



COMMUNITY NUTRITION *conference*

Child and Adult Care Food Program: Complaints

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TEXAS DEPARTMENT OF AGRICULTURE
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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.

Sex

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

Age

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

Disability

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

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.

National Origin

Available Resources

TDA: www.squaremeals.org

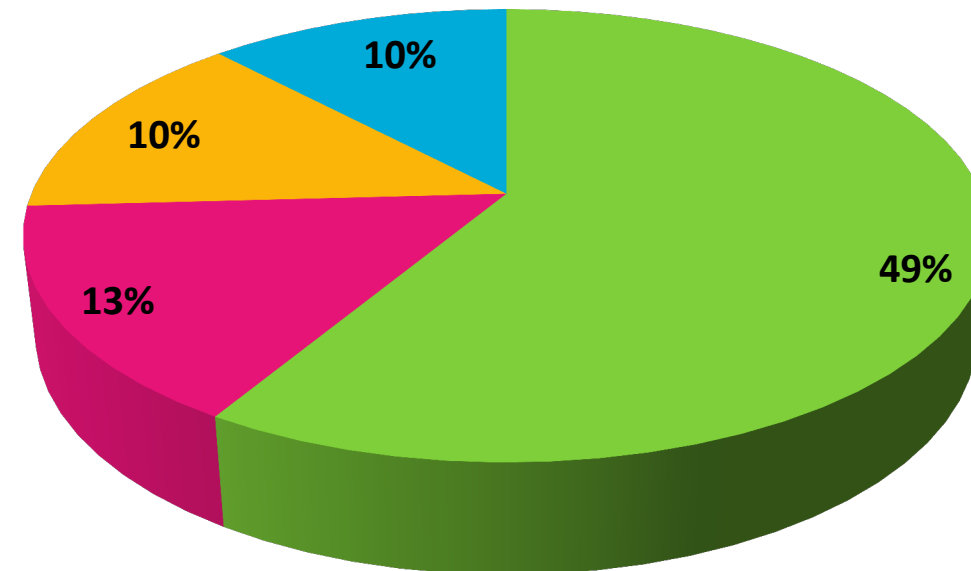
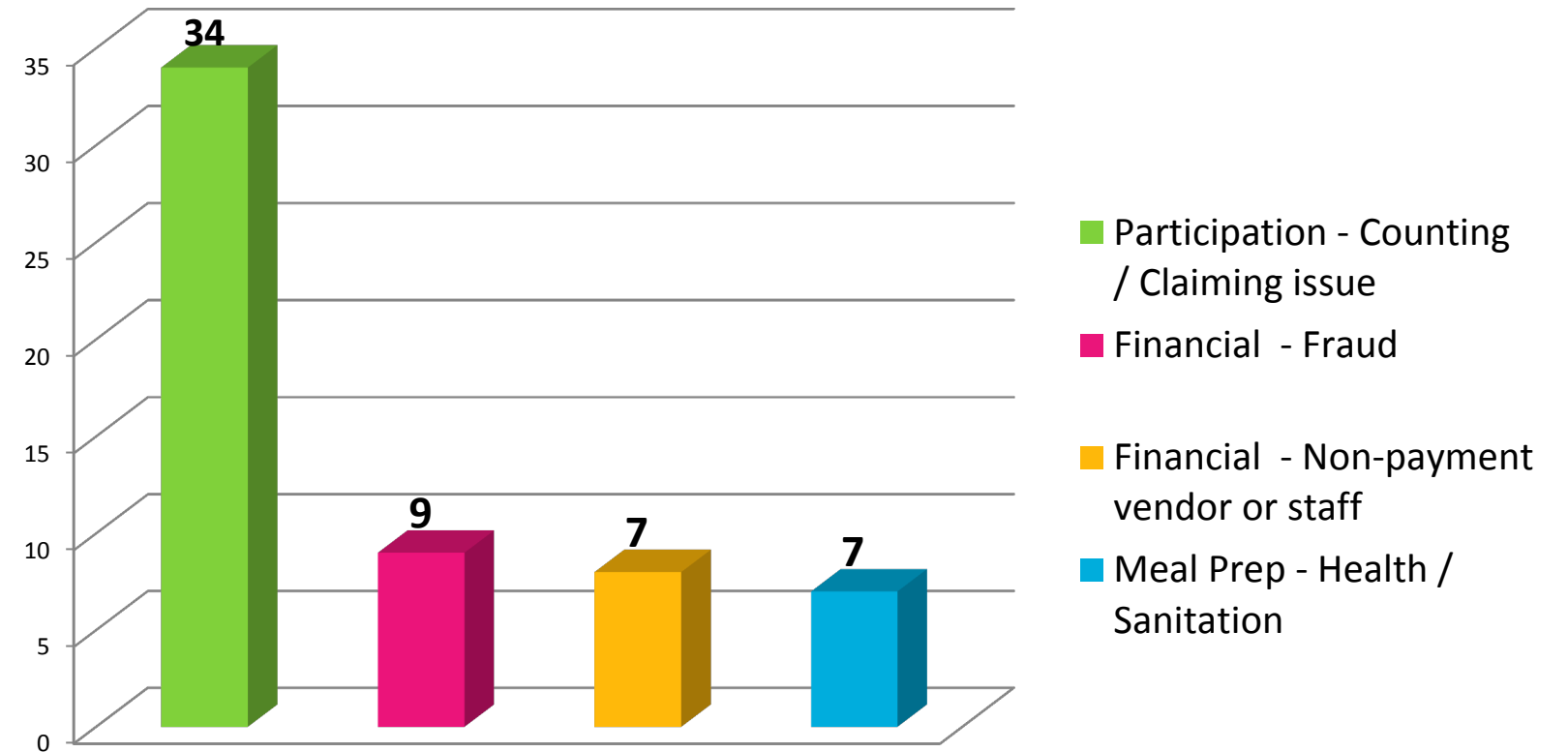
- ❖ [TDA's CACFP Handbooks](#)
- ❖ [Civil Rights training](#)

