



Georgia Department of Early Care and Learning

2 Martin Luther King Jr. Drive, SE, Suite 754, East Tower, Atlanta, GA 30334
(404) 656-5957

Nathan Deal
Governor

Amy M. Jacobs
Interim Commissioner

MEMORANDUM

To: All Institutions Participating in the CACFP and the SFSP

From: Falita S. Flowers, ⁹⁸ Nutrition Services Director

Date: July 11, 2014

Subject: Civil Rights Complaint Procedures

Legal Authority: FNS Instruction 113-1

Institutions participating in the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP) are required to be in compliance with Title VI of the Civil Rights Act of 1964. As such, organizations may not discriminate based on race, color, national origin, sex, age, or disability.

Any person has the right to file a discrimination complaint. A Civil Rights Complaint must be based on one of the following:

- Race,
- Color,
- National Origin,
- Sex,
- Age, and
- Disability.

Civil Rights program complaints of discrimination can be filed by completing the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html at any USDA office, or call (866) 632-9992 to request the form. Complaints may also be filed by letter containing all of the information requested in the form. Send the complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (in Spanish).

The complainant must file the complaint within 180 days from the alleged act of discrimination. CACFP and/or SFSP complaints received by Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) Nutrition Services may be submitted verbally, by phone, in writing, by e-mail or anonymously. Complaints received by Bright from the Start staff shall be forwarded to Bright from the Start's Civil Rights Compliance Officer(s) within five (5) business days of receipt.

Upon receipt of the complaint, the CR Compliance officer will complete the CACFP and/or SFSP Record of Complaint Received form, which documents the following information:

- Date received,
- Complaint received by, name, address and telephone number or other means of contacting the person alleging discrimination,
- Name, address and phone number of the institution, site or office that is accused of the discriminatory practices,
- Owner/Director, of the institution or office that is accused of the discriminatory practices,
- Nature of the incident or action or the aspect of program administration that led to the person to allege discrimination,
- Basis for the alleged discrimination,
 - Refer age complaints to FNS Regional OCR*
- Record of Response,
- Record of Action/Follow-up (if applicable), and
- Comments.

Within ten (10) business days after receipt of the complaint, Bright from the Start will forward the completed Record of Complaint (and a copy of the original complaint if the complaint was submitted in writing) to: USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, *by fax (202) 690-7442 or email at program.intake@usda.gov*. *Please Note: Complaints involving alleged discrimination on the basis of age shall be forwarded to the appropriate FNS Regional OCR within five (5) days after receipt of the complaint.

All complaints, regardless of the originating office, shall be processed and closed within 90 days of receipt. A decision letter shall be sent to the complainant that contains: the jurisdictional authority, a statement of each allegation and the applicable regulation, if an investigation is warranted, the methodology of how the complaint was investigated and the conclusions. Each letter to complainants will include their appeal rights to the Secretary of Agriculture.

For questions regarding this policy memo, please contact the Nutrition Division Civil Rights Compliance Officers: Falita Flowers at (404) 656-6452 or Sonja Adams at (404) 651-8193.