

503 – Café/Cafeteria Civil Rights Complaint Policy

- I. Purpose:
 - A. The purpose of this policy is to establish and provide guidance and direction concerning the procedures of the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) program, its recipients and customers, and ensure compliance with and enforcement of the prohibition against discrimination in all FNS nutrition programs and activities, whether federally funded in whole or not.
- II. Definitions:
 - A. Complainant – A person or group of persons who allege discrimination in the delivery of program benefits or services by a state agency, local agency, or other subrecipient.
 - B. Complaint – A verbal or written allegation of discrimination that indicates an FNS-conducted or -assisted program is administered or operated in such a manner that it results in disparity of treatment or services being provided to persons or groups of persons because of their protected bases.
 - C. Discrimination – The act of distinguishing one person or group of persons from others, either intentionally, by neglect, or by the effect of actions or lack of actions based on their protected bases.
 - D. Local Agency – Any agency, organization, or corporation that receives Federal financial assistance either directly or indirectly from FNS. Examples of local agencies include, but are not limited to, school food authorities, food banks, and county health departments.
- III. Policy Statement:
 - A. The U.S. Department of Agriculture prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, and disability.
- IV. Implementation Guidelines:
 - A. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.
 - B. Any person alleging discrimination based on race, color, national origin, sex, age, or disability has a right to file a complaint within 180 days of the alleged discriminatory action. All civil rights complaints received by Bryan Allen Stevenson School of Excellence (BASSE) related to the School Nutrition Program(s) should be directed to the School Leadership Team.
 1. Complaints can be submitted:

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- a) verbally,
 - b) in writing, or
 - c) anonymously.
2. The Cafeteria Manager will obtain all necessary complaint information and process the complaint within three (3) days.
 3. The complaint will be forwarded to the Delaware Department of Education within three (3) business days of receiving all necessary information.
 4. The Delaware Department of Education (DDOE) will forward all complaints to FNS-CRD within five (5) working days after receipt.
- C. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits.
1. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339.
 2. Additionally, program information may be made available in languages other than English.

V. Filing a Complaint:

- A. Individuals may file a complaint using the BASSE Child Nutrition Program Civil Rights Complaint Form at: <https://forms.gle/WeNzwTrFJaBZoHJa7>
 1. This form will be processed in accordance to the procedures outlined in Section IV.B.2-4.
- B. Complaints may also be filed directly through the USDA:
 1. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [Filing a Program Discrimination Complaint as a USDA Customer | USDA](#) ,
 2. In person at any USDA office, or
 3. By writing a letter addressed to USDA, providing in the letter all of the information requested in the form.
 4. To request a copy of the complaint form, call (866) 632- 9992.
 5. The form may also be accessed from the following links:
 - a) English ad-3027.pdf (usda.gov)
 - b) Spanish ad-3027s.pdf (usda.gov)
 6. Submit your completed form or letter to USDA:

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a) by mail:

U.S. Department of Agriculture
Director, Center for Civil Rights Enforcement
1400 Independence Avenue, SW
Washington, DC 20250-9410

b) fax: (202) 690-7442; or

c) email: program.intake@usda.gov.

VI. Responsibility:

- A. It is the responsibility of the person filing a complaint to follow the above policy.
- B. It is the responsibility of BASSE to file complaints in accordance with this policy and the USDA.

Related Policies:

A. xxx

Related Procedures and Documents:

A. Civil Rights Complaint Form

B. [Filing a Program Discrimination Complaint as a USDA Customer | USDA](#)

C. xxx

Approval: 01/23/2023

Revision Dates:

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