USDA: www.fns.usda.gov

- ❖ USDA publications
 - ❖ [Policy](#)

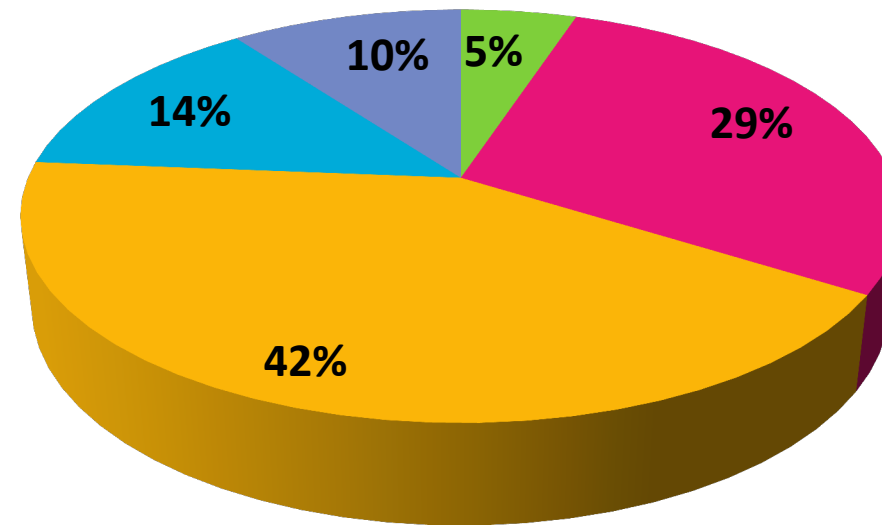
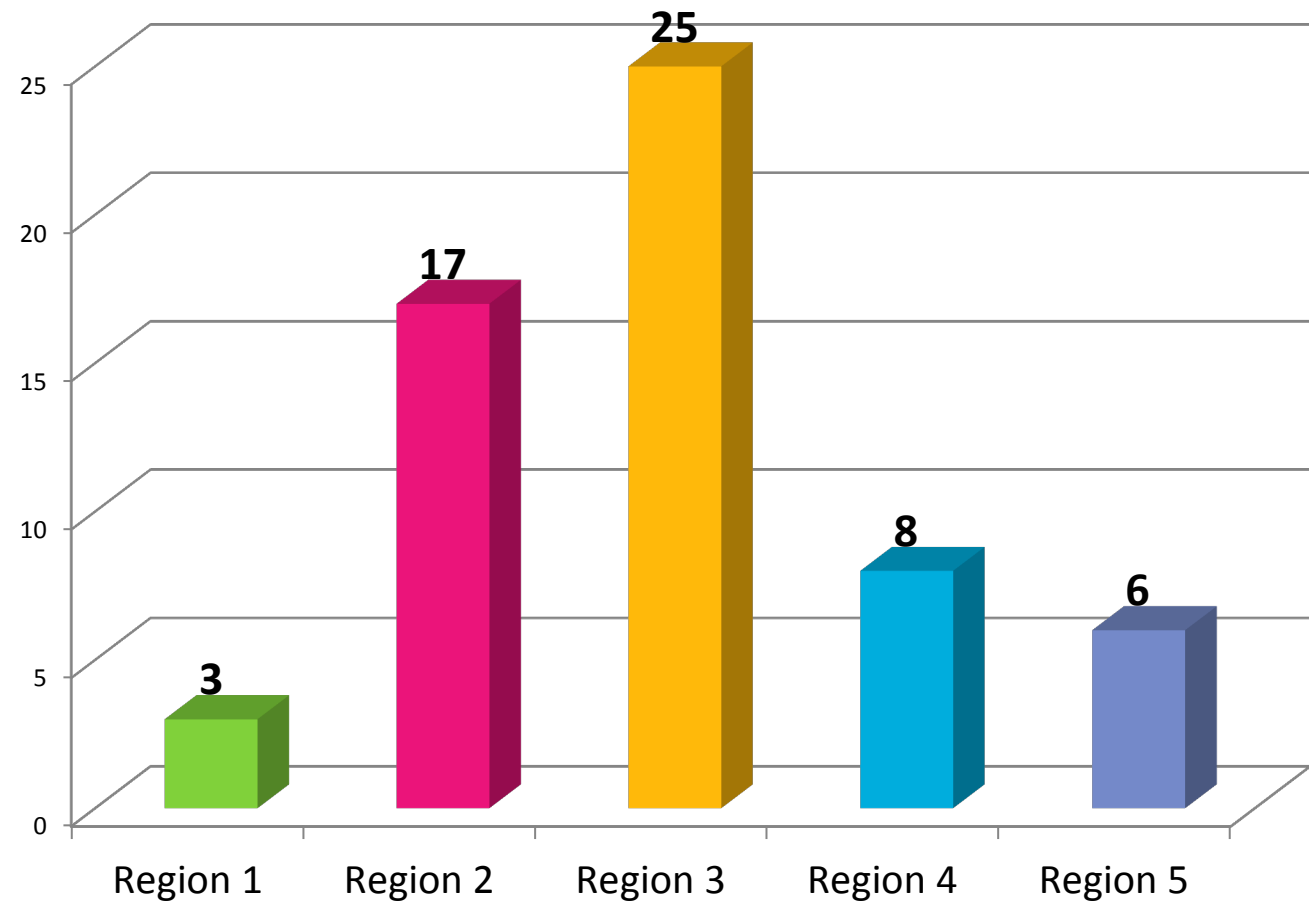
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CACFP Complaint Allegations



