

# New Hampshire WIC Policy & Procedure Manual

## Chapter 11 Civil Rights

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### Applicant and Participant Civil Rights Complaints Handling

- Purpose** Any person alleging discrimination based on race, color, national origin, sex, age, disability or reprisal or retaliation for prior civil rights activities has the right to file a complaint within 180 days of the alleged discriminatory action. The Local agency shall provide guidance to the participant on how to file a complaint.
- Policy** To ensure that all Civil Rights complaints are handled properly at the local agency.
- Authority** **7 CFR 246.4(a)(16) and 246.8(b)**
- Procedure**
1. All civil rights complaints shall be directed to USDA. Staff shall inform the participant/applicant how to file a Civil Rights complaint of discrimination.

In English:

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:**

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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](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

In Spanish:

De acuerdo con la ley federal de derechos civiles y las normas y políticas de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta entidad está prohibida de discriminar por motivos de raza, color, origen nacional, sexo (incluyendo identidad de género y orientación sexual), discapacidad, edad, o represalia o retorsión por actividades previas de derechos civiles.

La información sobre el programa puede estar disponible en otros idiomas que no sean el inglés. Las personas con discapacidades que requieren medios alternos de comunicación para obtener la información del programa (por ejemplo, Braille, letra grande, cinta de audio, lenguaje de señas americano (ASL), etc.) deben comunicarse con la agencia local o estatal responsable de administrar el programa o con el Centro TARGET del USDA al (202) 720-2600 (voz y TTY) o comuníquese con el USDA a través del Servicio Federal de Retransmisión al (800) 877-8339.

Para presentar una queja por discriminación en el programa, el reclamante debe llenar un formulario AD-3027, formulario de queja por discriminación en el programa del USDA, el cual puede obtenerse en línea en:

<https://www.fns.usda.gov/sites/default/files/resource-files/usda-program-discrimination-complaint-form-spanish.pdf>, de cualquier oficina de USDA, llamando al (866) 632-9992, o escribiendo una carta dirigida a USDA. La carta debe contener el nombre del demandante, la dirección, el número de teléfono y una descripción escrita de la acción discriminatoria alegada con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR) sobre la naturaleza y fecha de una presunta violación de derechos civiles. El formulario AD-3027 completado o la carta debe presentarse a USDA por:

- (1) **correo:**  
U.S. Department of Agriculture

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Office of the Assistant Secretary for Civil Rights  
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- (2) **fax:**  
(833)256-1665 o (202) 690-7442; o
- (3) **correo electrónico:**  
[program.intake@usda.gov](mailto:program.intake@usda.gov)

Esta institución es un proveedor que ofrece igualdad de oportunidades.

2. In the event an applicant or participant makes the allegations verbally or through a telephone conversation and refuses or is not inclined to place such allegations in writing, the person to who the allegations are made shall write up the elements of the complaint for the applicant or participant for processing within 5 calendar days of receipt of the complaint. Every effort shall be made to have the applicant or participant provide the following information in a separate confidential tracking log (see example CR tracking log):
  - a. Name, address, and telephone number of the complainant, or other means of contacting the complainant.
  - b. The specific location and name of the entity delivering the services or benefit.
  - c. The nature of the incident or action that led the complainant to feel discrimination was a factor, or an example of the method of administration which is alleged to have a discriminatory effect on the public or potential and actual participants.
  - d. The basis on which the complainant feels discrimination exists.
  - e. The names, titles, telephone number and business addresses of persons who may have knowledge of the discriminatory action.
  - f. The date during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions.
3. Local agency shall inform the NH DHHS Civil Rights Officer and WIC State Agency of all complaints and actions immediately.
4. All complaints alleging discrimination on the basis of age will be forwarded to FNS Civil Rights Division within 5 business days of receipt regardless of complaint
5. Civil Rights complaints will be processed by the USDA with assistance provided by the State or Local WIC Agency and/or the NH DHHS Civil Rights Officer, as requested.

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6. The State and Local WIC Director will track and record the closure of Civil Rights complaints according to procedures noted above.
7. Access to CR Tracking log shall be limited to the Director/Supervisor/Nutrition Coordinator.
8. A copy of the Civil Rights complaint form and the resolution must be maintained by the WIC State Agency, the Local Agency, and another copy forwarded to the Northeast Regional Administrator.
9. Any correspondence regarding the complaint must be maintained for at least 4 years after the date the State agency is notified that the complaint is closed.

**Exception**            None