



# SNAP 102-1

## APPLICATION PROCESSING

### Civil Rights

<b>Supersedes:</b>	SNAP 102-1 (04/01/12)
<b>References:</b>	7 CFR 272.4, 7 CFR 272.5, 7 CFR 272.6
<b>Overview:</b>	The United States Department of Agriculture (USDA) and the Montana Department of Public Health and Human Services (DPHHS) administers SNAP in accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies and are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, or political beliefs.
<b>FILING A DISCRIMINATION COMPLAINT</b>	<p>An individual may file a written or verbal complaint alleging discrimination when the individual believes he or she has been subject to discrimination based on race, color, national origin, sex, religious creed, disability, age, or political beliefs.</p> <p>The complaint is filed with:</p> <p>Regional Director Civil Rights/EEO USDA/FNS 1244 Speer Blvd, Ste 903 Denver, CO 80204-3585 Call (303) 844-0307</p> <p>OR</p> <p>USDA, Director Office of Adjudication 1400 Independence Ave, SW Washington, D.C. 20250-9410 Call toll free (866) 632-9992 (Voice)</p> <p>Individuals who are hearing impaired or have speech disabilities may contact the USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish)</p> <p>OR</p> <p>Civil Rights Coordinator Human &amp; Community Services DPHHS P.O. Box 202925 Helena, MT 59620-2925 Call (406) 444-1788</p>
<b>COMPLAINT REQUIREMENTS</b>	Any individual wanting to file a discrimination complaint shall be advised immediately of their right to do so and shall be given the necessary information (listed below) to file the complaint. When an individual asks for assistance with the complaint filing process, DPHHS staff shall assist the individual.

	<p>A complaint must be filed no later than 180 days from the date of the alleged discrimination. All complaints shall contain the following information:</p> <ol style="list-style-type: none"> <li>1. The name, address and telephone number or other means of contacting the person filing the complaint;</li> <li>2. The name and location of the organization or office accused of the discriminatory practice;</li> <li>3. A description of the alleged discrimination incident;</li> <li>4. The reason for the alleged discrimination (age, race, color, sex, disability, religious creed, national origin or political belief);</li> <li>5. The names, titles (if appropriate) and addresses of individuals who may have knowledge of the alleged discriminatory acts; and,</li> <li>6. The date(s) the alleged discriminatory action(s) happened.</li> </ol> <p><b>NOTE:</b> Individuals are not required to use any specific form to file a complaint as long as all the necessary information is present in the complaint. Form HCS-525 is available for the individual to use to file any civil rights complaint.</p>
<p><b>OFFICE OF PUBLIC ASSISTANCE (OPA) RESPONSIBILITIES</b></p>	<ol style="list-style-type: none"> <li>1. Inform individuals of their right to file a civil rights complaint with DPHHS or the Food and Nutrition Service (FNS) using materials provided by Human and Community Services Division or developed by the OPA;</li> <li>2. Describe the process to each individual expressing an interest in filing a complaint;</li> <li>3. Advise individuals of their right to file a complaint and any complaint filed with the State Office is forwarded to the appropriate Federal Office for investigation;</li> <li>4. Document the complaint in writing if the individual makes verbal allegations and is reluctant to put it in writing;</li> <li>5. Assure all complaints meet the requirements stated above and are forwarded within five days of receipt to the DPHHS Civil Rights Coordinator. The Civil Rights Coordinator makes copies and sends to the Regional Director in Denver.</li> <li>6. Respond to requests for information regarding nondiscrimination statutes and policies, complaint procedures, and rights of participating households within 10 days of the date of request;</li> <li>7. Maintain a file of all discrimination and general complaints for review by federal and state reviewers;</li> <li>8. Inform households and grassroots SNAP organizations of program changes;</li> <li>9. Provide bilingual SNAP services in areas with a significant proportion of non-English or limited English speaking persons; and,</li> <li>10. Train all staff involved with administering SNAP on an ongoing basis about civil rights requirements.</li> </ol>
<p><b>STATE RESPONSIBILITIES</b></p>	<p>The State Central Office shall:</p> <ol style="list-style-type: none"> <li>1. Publicize the federal procedures for filing a complaint regarding discrimination;</li> <li>2. Ensure all offices involved in determining eligibility or issuing SNAP benefits display nondiscrimination posters approved or provided by FNS;</li> <li>3. Respond to requests for information regarding nondiscrimination statutes and policies, complaint procedures, and the rights of clients within 10 days of the date of the request;</li> </ol>

	<ol style="list-style-type: none"> <li>4. Include a nondiscrimination statement on all program informational material;</li> <li>5. Ensure all graphics for SNAP information convey the message of equal opportunity by displaying clients of different races, colors, sexes and national origins;</li> <li>6. Train all staff involved with administering SNAP on an ongoing basis about civil rights requirements;</li> <li>7. Acknowledge receipt of any civil rights complaints received within five days and advise the complainant of the action(s) planned with a copy (cc) to the Office of Public Assistance (OPA);</li> <li>8. Refer all complaints to the FNS Regional Office for Civil Rights within five days of receipt; and,</li> <li>9. Maintain a log of all complaints received including complainant's name, date of incident, date of complaint, and basis of complaint.</li> </ol>
<b>RACIAL/ETHNIC DATA COLLECTION</b>	DPHHS obtains data on SNAP recipients by racial/ethnic category. Applicants are requested to voluntarily provide their race or ethnicity on Application Forms. If an applicant chooses not to provide racial/ethnic information, the eligibility staff member determines the racial/ethnic category by observation if possible.
<b>EFFECTIVE DATE</b>	September 1, 2016