

Policy 3555: Nutrition Program Compliance

Status: ADOPTED

Original Adopted Date: 07/01/2010 | **Last Revised Date:**
03/01/2023 | **Last Reviewed Date:** 03/01/2023

NONDISCRIMINATION STATEMENT FOR NUTRITION PROGRAMS

The following statement shall be included, in a prominent location, on all forms available to the public regarding the availability of the district's child nutrition programs:

"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, etc.), 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/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to the 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; or

(2) fax: (833) 256-1665 or (202) 690-7442; or

(3) email: Program.Intake@usda.gov

This institution is an equal opportunity provider."

On pamphlets, brochures, and flyers, in the same print size as the rest of the text, the district may print a short version of the nondiscrimination statement, as follows:

State	Description
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3080	Applicability of uniform complaint procedures to complaints regarding students with disabilities
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	<u>Prohibition of discrimination</u>
Ed. Code 42238.01	<u>Definitions for purposes of funding</u>
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Ed. Code 49060-49079	<u>Student records</u>
Ed. Code 49490-49590	<u>Child nutrition programs</u>
Pen. Code 422.6	<u>Crimes; harassment</u>
Federal	Description
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
28 CFR 36.303	Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.1-100.13	Nondiscrimination in federal programs; effectuating Title VI
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 106.1-106.61	Discrimination on the basis of sex; effectuating Title IX
34 CFR 106.9	Severability
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
7 CFR 210.19	National School Lunch Program; additional responsibilities
7 CFR 210.23	National School Lunch Program; district responsibilities
7 CFR 215.14	Special Milk Program; nondiscrimination
7 CFR 215.7	Special Milk Program; requirements for participation
7 CFR 220.13	School Breakfast Program; special responsibilities of state agencies
7 CFR 220.7	School Breakfast Program; requirements for participation
7 CFR 225.11	Summer Food Service Program; corrective action procedures
7 CFR 225.3	Summer Food Service Program; administration
7 CFR 225.7	Summer Food Service Program; program monitoring
7 CFR 226.6	Child and Adult Care Food Program; state agency administrative responsibilities
7 CFR 250.15	Out-of-condition donated foods, food recalls, and complaints
Management Resources	Description
California Department of Education Publication	Civil Rights and Complaint Procedures, U.S. Department of Agriculture Child Nutrition Programs, June 2018
U. S. Department of Agriculture Publication	USDA Nondiscrimination Statement, December 2022
U.S. Department of Agriculture Publication	Application of Bostock v. Clayton County to Program Discrimination Complaint Processing – Policy Update, CRD 01-2022, May 2022
U.S. Department of Agriculture Publication	<u>Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005</u>
U.S. DOE Office for Civil Rights Publication	Notice of Non-Discrimination, August 2010
Website	U. S. Department of Agriculture, And Justice for All Posters
Website	<u>CSBA District and County Office of Education Legal Services</u>

Website
Website
Website
Website

U.S. Department of Agriculture, Office for Civil Rights
U.S. Department of Agriculture, Food and Nutrition Service
California Department of Education, School Nutrition
U.S. Department of Education, Office for Civil Rights

Code

Description

0410
1100
1312.1
1312.1
1312.3
1312.3
1312.3-E(1)
1312.3-E(2)
3312
3550
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5141.27
5141.27
5145.13
5145.13
5145.6
5145.6-E(1)
6159
6159
6164.6
6164.6
9321
9321-E(1)
9321-E(2)

Nondiscrimination In District Programs And Activities
Communication With The Public
Complaints Concerning District Employees
Complaints Concerning District Employees
Uniform Complaint Procedures
Uniform Complaint Procedures
Uniform Complaint Procedures
Uniform Complaint Procedures
Contracts
Food Service/Child Nutrition Program
Food Service/Child Nutrition Program
Food Service Operations/Cafeteria Fund
Food Service Operations/Cafeteria Fund
Summer Meal Program
Summer Meal Program
Free And Reduced Price Meals
Free And Reduced Price Meals
Staff Development
Student And Family Privacy Rights
Student And Family Privacy Rights
Student Wellness
Student Records
Student Records
Food Allergies/Special Dietary Needs
Food Allergies/Special Dietary Needs
Response To Immigration Enforcement
Response To Immigration Enforcement
Parent/Guardian Notifications
Parent/Guardian Notifications
Individualized Education Program
Individualized Education Program
Identification And Education Under Section 504
Identification And Education Under Section 504
Closed Session
Closed Session
Closed Session