

**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 county office of education's (COE) 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, audiotope, 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/ad-3027.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: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or

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- (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."

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

"This institution is an equal opportunity provider."

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| <b>State</b>         | <b>Description</b>   |
|----------------------|--|
| 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 education programs                                 |
| Ed. Code 200-270     | <a href="#"><u>Educational equity; prohibition of discrimination on the basis of sex</u></a>     |
| Ed. Code 48985       | Notices to parents in language other than English  |
| Ed. Code 49060-49079 | Student records  |
| Ed. Code 49490-49590 | Child nutrition programs   |
| Pen. Code 422.6      | Crimes, harassment   |

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| <b>Federal</b>              | <b>Description</b>   |
|-----------------------------|--|
| 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 106.1-106.82         | 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 210.23                | 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 220.7                 | School Breakfast Program; requirements for participation   |
| 7 CFR 225.3                 | Summer Food Service Program; administration  |
| 7 CFR 225.7                 | Summer Food Service Program; program monitoring  |
| <b>Management Resources</b> | <b>Description</b>   |

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| 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. DOE, Office for Civil Rights Publication  | Notice of Non-Discrimination, August 2010  |
| USDA, Food & Nutrition Service Publication     | Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005              |
| Website  | U. S. Department of Agriculture, And Justice for All Posters   |
| Website  | <a href="#">U.S. Department of Education, Office for Civil Rights</a>  |
| Website  | <a href="#">U.S. Department of Agriculture, Office for Civil Rights</a>  |
| Website  | <a href="#">U.S. Department of Agriculture, Food and Nutrition Service</a>   |
| Website  | <a href="#">California Department of Education, Nutrition Services Division</a>  |

### Cross References

| <b>Code</b> | <b>Description</b>   |
|-------------|--|
| 0410        | <a href="#">Nondiscrimination In County Office Programs And Activities</a> |
| 3550        | <a href="#">Food Service/Child Nutrition Program</a>                       |
| 3550        | <a href="#">Food Service/Child Nutrition Program</a>                       |
| 3551        | <a href="#">Food Service Operations/Cafeteria Fund</a>                     |
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|           |                                     |
|-----------|-------------------------------------|
| 3553      | <u>Free And Reduced Price Meals</u> |
| 3553      | <u>Free And Reduced Price Meals</u> |
| 9321      | <u>Closed Session</u>               |
| 9321-E(1) | <u>Closed Session</u>               |
| 9321-E(2) | <u>Closed Session</u>               |