

RHODE ISLAND DEPARTMENT OF HUMAN SERVICES
Management Services - Program Operations

DATE: September 18, 2017
DHS Transmittal #: 17-23

TO: All DHS Staff
FROM: Office of Policy, Research and Analysis
SUBJECT: SNAP Discrimination Complaint Procedure

PURPOSE

The purpose of this memorandum is to advise staff of the SNAP civil rights complaint procedure.

PROCEDURE

Whenever a customer indicates that he/she would like to file a discrimination complaint, staff should adhere to the following procedure:

- Ensure the correct form, (DHS-60) is provided to anyone alleging discrimination based on race, color, national origin, age, disability, sex, religion and political beliefs. Pertaining to the Supplemental Nutrition Assistance Program (SNAP). The DHS-60 is located in the DHS Document Library in the Official Forms folder.
- Ensure the *complainant* completes the Complaint Discrimination (DHS-60) form accurately, provide assistance where necessary and forward all completed forms to the Community Relations Liaison Officer, DHS, at: 206 Elmwood Avenue, Providence, RI 02907
- All *complainant* is to be advised of the RI DHS and USDA discrimination complaint process and made aware of the address of the USDA Office of Assistance Secretary for Civil Rights, 1400 Independence Ave. Washington, D.C. 0250-9410
- All age discrimination complaints must be referred to the Food and Nutrition Services (FNS) Regional Office of Civil Rights (OCR) within 5 working days after receipt. The FNS Regional Officer of Civil Rights will refer the complaint to the Federal Mediation and Conciliation Service (FMCS) within 10 days of initial receipt by the State agency.
- Educate the *complainant* to bring an awareness of the written complaint process. Ensure the *complainant* includes the name (of the State Agency), Address (specific location of alleged incident), Date (of the action), Telephone number followed by a brief description of the action that led to the *complainant's* (alleged) discrimination complaint.
- In the event a *complainant* makes an allegation; verbally or in person, and refuses to place such allegations in writing, the state agency worker (to whom the allegations are made) must document the elements of the complaint and forward it to the Community Relations Liaison Officer for accurate processing.
- Advise the *complainant* that any complaints alleging violation of Title VI, Title IX, ADA, and/or Section 504, shall be documented and filed with the Office of the Community Relations Liaison

Officer, 206 Elmwood Avenue, Providence, Rhode Island 02907 within *One Hundred & Eighty (180) days* of the alleged discrimination action filed by the *complainant*. All complaints filed outside of the 180-day deadline must include a “good cause” statement/explanation and/or reason for filing, and only the Secretary of Agriculture may extend this time under special circumstances.

- Advise the *complainant* of the Title VI staff roles including: the Title VI coordinator, Title IX coordinator, the Section 504 coordinator, and/or the ADA coordinator.
- Advise the *complainant* of the follow up investigative process; thus, ensuring the *complainant* is aware that a written decision must be provided within ninety (90) days after its filing and that a copy of the decision is also mailed to all interested parties. Also, ensure the *complainant* is aware that any/all decisions of the agency may be aggrieved through the “Administrative Procedures Act”, and they may obtain a judicial review of the decision by the Rhode Island Superior Court in accordance with Chapter 42-35 of the General Laws of Rhode Island.
- Inform the *complainant* of their rights to a prompt and equitable resolution and ensure *no action*, hereunder, is impaired by the person’s pursuit of other remedies such as the filing of a Title VI, Title IX or Section 504 complaint with the Office for Civil Rights of the U.S. Department of Health and Human Services, the U.S. Department of Education or the U.S. Department of Justice.
- All ADA complaints are to be filed with the Equal Employment Opportunity Commission (EEOC), the Governor’s Commission on Disabilities (employment-related issues), and the R.I. Commission for Human Rights, the U.S. Department of Agriculture, or the U.S. Department of Justice (all other issues). *Utilization of this procedure is not a prerequisite to the pursuit of other remedies.*

Any person requiring assistance in understanding or following this procedure may contact the Community Relations Officer at: Office: 401-415-8216 TDD 462-6239.

NOTE: Supervisors are required to discuss these changes with their staff.