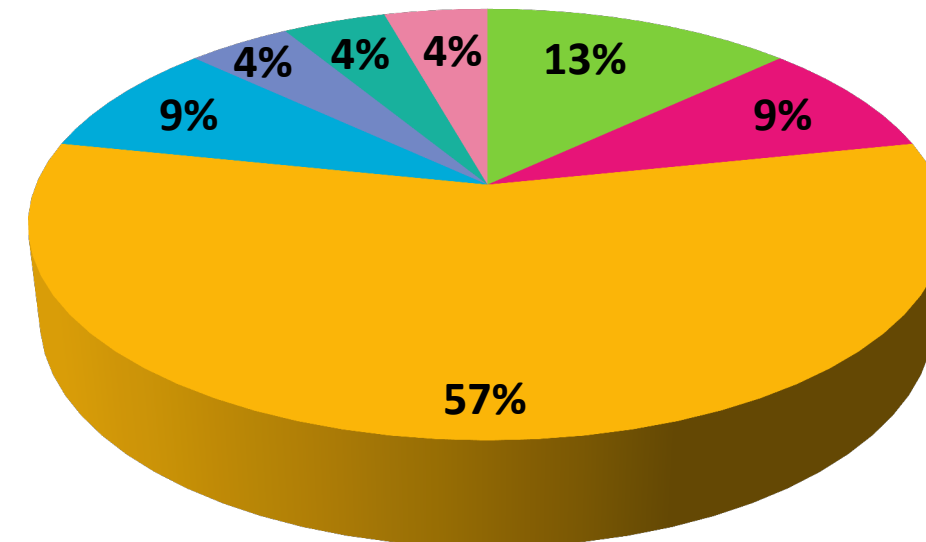
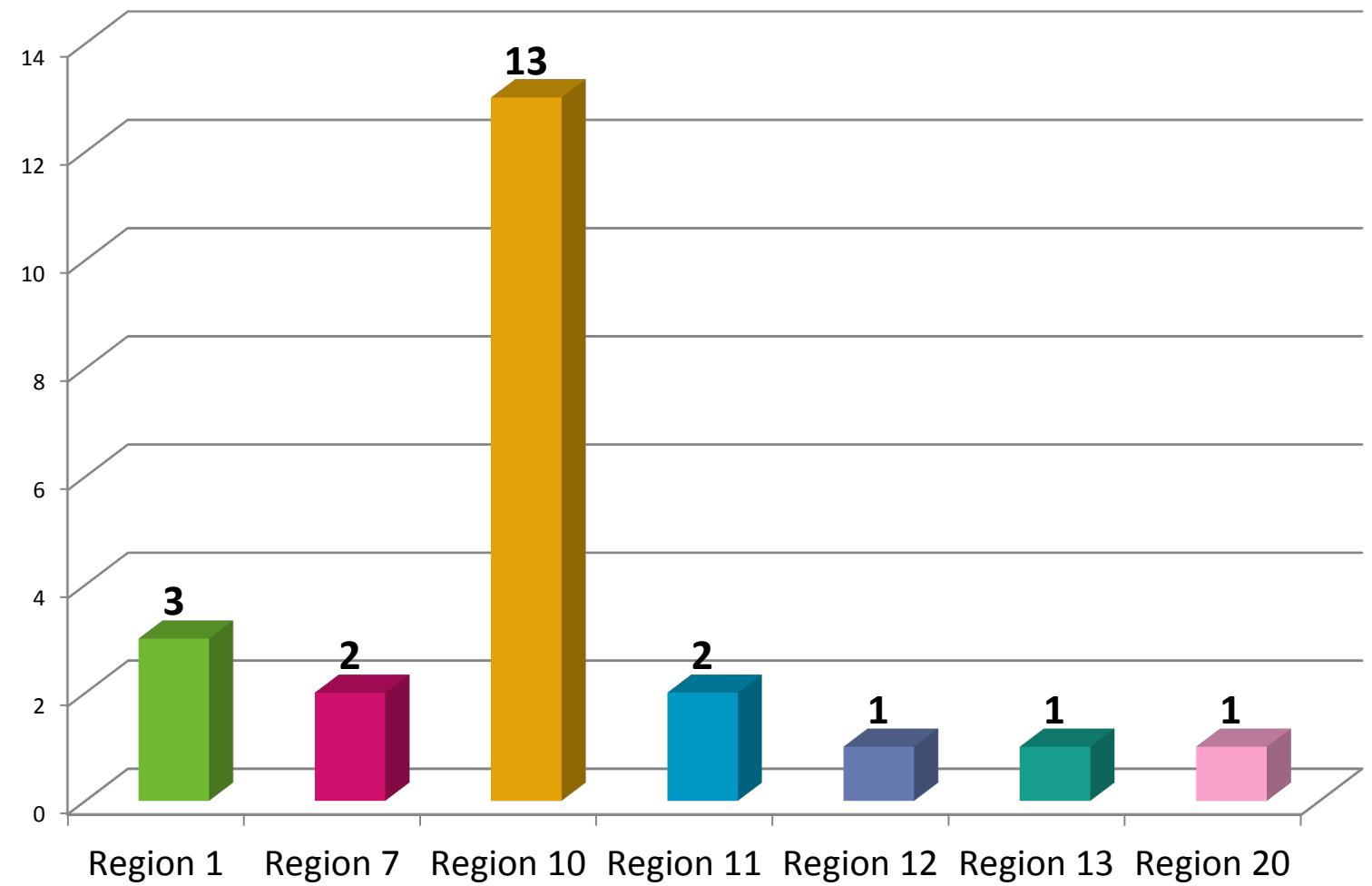
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# SFSP Complaints TDA Regions



