

 <b>VERMONT</b> DEPARTMENT FOR CHILDREN AND FAMILIES		
Subject:	Nondiscrimination Policy/Grievance Policy	Page 1 of 5
Approved:	Sean Brown, Commissioner	Effective: 3/31/22
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## Purpose

The purpose of this policy is to state the Department’s prohibition against discrimination based on race, creed (religion), color, national origin, marital status, sex, sexual orientation, gender identity, age, disability, or political beliefs in the administration of our programs, services, and activities. This policy also establishes the complaint/grievance process to follow in the event of a claim of discrimination other than those lodged by employees.

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## Related Policies

### State of Vermont Americans with Disabilities Act Purpose Grievance Procedure

<https://www.vermont.gov/portal/policies/accessibility.php>

### Agency of Human Services Nondiscrimination Regarding Services and Benefits

[https://humanservices.vermont.gov/sites/ahsnew/files/doc\\_library/non-discrimination.pdf](https://humanservices.vermont.gov/sites/ahsnew/files/doc_library/non-discrimination.pdf)

		
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## DCF Nondiscrimination Policy

Your civil rights are important to us. We do not discriminate in the administration of our programs, services, or activities nor do we exclude any individual from participation in our programs, services, or activities based on race, creed (religion), color, national origin, marital status, sex, sexual orientation, gender identity, age, disability, or political beliefs.

If you have a disability or if your primary language is other than English, we may be able to provide you with:

- Free aids and services for your use if you have a disability that prevents you from communicating effectively with us. For example, we may be able to provide you with qualified sign language interpreters, large print, audio files, accessible electronic formats, etc.
- Free language services if your primary language is not English. For example, we will always speak to you in a language you can communicate in and understand and provide qualified interpreters or written information in your primary language upon a timely request.

If you need any of these services, please contact us through one of our district offices or contact the Consumer Concerns Team at:

Consumer Concerns Team  
 Commissioner's Office, Department for Children and Families  
 280 State Drive, HC 1 North, Waterbury, VT 05671-1080  
 phone: 802-241-0925  
 email: [AHS.DCFConsumerConcerns@vermont.gov](mailto:AHS.DCFConsumerConcerns@vermont.gov)

## DCF Complaint/Grievance Policy

We care about the protection of your civil rights. **To this end, we have established an internal grievance process to ensure prompt and equitable resolution of all complaints.** Please know, if you file a complaint with us, we are prohibited by law from retaliating against you, and we are also prohibited by law from retaliating if you participate in an investigation.

If you believe that we have failed to provide any of the services listed above or discriminated in another way based on race, creed (religion), color, national origin, marital status, sex, sexual orientation, gender identity, age, disability, or political beliefs, please consider filing an internal complaint with us at the Commissioner's Office, Consumer Concerns Team at:

		
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Consumer Concerns Team  
 Commissioner's Office, Department for Children and Families  
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NOTE: Below is information as to how to file an external complaint with an enforcement agency should you choose not to file an internal complaint.

## How to File a Complaint

Our Internal Review Process is here to help. Here are a few things to keep in mind along with what you need to do:

- ✓ **You need to file your complaint within 180-days from the date you experienced or became aware of the alleged discrimination.**
- ✓ The Commissioner's Office, Consumer Concerns Team is available to help you through the process. This is the team you will file your complaint with. They can be reached at:  
 Consumer Concerns Team  
 Commissioner's Office, Department for Children and Families  
 280 State Drive, HC 1 North, Waterbury, VT 05671-1080  
 phone: 802-241-0925  
 email: [AHS.DCFConsumerConcerns@vermont.gov](mailto:AHS.DCFConsumerConcerns@vermont.gov)
- ✓ You may submit your complaint in writing or verbally. If you choose to submit your complaint in writing, you may request and use our Discrimination Complaint Form, or you may submit it in the written format of your choice.
- ✓ In accordance with Federal law, Erin Henderson is appointed to coordinate compliance and to ensure we meet our responsibilities required under the law. She may be reached at the Agency of Human Services, Department for Children and Families, 280 State Drive, HC 1 North, Waterbury, VT 05671- 1080, or by phone at 802-241-0867.

