35.2 UPDATE - POLICIES - FOR BOARD CONSIDERATION/APPROVAL

po8500.01

Vol. 35, No. 2 - July 2026 New POLICY AND PROCESS FOR RECEIVING AND PROCESSING COMPLAINTS ALLEGING CIVIL RIGHTS DISCRIMINATION (INCLUDING WISCONSIN PROTECTED CLASSES) IN THE U.S. DEPARTMENT OF AGRICULTURE (USDA) CHILD NUTRITION PROGRAMS

New Policy - Vol. 35, No. 2

8500.01 - **POLICY AND PROCESS FOR RECEIVING AND PROCESSING COMPLAINTS ALLEGING CIVIL RIGHTS DISCRIMINATION (INCLUDING WISCONSIN PROTECTED CLASSES) IN THE U.S. DEPARTMENT OF AGRICULTURE (USDA) CHILD NUTRITION PROGRAMS**

Federal law prohibits discrimination on the basis of these protected classes: race, color, national origin, sex (including gender identity and sexual orientation), disability, and age. Any person alleging discrimination based on a 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:

A. Contact the School Food Authority (SFA) USDA Child Nutrition Programs Civil Rights Coordinator, listed above.

B. 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 the individual’s right to file.

C. 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.

D. Document the complaint:

1. Utilize the USDA Program Discrimination Complaint Form (Spanish) or make an effort to obtain all of the following information:

    a. Name, address, and phone number of complainant,

    b. Specific name and location of entity delivering the benefit or service,

    c. The nature of the incident, action, or method of administration that led the complainant to feel discriminated against,

    d. The basis on which the complainant feels discriminated (race, color, national origin, sex, etc.),

    e. The names, titles, business addresses, and phone numbers of persons who may have knowledge of the discriminatory action,

    f. The date(s) during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions.

2. 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.

E. All verbal, written, or anonymous complaints received by the SFA must be forwarded to the Wisconsin Department of Public Instruction, Bureau of School Nutrition Director **within five days** of receiving the complaint.

Wisconsin Department of Public Instruction (DPI)

Mail: Director, Bureau of School Nutrition
P.O. Box 7841
Madison, WI 53707
Email: jessica.sharkus@dpi.wi.gov

WI DPI will forward the complaint to the USDA Midwest Regional Office for processing.

F. All Civil Rights complaints received must be tracked on a Civil Rights complaint log. This log should be maintained in a confidential manner and only available to SFA staff members who have a legitimate need to know. A Civil Rights Complaint Log Template is available on the Bureau of School Nutrition civil rights webpage.

USDA Non-Discrimination 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, audiotape, 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/ad-3027.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

This institution is an equal opportunity provider.

Wisconsin Protected Classes

Wisconsin state law prohibits discrimination on the basis of the federal protected classes, but also includes pregnancy, marital status, parental status, sexual orientation, religion,

creed, and ancestry.

Any complaints received alleging civil rights discrimination specifically for the Wisconsin state protected classes should follow the same procedures above.

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