



## DEPARTMENT OF EDUCATION

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Secretary of Education  
(302) 735-4000  
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July 12, 2022

### MEMORANDUM

**TO:** Child and Adult Care Food Program CACFP Sponsors

**FROM:** Aimee F. Beam, MS, RD, LDN *AB*  
Education Associate, Nutrition Programs

**RE:** 2022 Operational Memo #15  
Updated USDA Civil Rights Complaint Procedure Documents

The Delaware Department of Education (DDOE) has updated documents related to Civil Rights complaints due to the recent United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) Civil Rights Division guidance provided through CACFP 2022 Operational Memo #12: Updated USDA Civil Rights Division Guidance, Nondiscrimination Statement, and the And Justice for All Poster. The following documents have been updated: Civil Rights Procedure Minimum Requirements, Civil Rights Compliant Procedure Template, and Civil Rights Complaint Form Template.

As a reminder, per FNS 113-1: Civil Rights Compliance and Enforcement, CACFP Sponsors must ensure that program applications and participants are advised at the service delivery point of their right to file a complaint, how to file a complaint and the complaint procedures. CACFP Sponsors must have Civil Rights Compliant Procedures in place in addition to having a Civil Rights Complaint Form available to program applicants and participants. DDOE's templates comply with USDA requirements and can be used by CACFP Sponsors for these purposes.

The above reference documents are attached for your review. Please contact our office at (302) 857 – 3356 with any questions.

Attachment: DDOE CACFP Civil Rights Compliant Form Template 2022  
DDOE CACFP Civil Rights Compliant Procedure Minimum Requirements 2022  
DDOE CACFP Civil Rights Compliant Procedure Template 2022

cc: Nutrition Team

## Child and Adult Care Food Program Civil Rights Complaint Procedure: Minimum Requirements

The following topic areas must be included in a Child and Adult Care Food Program (CACFP) Sponsor's civil rights complaint procedure and include, at minimum, the supporting information listed under each topic.

### Accepting a Complaint

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- Contact for whom civil rights complaints will be directed to at the Sponsor level
  - Include name, address, phone number, and email
- Language stating that complaints can be received verbally, in writing, or anonymously and within 180 days of the alleged discriminatory action

*Note: If a complaint form is used, ensure that the form is not a prerequisite for accepting a complaint*

### Transcribing a Complaint

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- Language stating that the complaint will be processed within 90 days
- Obtain the following information (verbally, in writing, or anonymously):
  - Name, address, and telephone number of the complainant
  - The nature of the incident or action that led the complainant to feel discrimination was a factor
  - The basis on which the complainant believes discrimination exists
  - The names, telephone numbers, titles, and business or personal addresses of persons who may have knowledge of the alleged discriminatory action
  - The date(s) during which the alleged discriminatory action occurred

### Forwarding a Complaint

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Complaints must be forwarded to Aimee Beam, MS, RD, LDN, Education Associate, Nutrition Programs, within three (3) business days of receiving the complaint. Please email or send by US mail to the following address:

*Delaware Department of Education  
Collette Education Resource Center  
ATTN: Aimee Beam, MS, RD, LDN  
35 Commerce Way, Suite 1  
Dover, DE 19904*

*[aimee.beam@doe.k12.de.us](mailto:aimee.beam@doe.k12.de.us)*

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### Resources

- [USDA Civil Rights Homepage](#)
- [DDOE Civil Rights Resources](#)

This institution is an equal opportunity provider.

Policy: United States Department of Agriculture (USDA)/Food and Nutrition Service (FNS) Instruction 113-1 (dated 11/8/05) delineates the civil rights requirements for participants in Child Nutrition Programs (CNP). The following is required at the Program Sponsor level.

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 [Sponsor] related to the Child and Adult Care Food Program should be directed to [Sponsor Contact]. [Sponsor Contact] can be reached via phone at [xxx-xxx-xxxx] or by email at [email address]. Complaints can be submitted verbally, in writing, or anonymously.

[Sponsor] will obtain all necessary complaint information and process the complaint within 90 days. The complaint will be forwarded to the State Agency (Delaware Department of Education) within three (3) business days of receiving all necessary information.

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)

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Civil Rights Complaint Form (optional)

Reporter: \_\_\_\_\_

CACFP  
Center: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

1. What happened to you? Please include date, location and any supporting documentation that would help show what happened.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Who do you believe discriminated against you? List name(s).

\_\_\_\_\_  
\_\_\_\_\_

3. Name(s) of witness(es) to alleged prohibited conduct if applicable:

\_\_\_\_\_  
\_\_\_\_\_

4. It is a violation of the law to discriminate against you based on the following: 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. I believe I was discriminated against based on my:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. How would you like to see this complaint resolved?

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Complete form and submit to [Sponsor] within 180 days of the alleged discriminatory action. Forms can be submitted via email to [email address] or through US mail to [Sponsor address].

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**Child and Adult Care Food Program (CACFP)  
Civil Rights Complaint Form (optional)**

1. What happened to you? Please include date, location and any supporting documentation that would help show what happened.

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2. Who do you believe discriminated against you? List name(s).

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3. Name(s) of witness(es) to alleged prohibited conduct if applicable:

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4. It is a violation of the law to discriminate against you based on the following: 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. I believe I was discriminated against based on my:

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5. How would you like to see this complaint resolved?

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