

Responsible Officer:	
Responsible Office:	
Issuance Date:	
Effective Date:	
Last Review Date:	
Scope:	

Contact:	
Title:	
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I. POLICY SUMMARY

To avoid even the appearance of a conflict of interest, complaints about civil rights violations or discrimination in Division programs must be addressed differently than other complaints. Special procedures have been established for this purpose. These procedures are intended to provide complainants with access that guarantees objective review of their complaints.

All employees of the Division have the responsibility to be familiar with these Title VI complaint procedures, to be cognizant of the possibility of such complaints, to advise potential complainants of their right to file such a complaint, and, if necessary, to assist any complainant in filing a complaint.

II. DEFINITIONS

III. POLICY TEXT

A. Who May File A Complaint

Any person or persons, acting on their own or on behalf of any specific class of persons, who believe that they have been discriminated against on the basis of race, color, sex, national origin, age, religion, ancestry, physical or mental disability, medical condition (cancer-related), marital status, sexual orientation, citizenship, or status as a covered veteran (see Appendix 601-I) may personally, or through a representative, file a complaint.

B. When To File The Complaint

A complaint must be filed no later than 180 days from the date of the alleged discrimination, unless the time for filing is extended by the Vice President-DANR or the Secretary of Agriculture.

C. How To File A Written Complaint

Complaints should be made in writing and should set forth the following information:

1. Name, address, and telephone number or other means of contacting the complainant.
2. The specific location and name of the entity delivering the service or benefits.
3. A description of the incident or actions that the complainant alleges to be discriminatory, or an example of the methods of administration that are having a disparate effect on the public, on potential or eligible beneficiaries, or actual beneficiaries.
4. The basis of the discrimination (race, color, sex, national origin, etc).

5. The names, titles, and addresses of the persons alleged to be responsible for the discriminatory actions.
6. The names, titles, and addresses of persons who may have knowledge of the discriminatory actions.
7. The date or dates on which the alleged discriminatory actions occurred and a statement as to whether these actions are continuing.

D. How To File An Oral Complaint

In the event a complainant makes allegations orally and refuses or is reluctant to submit the allegations in writing, the Division employee to whom the allegations are made shall document the complaint in writing. The person accepting the complaint should make every effort to obtain from the complainant the information set forth in section III above.

It is important for the employee accepting the complaint to be as accurate as possible when reporting a verbal complaint. In addition, it is appropriate to request that the complainant sign the written statement prepared by the accepting employee, and/or to request that the complainant repeat the verbal complaint before a third party. However, if the complainant refuses to do either, the accepting employee must nonetheless complete the other procedures outlined herein. Refusal by the complainant to sign and/or repeat the complaint should be noted in the accepting employee's written statement. If the accepting employee needs assistance, he or she should contact the DAA.

IV. COMPLIANCE / RESPONSIBILITIES

Where To File The Complaint

A. University

A complaint may be filed with any Division employee in any Division office. Upon receipt or identification of a complaint, the accepting employee shall immediately forward the complaint to his or her immediate supervisor and shall simultaneously forward a copy of the complaint to the Director of Affirmative Action (DAA). The only exception to notifying the supervisor shall be made in a case where the complaint involves this same supervisor. In such cases the accepting employee shall notify only the DAA.

B. United States Department of Agriculture

Any complaint may be filed in writing and sent directly to the USDA, addressed as follows:

United States Department of Agriculture
Director, Office of Civil Rights

1400 Independence Avenue, S.W.
Washington, D.C. 20250-9410

Potential complainants are to be advised by any Division staff member of their right to file a complaint directly with the USDA.

V. PROCEDURES

A. Processing Of Complaints

The DAA shall immediately take the following actions:

1. Inform the Associate Vice President and other appropriate administrators of the Division.
2. Organize and implement a preliminary inquiry within thirty days and keep all interested parties (including the complainant) advised of the progress of the inquiry.

When a preliminary inquiry reveals no evidence of discrimination, the complainant shall be so informed. No complaint case shall be closed until the complainant has been advised in writing of the final action. When corrective action is indicated, no case shall be closed until this action has been completed.

The Associate Vice President shall review and approve the resolution of all complaints.

B. Notification

All line managers are required to take steps to ensure that all Division employees are familiar with these complaint procedures, and that the procedures are followed. Employees are to be advised that if they have any suspicion about the possible discrimination implications of a program complaint, they are to seek immediate assistance from the DAA.

VI. RELATED INFORMATION

VII. FREQUENTLY ASKED QUESTIONS

VIII. REVISION HISTORY

November 2017:

Format updated.