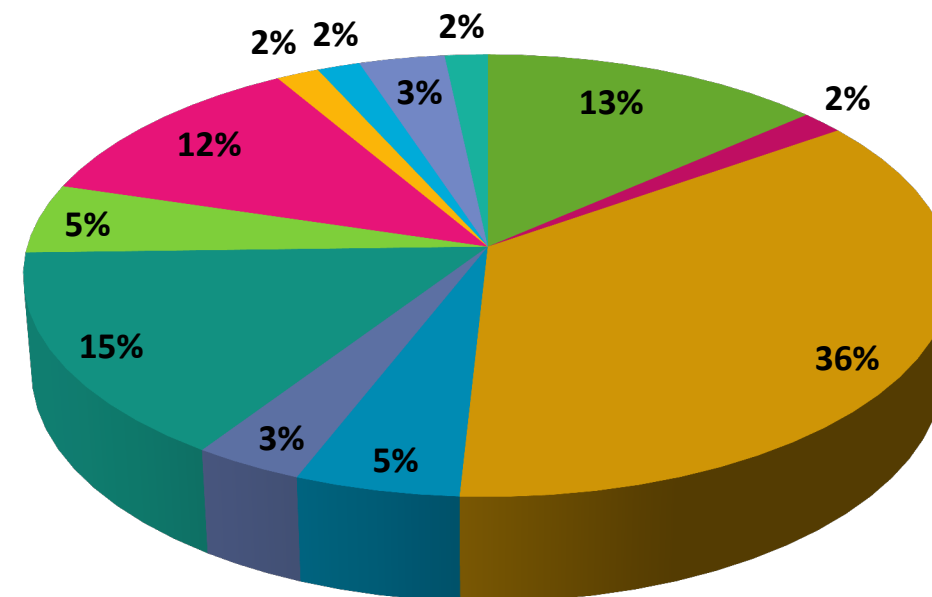
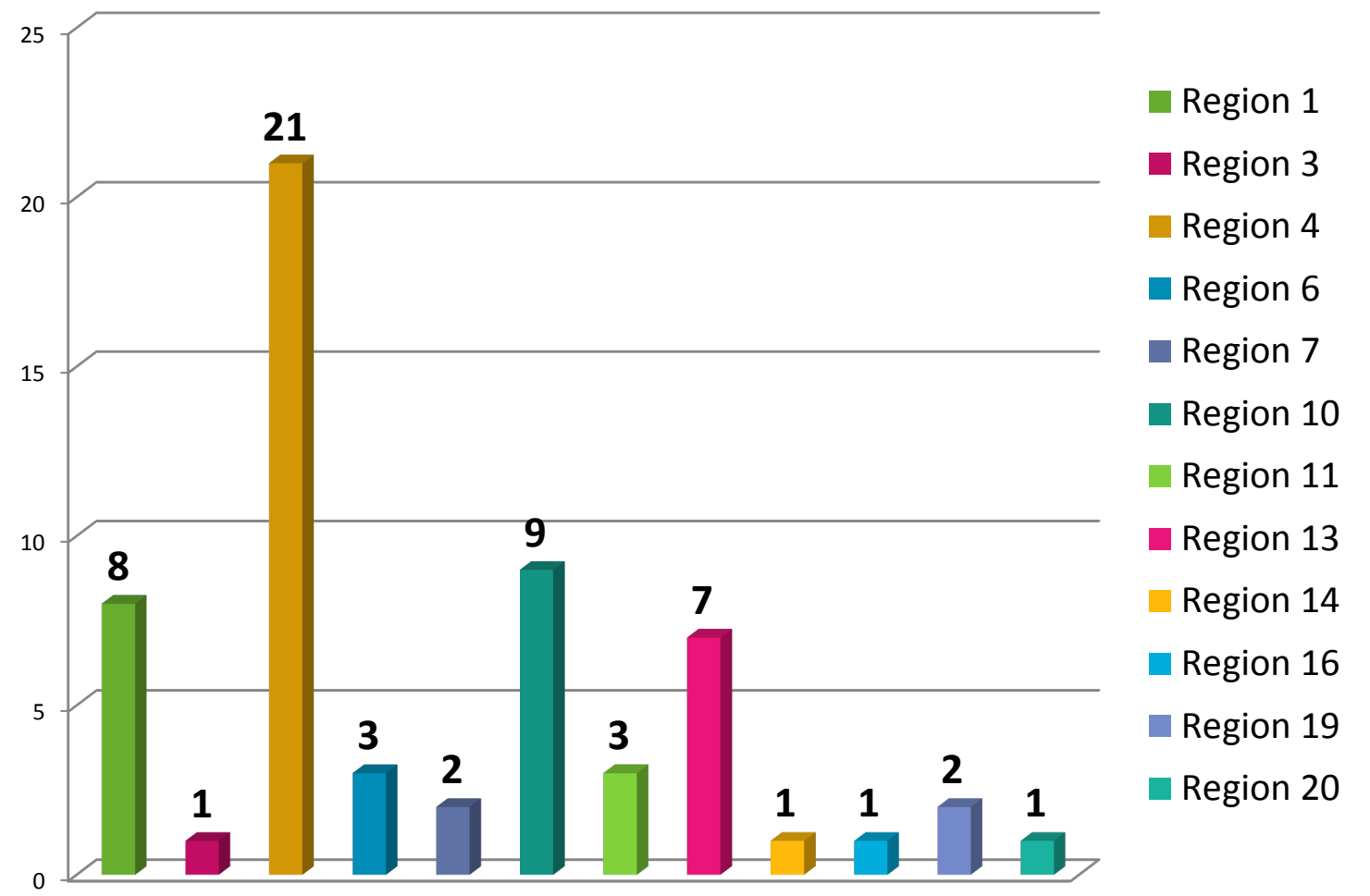
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CACFP Complaints TDA Regions



