

## 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:

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [How to File a Complaint](#), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

In Spanish:

Para presentar una denuncia de discriminación, complete el [Formulario de Denuncia de Discriminación del Programa del USDA](#), (AD-3027) que está disponible en línea en: [How to File a Complaint](#) y en cualquier oficina del USDA, o bien escriba una carta dirigida al

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USDA e incluya en la carta toda la información solicitada en el formulario. Para solicitar una copia del formulario de denuncia, llame al (866) 632-9992. Haga llegar su formulario lleno o carta al USDA por:

- (1) correo: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; o
- (3) correo electrónico: [program.intake@usda.gov](mailto:program.intake@usda.gov).

Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano, etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las personas sordas, con dificultades de audición o discapacidades del habla pueden comunicarse con el USDA por medio del Federal Relay Service [Servicio Federal de Retransmisión] al (800) 877-8339. Además, la información del programa se puede proporcionar en otros idiomas.

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 whom 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

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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.
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