

TEXAS POLICY

In Texas, organizations that contract directly with Texas Department of Agriculture's USDA federally funded nutrition programs are called Contracting Entities or CEs. The Summer Food Service Program's (SFSP) is identified as a nutrition program and, as such, sponsors are considered CEs.

Amendments to the Summer Food Service Program (SFSP)

The Food and Nutrition Division (FND) Permanent Agreement stipulates that you will perform according to your application, supporting documents and approved amendments. Therefore, approved changes to your application and all other supporting documentation for your SFSP do not require an amendment to your FND Permanent Agreement. You will request changes to the SFSP via the Texas Unified Nutrition Program System (TX-UNPS) or by using the [Amendment form](#). You must include all supporting documentation to complete the requested change. Food and Nutrition (F&N) will respond to your request if the information provided in TX-UNPS or on the Amendment form is completed and submitted.

You must request an amendment whenever any of the following items are altered or modified:

- Adding or deleting sites;
- Changing maximum meal level at site;
- Address changes;
- Name changes;
- Changes to approved meal types and meal times;
- Changes of authorized representative; and
- Other changes affecting reimbursement.

Your claims for reimbursement may be delayed or negatively affected if you fail to properly request these changes in advance. You are not required to submit a budget amendment unless TDA determines that a budget amendment is necessary, or you feel you have had a significant budget change.

Amendments to the Food and Nutrition Division (FND) Agreement

After F&N has approved your complete application, and signed the FND Permanent Agreement, these documents can only be amended with our consent. There are two types of FND Permanent Agreement amendments:

- Universal amendments, and
- Contracting Entity-specific amendments.

Universal Amendments

Universal amendments are modifications to the terms and conditions of the FND Permanent Agreement that apply to all contracting entities (CEs) operating under the FND Permanent Agreement, including amendments that are specific to a particular program, regardless of whether a particular CE has been approved to participate in that program. Universal amendments are initiated by TDA.

Contracting Entity-Specific Amendments

Contracting Entity-specific amendments are limited to:

- Adding participation in an F&N-administered program;
- Deleting participation in an F&N-administered program;
- Changing the name of the CE in which the EIN remains the same under the existing FND Permanent Agreement; or
- Changing the name of the CE in which other documentation establishing your legal identity remains the same under the existing FND Permanent Agreement.

Whenever necessary, TDA will amend your FND Permanent Agreement using an “amendment form” to indicate your current participating status and/or organization name.

Contracting Entity-specific amendments can be initiated by either TDA or the CE.

A Contracting Entity-specific amendment initiated by a CE to add or delete a program can be withdrawn. The CE may decide not to participate in the program being added or continue participation in the program being deleted. In the event that you decide to withdraw a Contracting Entity-specific amendment, you must inform TDA in writing.

Failure to return a Contracting Entity-specific amendment, or to notify TDA that you wish to withdraw the action, could result in termination of your FND Permanent Agreement for cause.

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