### What Should be Included in Your Complaint

- ✓ Your complaint should include:
  - Your name, address, and preferred method for us to be in touch with you
  - Describe what happened to make you feel discriminated against
  - The protected category to which you belong, like race, color, national origin, religion, disability, LGBT+, etc.
  - Tell us how you would like us to resolve and correct the situation

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### What to Expect After the Complaint is Filed

- ✓ Once the Consumer Concerns Team receives your complaint, they will reach out to the appropriate division or community partner and begin a review. If this is a complaint of discrimination involving the 3SquaresVT program, we will forward your complaint to the Food and Nutrition Service (FNS) for resolution.
- ✓ We will write and let you know the status of our review within 30-days of the date you file the complaint.
- ✓ Once our review is complete, you will receive a final decision. We will render a decision as to the merits of your complaint no later than 90 days after the receipt of your complaint.

### Your Right to a Fair Hearing

If you disagree with our final decision, or if you do not want to go through the Internal Review Process, you may ask for a fair hearing with the Human Services Board. The Human Services Board will:

- ✓ Review the facts of your case in a fair and objective manner
- ✓ Decide whether the final decision should be upheld or reversed (this decision may be appealed to the Vermont Supreme Court)
- ✓ If there was no internal review, the Human Services Board will render a written decision after hearing the case (you may appeal this decision to the Vermont Supreme Court)

### How to Request a Fair Hearing

- ✓ To request a fair hearing, you may call the Human Services Board at 802-828-2536. You may also send your request for a fair hearing by printing, completing, and mailing [this form](#) to:

Human Services Board  
6 Baldwin Street, Suite 305  
Montpelier, VT 05633-4302

TEL: (802) 828-2536  
FAX: (802) 828-3068  
[Contact.HSB@vermont.gov](mailto:Contact.HSB@vermont.gov)

<https://humanservices.vermont.gov/human-services-board>

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- ✓ Timeliness
  - Fair hearing requests must be made within 30 days from the date the grievance with the action of the affected office or department arose, unless otherwise provided by statute or regulation.
  - Requests for a fair hearings involving eligibility, benefits, coverage and financial assistance decisions by the Economic Services Division must be received within 90 days of the Final Written Decision or of the date giving rise to the complaint.
- ✓ See the Human Services Board, Rules:

<https://humanservices.vermont.gov/sites/ahsnew/files/fair-hearing-rules-1.pdf>

## Other Options

You may be able to file a complaint with other agencies. For example, you may be able to file a complaint with the:

- Vermont Human Rights Commission
  - 12 Baldwin Street
  - Montpelier, VT 05633-6301
  - web: <https://hrc.vermont.gov>
  - email: [human.rights@vermont.gov](mailto:human.rights@vermont.gov)
  - phone: 802-828-2480
  - TTY: 877-294-9200
- U.S. Department of Health and Human Services, Office of Civil Rights
  - 200 Independence Ave., SW
  - Room 509F, HHH Building
  - Washington, DC 20201
  - web: <https://www.hhs.gov/ocr>
  - email: [OCRMail@hhs.gov](mailto:OCRMail@hhs.gov)
  - phone: 800-368-1019
  - TTY: 800-537-7697
- U.S. Department of Justice, Office of Civil Rights
  - 950 Pennsylvania Avenue, NW
  - Washington, D.C. 20530-0001
  - web: <https://civilrights.justice.gov>
  - phone: 855-856-1247
  - TTY: 202-514-0716

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## Civil Rights Laws and Regulations

Below is a list of the major civil rights laws and associated regulations. These laws and regulations each prohibit specific types of discrimination. If you need help obtaining a copy of these laws, please contact the Consumers Concerns Team listed above. There may be other nondiscrimination protections beyond this list:

- Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et Seq., 28 C.F.R. Part 35)
- Section 504 of the Rehabilitation Act of 1973, as amended (29U.S.C. 794, 45 C.F.R. Part 84)
- Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et Seq., 45 C.F.R. Part 80)
- Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681 et seq., 45 C.F.R. Part 86)
- Age Discrimination Act of 1975 (42 U.S.C. 6101 et Seq., 42 C.F.R. Part 91)
- Public Accommodations (9 V.S.C. 4501 et. seq.)

In accordance with Federal law, Erin Henderson is appointed to coordinate compliance and to ensure we meet our responsibilities required under the law. She may be reached at the Agency of Human Services, Department for Children and Families, 280 State Drive, HC 1 North, Waterbury, VT 05671- 1080, or by phone at 802-241-0867.