

## **Procedures for Receiving and Processing Complaints Alleging Civil Rights Discrimination (including Massachusetts protected classes) in the U.S. Department of Agriculture (USDA) Child Nutrition Programs**

Ralph C. Mahar Regional & School Union 73 Public Schools USDA Child Nutrition Programs Civil Rights Coordinator: Katrina Bressani

Title: Food Service Director

Phone number: 978-544-2542; Press 8

Email: kbressani@rcmahar.org

Federal law prohibits discrimination on the basis of these protected classes: race, color, national origin, sex, disability and age. Massachusetts state law prohibits discrimination on the basis of the federal protected classes, but also includes religious creed, gender identity, mental illness, genetics, active military, criminal record, and ancestry.

Any person alleging discrimination based on a Federal or Massachusetts protected class has the right to file a complaint within 180 days of the alleged discriminatory action. Complaints can be accepted verbally, in writing, anonymously, and from third party representatives.

Upon receipt of a complaint, the receiver of the complaint at the school/district should immediately:

1. Contact the School Food Authority (SFA) USDA Child Nutrition Programs Civil Rights Coordinator.
2. Inform the complainant of their right to file a complaint within 180 days of the incident.
3. The recipient of the complaint and/or SFA Civil Rights Coordinator must provide the individual with the information necessary to file a complaint and not impede on the individual's right to file.
4. After explaining the complaint process, the recipient of the complaint and/or SFA Civil Rights Coordinator may try to resolve the situation in real time. Remember to advise the complainant of their right to file the complaint at the federal level if they wish to do so.
5. Document the complaint:
  - a. Utilize the [USDA Program Discrimination complaint form \(Espanol\)](#) or make an effort to obtain all of the following information:
    - i. Name, address, and phone number of complainant,
    - ii. Specific name and location of entity delivering the benefit or service,
    - iii. The nature of the incident, action, or method of administration that led the complainant to feel discriminated against,
    - iv. The basis on which the complainant feels discriminated (race, color, national origin, sex, etc.),

## **Procedures for Receiving and Processing Complaints Alleging Civil Rights Discrimination (including Massachusetts protected classes) in the U.S. Department of Agriculture (USDA) Child Nutrition Programs**

- v. The names, titles, business addresses, and phone numbers of persons who may have knowledge of the discriminatory action,
  - vi. The date(s) during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions.
- b. Either the complainant, the receiver of the complaint or the SFA Civil Rights Coordinator, should document the complaint. If a complainant makes the allegations verbally or refuses to place such allegations in writing, the person to whom the allegations are made must write up the elements of the complaint.

All verbal, written, or anonymous complaints received by the SFA must be forwarded to the [Massachusetts Department of Elementary and Secondary Education Problem Resolution System Office](#), ***within five days*** of receiving the complaint.

Problem Resolution System Office  
Massachusetts Department of Elementary and Secondary Education  
75 Pleasant Street, Malden, MA 02148-4906  
Main Telephone: 781-338-3700  
Fax: 781-338-3710  
Email: [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu)

All Civil Rights complaints received must be tracked on a civil rights complaint log. This log will be maintained in a confidential manner and only available to SFA staff members who have a legitimate need to know. A [template civil rights complaint log](#) is available on the [MA DESE civil rights webpage](#). Ensure the following information has been collected and recorded in your organization's civil rights complaint log:

1. Date and who received the complaint.
2. Name, address, and contact information for individual(s) filing the complaint.
3. A brief description of the complaint.
4. Date and to whom the complaint was referred to.

## **Procedures for Receiving and Processing Complaints Alleging Civil Rights Discrimination (including Massachusetts protected classes) in the U.S. Department of Agriculture (USDA) Child Nutrition Programs**

### **USDA Nondiscrimination Statement**

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/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.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
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.