

Civil Rights Complaint Procedure

Utah State Board of Education
(Modified from the Memorandum of Understanding between the USDA and USBE)

I. Purpose

The United States Department of Agriculture (USDA)'s, Food, Nutrition, and Consumer Services (FNCS) provides Federal financial assistance to East Hollywood High School to support the National School Lunch Program (NSLP), and the School Breakfast Program (SBP). The Food and Nutrition Service Civil Rights Division (FNS CRD) is responsible for ensuring compliance with applicable civil rights laws, regulations, and policy for FNCS. FNS CRD, the Utah State Board of Education (USBE) and subrecipients, including East Hollywood High School consequently share mutual responsibility for ensuring compliance with Title VI of the Civil Rights Act of 1964, as amended, and certain other Federal civil rights laws and regulations. This Procedure establishes basic standards for processing and tracking covered complaints of discrimination and identifies resources and guidance available to support East Hollywood High School's civil rights program.

II. Scope

A. This procedure applies to complaints that:

1. Involve programs and activities administered by the Utah State Board of Education, subrecipients, subgrantees, or contractors that receive Federal financial assistance from FNCS; and
2. Allege discrimination in violation of Federal civil rights laws which FNS CRD is responsible for enforcing. This generally includes complaints that allege discrimination on the basis of race, color, national origin, sex, disability, age, and reprisal or retaliation for prior civil rights activity. Complaints that allege a person with a disability did not receive a modification or accommodation or was denied access, or that a person with limited English proficiency did not receive appropriate language assistance are also included.

B. This procedure does not apply to complaints of discrimination in employment under Title VII of the Civil Rights Act of 1964, as amended.

III. LEA Procedure

A. Point of Contact

1. The SFA point of contact for civil rights complaints is: Katrina Walker, East Hollywood High School Director. This individual will be notified immediately upon receipt of any civil rights complaints at this SFA.
2. Other parties to be notified within the LEA & School include, Ryan Marchant-Director

and Skip Francone-East Hollywood Governing Board President

B. East Hollywood High School will:

1. Maintain a record of complaints of discrimination that are covered in this procedure. The record may be in paper or electronic format and will record, at a minimum, complainant(s) name, contact information, the location (including county), nature, and date of the alleged discrimination. It will also contain the name of the individual(s) and organization(s) alleged to have engaged in discrimination, the basis of alleged discrimination, the date of referral to USBE, the findings of any investigation by USBE or FNS, and a description of the final disposition of the complaint including any corrective action planned or taken.
2. Provide communication assistance, other modifications or accommodations and/or alternative formats when communicating with individuals who have limited English proficiency (LEP), individuals with disabilities, or individuals who are illiterate.
3. Comply with all FNS regulatory requirements and policy guidance. This includes posting USDA's authorized non-discrimination statement and the accompanying information on how to file a complaint at the program delivery site.
4. Cooperate with all USBE compliance reviews and with any FNS CRD or USBE investigation into complaints that fall within the scope of this LEA. This includes providing documents requested as part of a compliance review or an investigation within the timeframe requested, but no more than 60 days of the date of the request, and making East Hollywood High School employees available for witness interviews.
5. Provide training to all current and newly hired staff involved in complaint processing. Training topics shall include, at a minimum, Federal statutes and regulations that prohibit discrimination and ensure equal opportunity to participate in FNCS funded programs and services and the LEA's complaint referral process.
6. Share this procedure with any staff responsible for managing civil rights complaints within the LEA.

IV. Complaints Referral Procedure

East Hollywood High School will:

- A. Refer complaints to USBE for processing within 5 calendar days of receipt of the complaint.
- B. Maintain a copy of any correspondence regarding the complaint for at least four years after the date East Hollywood High School is notified that the complaint is closed.
- C. Provide necessary documents, and evidence regarding complainant's allegations to USBE within the timeframes established by the USEB or within a reasonable time if the USBE has not identified a timeframe.

- D. Make its employees available to USBE and FNS to be interviewed as necessary during investigations, including for purposes of providing sworn testimony and clarifying general information.
- E. Grant the USBE and/or FNS access to facilities, and complaint, communications, records and other systems, as necessary during investigations.
- F. Participate in attempts to resolve the complaint.

G. Effective Date of this procedure:

Date: August 1, 2018