



Massachusetts Department of Elementary and Secondary Education

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Jeffrey C. Riley
Commissioner

MEMORANDUM

To: Local Education Agencies and Sponsoring Organizations of Child Nutrition Programs
From: Robert M. Leshin, Director, Office for Food and Nutrition Programs
Date: September 7, 2021
Subject: Use of the Nondiscrimination Statement on Public Communications

All local educational agencies (LEAs) and Sponsoring Organizations (SOs) that participate in the federally funded Child Nutrition Programs (CNPs) must post the following nondiscrimination statement and include it, in full, on all materials regarding CNPs that are produced for public information, public education, or public distribution. The authorized statements attached in Appendix A cannot be modified. If a local agency authorizes additional language, it must be included in a separate statement. The Statement should be provided in both English and Spanish when the target audience contains Spanish speakers.

The purpose of the statement:

This statement informs anyone who comes into contact with CNPs that USDA agencies, offices, employees, and institutions who participate in USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, or age. Included is the process to file a program complaint of discrimination if one were to occur.

Print versus Online Statements:

Resources that are made available to the public in print should use the print version of the nondiscrimination statement as this writes out the website address where the civil rights complaint form can be accessed.

Resources that are made available to the public electronically should use the online version of the nondiscrimination statement as this version is optimized for screen readers utilized by the visually impaired.

Action Required:

Review your documents and public communications annually to ensure they contain the most current authorized version of the nondiscrimination statement. The most current version will be available for reference: <https://www.doe.mass.edu/cnp/civilrights/>.

Vital Documents:

The nondiscrimination statement should be included in full on all documents that are considered vital to program access and participation. SFAs operating the National School Lunch Program, School Breakfast Program and Special Milk Program should include the nondiscrimination statement with the following communications:

- Household Application Packet, which is sent to all households at the beginning of the school year, and any time a new student registers with the district.
- Letters of approval, denial, or termination of meal benefits
- Letters regarding prepayment/outstanding balances of school meal accounts
- Letters requesting information for Verification
- Civil Rights complaint form
- Special Dietary Request Form

LEAs / SOs operating the Child and Adult Food Care Program, or Summer Food Service Program should contact their program consultant for a list of documents that pertains to your program type.

Webpages:

Web sites, used by local agencies to inform the public about CNPs must contain the nondiscrimination statement. It is not required that the nondiscrimination statement be included on every page of the program information web site. At the minimum, the nondiscrimination statement, or a link to it, must be included on the home page of the program information.

Small Materials:

If the material is too small to permit the full statement to be included, the material will at a minimum include the statement, in print size no smaller than the text that “This institution is an equal opportunity provider.” The nondiscrimination statement is not required to be imprinted on items such as cups, buttons, magnets, and pens that identify the program, when the size or configuration makes it impractical.

Radio/Television:

In addition, recognizing that Internet, radio, and television public service announcements are generally short in duration, the nondiscrimination statement does not have to be read in its entirety. Rather, a statement such as “The [program name] is an equal opportunity provider” is sufficient to meet the nondiscrimination requirement.

If you have questions about how to incorporate the nondiscrimination statement into your CNP materials, please contact the DESE FNP at Nutrition@doe.mass.edu and 781-338-6480.

This institution is an equal opportunity provider.

Appendix A
(Print) Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and 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.

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. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint>, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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(Online) Nondiscrimination Statement

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(Print) Nondiscrimination Statement (Spanish)

De conformidad con la Ley Federal de Derechos Civiles y los reglamentos y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA, por sus siglas en inglés), se prohíbe que el USDA, sus agencias, oficinas, empleados e instituciones que participan o administran programas del USDA discriminen sobre la base de raza, color, nacionalidad, sexo, discapacidad, edad, o en represalia o venganza por actividades previas de derechos civiles en algún programa o actividad realizados o financiados por el USDA.

Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano, etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las personas sordas, con dificultades de audición o discapacidades del habla pueden comunicarse con el USDA por medio del Federal Relay Service [Servicio Federal de Retransmisión] al (800) 877-8339. Además, la información del programa se puede proporcionar en otros idiomas.

Para presentar una denuncia de discriminación, complete el [Formulario de Denuncia de Discriminación del Programa del USDA](#), (AD-3027) que está disponible en línea en: https://www.ocio.usda.gov/sites/default/files/docs/2012/Spanish_Form_508_Compliant_6_8_12_0.pdf y en cualquier oficina del USDA, o bien escriba una carta dirigida al USDA e incluya en la carta toda la información solicitada en el formulario. Para solicitar una copia del formulario de denuncia, llame al (866) 632-9992. Haga llegar su formulario lleno o carta al USDA por:

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- (2) fax: (202) 690-7442; o
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