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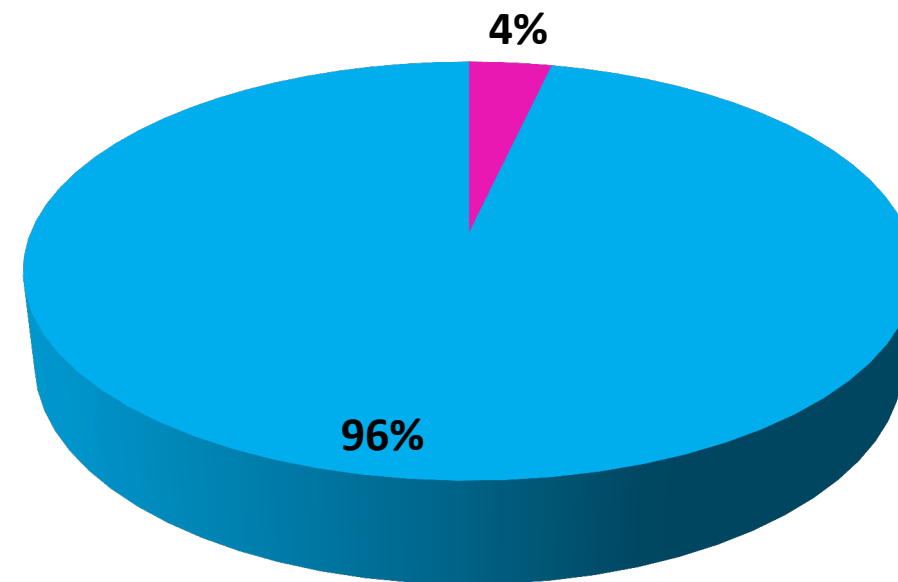
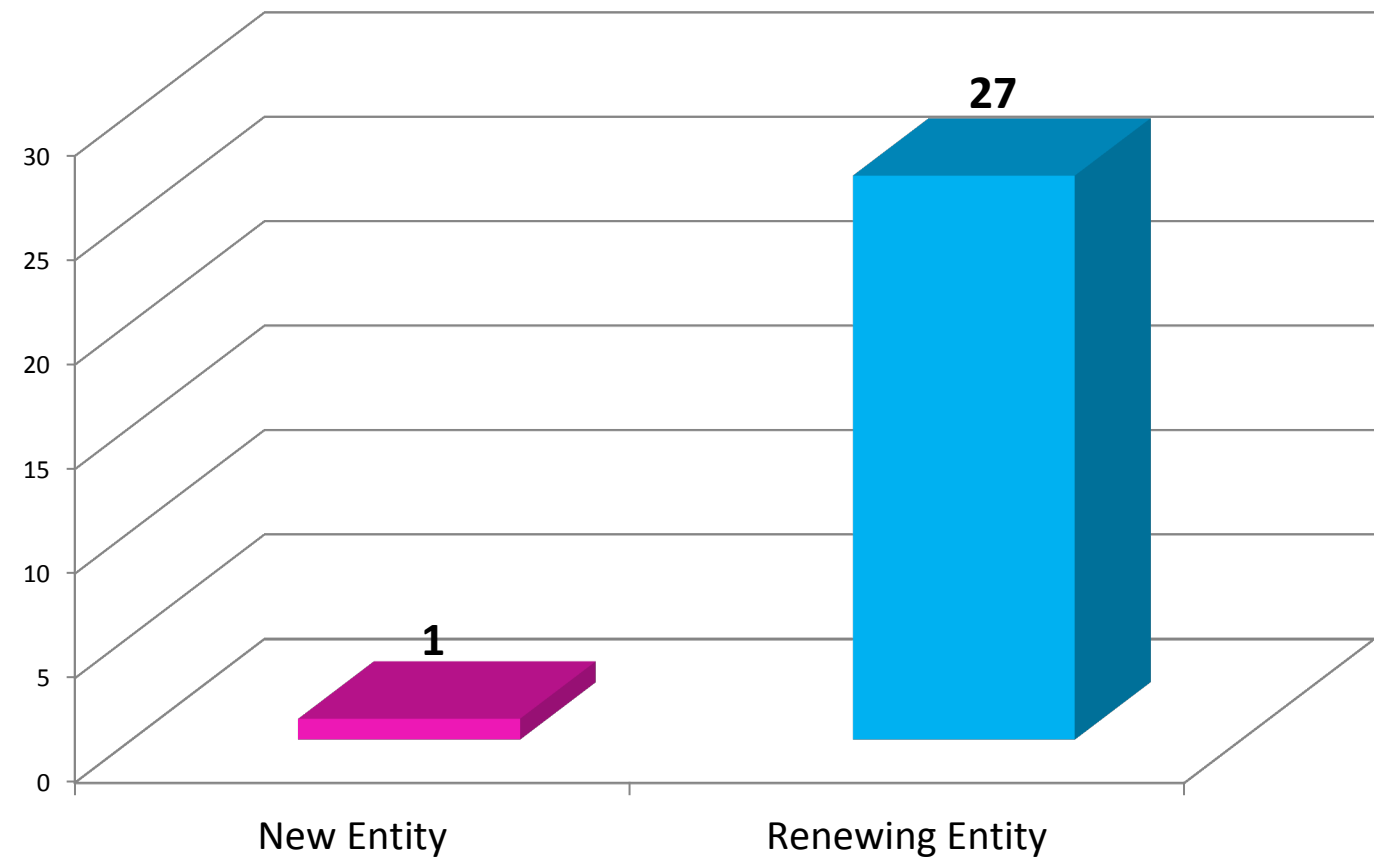
# SFSP Complaints ESC Regions



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**SFSP**

**Renewing Entity vs.  
New Entity**



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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](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:

mail:

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](mailto:program.intake@usda.gov).

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