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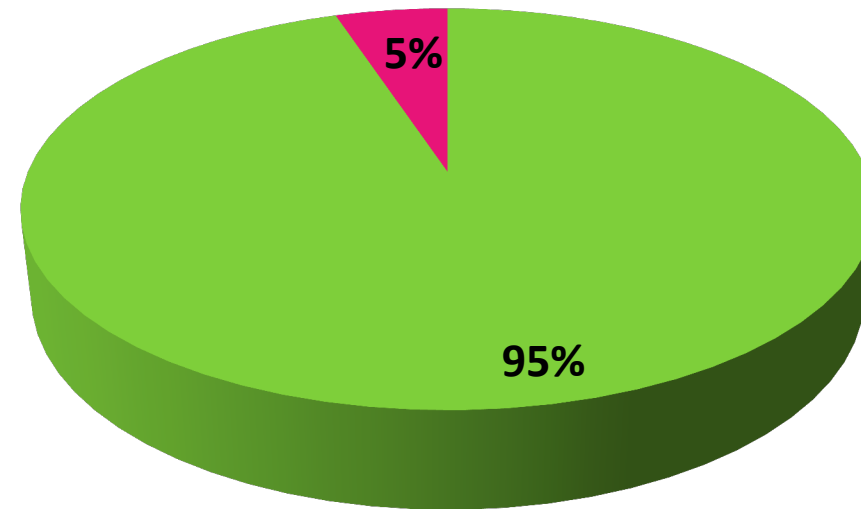
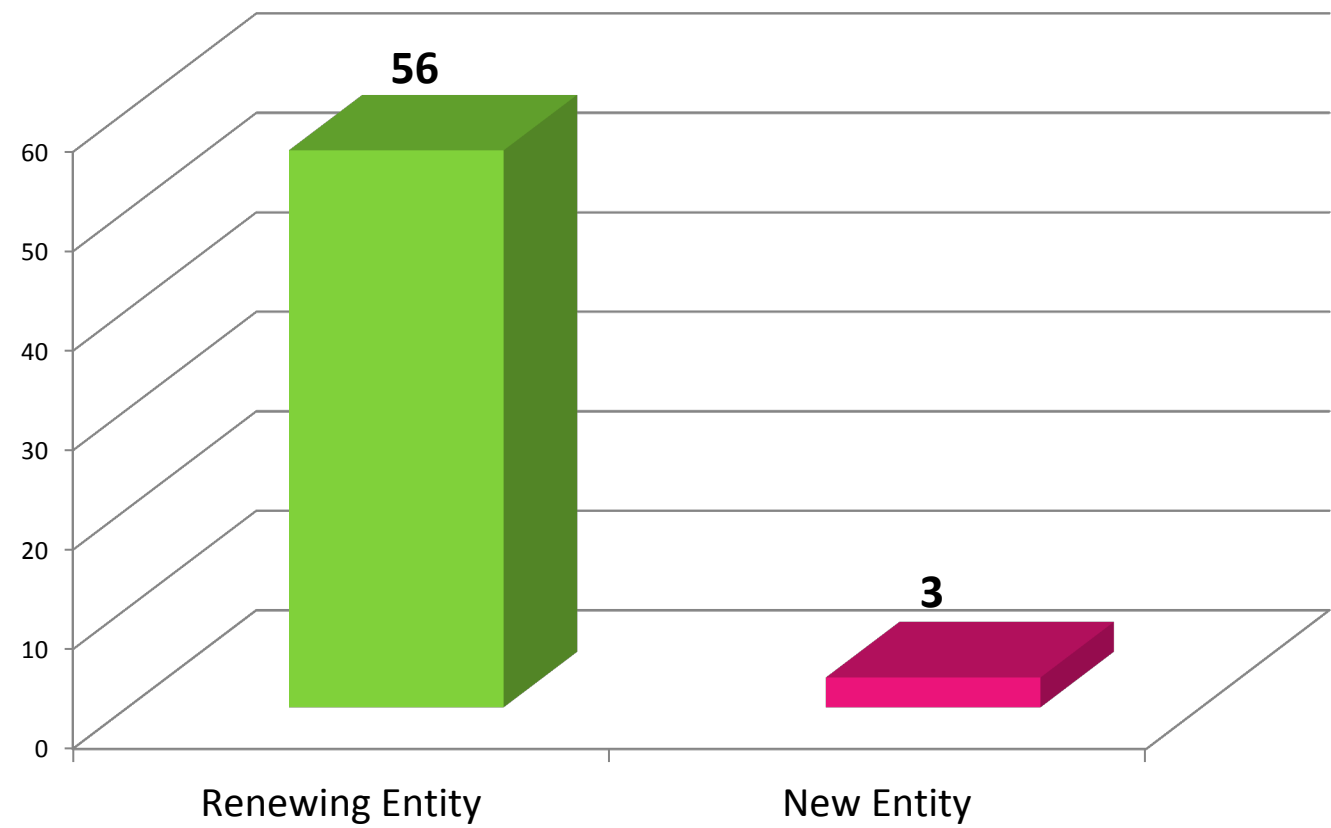
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CACFP

Renewing Entity vs.
New Entity



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:

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.

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