FOOD SERVICE CIVIL RIGHTS PROCEDURE

The Norwell Food Service Department will comply with the Civil Rights Requirement outlined in FNS Instruction 113-1 and the 2016 Memorandum of Understanding between United States Department of Agriculture Food and Nutrition Service Civil Rights Division and the Massachusetts Department of Elementary and Secondary Education, Office for Food and Nutrition Programs. If a participant, parent/guardian, or potential participant reports a concern that involves a federally or state protected class we will inform, accept, document, and share the complaint or concern in accordance with the procedures outlined here.

Inform: the person to whom potential discrimination may have or perhaps they feel have potentially occurred and their right to file an official complaint. Consider if parental/guardian notification 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.

Accept: an official complaint in any 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.
• How SO accepts complaints should be determined at the local level and described here. Note when developing these procedures there are some things you will want to keep in mind.
• The complaint procedures cannot prevent a complaint from being accepted.

• Procedures cannot require that following the complaint process be a prerequisite for accepting a complaint
• The school can't require that a complaint only be submitted through one form, or person or at a specific date/time. They can offer the use of a standard form or refer them to a specific person but ultimately if a person wants to submit a complaint verbally in the moment that a complaint needs to be accepted.

Document: The complaint in a complaint log specific to Child Nutrition Programs.

• 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.
• Sample log template is available on our Civil Rights webpage.

Share: The complaint within 5 days with FNS 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
If you would like support in responding to reported concerns or Civil Rights complaints you can contact
FNP at Nutriton@doe.mass.edu 781-338-6480, for technical assistance.