

Civil Rights Complaint Procedures For East Longmeadow Public School Food Service

Procedure

East Longmeadow Public School Food Service will listen to the party's complete story. East Longmeadow Public School Food Service will identify if the complaint involves discrimination.

Steps to follow:

- 1. Inform the person (or party) to whom potential discrimination may have or perhaps they feel have potentially occurred and their right to file an official complaint within 180 days of the incident. Consider if parental/guardian notification is appropriate. Based on the characteristics of the complaint, determine the protected class under which the party may have experienced discrimination.**
- 2. Assess if the federal and/or state complaint process is appropriate.**
 - Offer to share the complaint process steps and let them know it can be submitted anonymously.
 - Ask if they would like to submit an official complaint.
 - If no, ask the person how you can help. Clarify what they want you to do with the information they are giving you. This may be a person who is *reporting a concern* because they want you/someone to help them and is **not** interested in submitting an official Civil Rights Complaint.
 - When the person reports satisfaction that the issue has been resolved, no further steps need to be taken.
 - If yes, walk them through USDA's complaint process and clarify if they want to use USDA's process on their own or if they want you to "accept" their complaint or help them submit to USDA.
 - If they would like to submit the complaint on their own, ask if you can do anything else to help resolve the issue in the meantime and no further steps need to be taken.
 - If they would like you to "accept" the complaint: Accept, Document and Share the Complaint per instructions below.

3. Accept an official complaint in any form. USDA Program Discrimination Complaint Form.

*Remember before beginning this step: Someone can be "reporting a concern" they would like addressed but **not** submitting an official Civil Rights complaint. Be sure to clarify what their intention is. If they choose **not** to submit an official Civil Rights complaint, continue to reach a resolution that is mutually agreed upon.*

- All complaints received by East Longmeadow Public School Food Service, written or verbal, will be forwarded to the USDA, Office of the Assistant Secretary for Civil Rights (OCR) within five calendar days of receipt of the complaint.
- Anonymous complaints will be handled as any other complaints, to the extent feasible, based on available information.
- Use of this form will not be a prerequisite for acceptance of the complaint.
- Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) may contact USDA through the USDA's TARGET Center at (202)720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800)877-8339 for assistance in filing a complaint.
- East Longmeadow Public School Food Service will:
 - maintain a copy of any correspondence regarding the complaint for at least four years after the date the complaint is closed;
 - make its employees available to the FNS Civil Rights Director (CRD) to be interviewed as necessary during investigations;
 - provide necessary documents as requested by the FNS CRD or the Massachusetts State Department of Education (DESE) within the timeframes established by FNS guidance;
 - participate in attempts to resolve the complaint
- If East Longmeadow Public School Food Service is notified that a program participant has filed a Civil Rights complaint or they have filed a complaint on behalf of a program participant, they will notify the Office for Food and Nutrition Program team member. East Longmeadow Public School Food Service will provide information as requested by DESE during the OCR investigation of the complaint.

4. Document the complaint in a complaint log specific to Child Nutrition Programs. Ensure the information has been collected and recorded in the East Longmeadow Public School Food Service Civil Rights Complaint Log.

- How was the complaint given? In writing or verbally?
- Staff member who received the complaint must transcribe it.
- Essentially, whoever receives a complaint needs to document the event by filling out the fields on the complaint log.
- If a complaint is given verbally, a detailed record of the complaint must be taken.

- At a minimum, the log must contain the complainant(s) name, contact information, the location (including country), nature and date of the alleged discrimination. Name of individual(s) and organization(s) alleged to have engaged in discrimination, basis of alleged discrimination, date of referral to FNS CRD, the findings of any investigation by FNS, and a descriptive disposition of the final complaint including any corrective action planned or taken.
- The log template is available on our School Lunch website. [Civil Rights Log](#).

5. Share the complaint within 5 days with Food and Nutrition Service CRD.

- Send a copy of the complaint you accepted by any of the following methods:
- mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- fax: (202) 690-7442; or
- email: program.intake@usda.gov

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