



## **CIVIL RIGHTS COMPLAINT POLICY & PROCEDURE**

### **Civil Rights Overview**

The SFA must include the most current version of the federal nondiscrimination statement in a prominent location in all public information releases, publications, and on posters concerning nutrition program activities, except menus. The current USDA Civil Rights statement can be found below:

*In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.*

*Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.*

*To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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: (833) 256-1665 or (202) 690-7442; or*
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).*

*This institution is an equal opportunity provider.*

### **Complaint Procedures**

The civil rights coordinator for Nevada City School of the Arts is Melissa Brokenshire, Business Manager. Any person alleging discrimination based on race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation has the right to file a complaint within 180 days of the alleged discriminatory action. Under special circumstances this time limit may be extended. Program complaints may be filed in English, or in a language other than English. If language assistance or translation services are needed, translators shall be provided by the SFA.



At the SFA level, civil rights complaints received must be forwarded to the California Department of Education (CDE) or USDA. The civil rights coordinator should collect/transcribe a report of the complaint on to a log that must include, at a minimum, the following information:

- The name, address, and phone number or other means of contacting the complainant, such as an e-mail address (if not anonymous)
- The specific location and name of the entity delivering benefits
- The nature of the complaint or action that led to the charges being filed
- Whether an allegation is made verbally or in person

To file a program or Civil Rights complaint, please contact state agency listed below:

Child Nutrition Programs  
Civil Rights and Program Complaint Coordinator  
California Department of Education  
Nutrition Services Division  
1430 N Street, Room 4503  
Sacramento, CA 95814-5901  
or 800-952-5609

If the nature of the complaint alleges discrimination, the NSD recommends that the Civil Rights Coordinator at the SFA collect the following information and forward to USDA:

- The basis on which the complainant feels that discrimination occurred. In order to be considered a discrimination complaint, the complainant must feel discriminated against based on one or more of the protected classes
- The names, titles, and if known, addresses of persons who may have knowledge of the discriminatory action or situation
- The date(s) that the alleged discrimination occurred, or the duration of such action

The USDA will investigate and process complaints alleging discrimination. Forward all allegations of discrimination to the USDA National Office in Washington, D.C.:

USDA, Director, Office of Adjudication  
1400 Independence Avenue, Southwest  
Washington, D.C. 20250-9410  
866-632-9992  
Federal Relay Service 800-877-8339 (English)  
or 800-845-6136 (Spanish)

Documents shall be retained for three years beyond the closure of the complaint.

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## Article VI

### Annual Statements

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:



- a) Has received a copy of the conflict of interest policy,
- b) Has read and understands the policy,
- c) Has agreed to comply with the policy, and
- d) Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

## Article VII

### Periodic Reviews

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a) Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining, and,
- b) Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

## Article VIII

### Use of Outside Experts

When conducting the periodic reviews as provided for in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.