



Policy Updates August 28, 2024

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TEXAS DEPARTMENT OF AGRICULTURE
COMMISSIONER SID MILLER

Fraud Hotline: 1-866-5-FRAUD-4 or 1-866-537-2834 | P.O. Box 12847 | Austin, TX 78711
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Food and Nutrition Division
Nutrition Assistance Programs



Updated 8/28/2024
www.SquareMeals.org

Final Rule - Partnerships With Faith-Based and Neighborhood Organizations



Final Rule Overview

- Joint rule created by USDA and eight other agencies
- Amended USDA regulations at 7 CFR part 16 related to equal opportunity for faith-based organizations that operate USDA programs and religious protections for USDA program beneficiaries
- Applies to all Child Nutrition Programs



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Final Rule – What's New

All CNP operators:

- **must** provide written notice to beneficiaries of their right to be free from discrimination on the basis of religion
- **must** provide written notice to beneficiaries of how to report violations of these regulatory protections
- **may** provide written notice to beneficiaries on how to obtain information about other federally funded service providers available in their area



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Final Rule – What's Included on the Notice

- Participants may not be discriminated against on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice;
- Participants are not required to attend or participate in any explicitly religious activities that are offered by our organization, and any participation must be purely voluntary;
- Any explicitly religious activities must be separated from activities supported with direct Federal financial assistance;
- Participants can report violations of these protections, including any denials of services or benefits by an organization, by contacting or filing a written complaint with the Office of the Assistant Secretary for Civil Rights, Center for Civil Rights Enforcement, Program Complaint Division



Final Rule – Implementation

At each site, all CNP operators can choose the following methods:

- Post a written notice at the service location (e.g., schools, child care centers, community organization sites); or,
- Post a written notice on the local program operator website; or,
- Provide flyers or handouts at food distribution sites (e.g., congregate meal sites, non-congregate meal pick up locations, etc.); or,
- Add the written notification to the program application.



Final Rule – Implementation Timeline

- Final Rule is in effect **immediately; however,**
- FNS recently released guidance informing State Agencies that the template created by USDA is being retracted pending further clarification.
- **STAY TUNED! Pay attention to:**
 - **SquareMeals**
 - **Newsletters**
 - **State calls**
 - **ARM and other Program handbooks**



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Updated Spanish Applications and Household Letters



Updated Spanish Applications and Letters Released

Updated Spanish forms released 8-27:

- Three NSLP Household Applications
- SMP Household Application
- Application Letters for NSLP and SMP
- Eligibility Letters for NSLP and SMP



Excess Net Cash Resources



Excess Net Cash Resource Threshold Expansion

- Food service account cannot exceed six months' average expenditures (expanded from three months).
- SNP operators only but can apply to an SFA's CACFP or SFSP operations when using a single account for all programs.
- SFAs with an already submitted spend-down plan for an excess of 3 months (based on FY 2023 end balance or self-identified) must adhere to that plan.
- Balances exceeding 3 months but under 6 months at end of FY 2024 do not need to submit a spend-down plan.



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USDA Complaint Form



USDA Complaint Form

- Latest USDA Complaint form has expiration of May 31, 2024
- CEs should continue to use, as NDS still links to that form
- TDA will raise this to USDA



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

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