




November 29, 2021

**TO:** Eligible Applicants

**FROM:** Dr. Carmen I. Ayala   
State Superintendent of Education

**SUBJECT:** **NOTICE OF FUNDING OPPORTUNITY (NOFO) / REQUEST FOR PROPOSALS (RFP):**  
Fiscal Year 2023 National School Lunch Program Equipment Assistance Grant

**CSFA Number:** 586-18-0871  
**CSFA Title:** National School Lunch Program – Equipment Assistance Grant

**CFDA Number:** 10.579  
**CFDA Title:** Child Nutrition Discretionary Grants Limited Availability

## Program Overview

The U.S. Department of Agriculture (USDA) Food and Nutrition Service provides funding to the Illinois State Board of Education (ISBE) to provide equipment assistance through competitive grants to School Food Authorities (SFAs) participating in the National School Lunch Program (NSLP). Funds allocated for this program are intended to assist schools in purchasing equipment to serve healthier meals; improve food safety; expand access to school meals; and to help support the establishment, maintenance, or expansion of the School Breakfast Program. ISBE has been allocated \$1,062,275 to award grants to SFAs in this round of funding.

### *Eligibility and Application Information*

**Eligible Applicants:** All Illinois SFAs participating in the federally funded National School Lunch Program are eligible to submit an application for schools under their jurisdiction. An SFA is defined as a governing body that is responsible for the administration of one or more schools and has the legal authority to operate NSLP therein. In addition, any SFA with a previously approved agreement on file to operate the National School Lunch Program (per 7 CFR 210.9(b)), and that would otherwise be operating NSLP in school year 2021-22, may continue to access NSLP Equipment Assistance Grants while utilizing the flexibilities granted under the [Nationwide Waiver to Allow the Seamless Summer Option through School Year 2021-2022](#).

All SFAs meeting the above criteria are eligible to apply, but priority will be given in the following areas (based on school nutrition program year 2020 [annual eligibility data](#), where applicable):

- Schools where 50 percent or more of the enrolled students are eligible for free or reduced-price meals;
- Schools that did not previously receive a NSLP Equipment Assistance Grant in the last five award years;
- Schools that also participated in the School Breakfast Program; and
- Schools that prepare meals on site using district-owned equipment or, through this grant, will be able to start preparing meals on site without a school-to-school agreement or vended or food service management contract

**NOTE:** The State of Illinois Grant Accountability and Transparency Act (GATA) requires applicants to complete Pre-qualification requirements before applying for any grant. This includes completion of the [Grantee Registration and Pre-qualification process](#) through the [Illinois GATA Web Portal](#). Grant applications must be submitted by the application deadline indicated in this NOFO/RFP. Applicants are advised to complete the Pre-qualification requirements well in advance of the NOFO/RFP deadline

Successful grant applicants will be required to complete an FY 2023 Fiscal and Administrative Risk Assessment in the form of an Internal Controls Questionnaire (ICQ) available through the GATA Web Portal, an FY 2023 Organizational Risk Assessment through the ISBE Web Application Security system, and the FY 2023 Programmatic Risk Assessment that is found within the electronic Grant Management System budget. Grant awards will not be executed until the FY 2023 ICQ, Organizational Risk Assessment, and Programmatic Risk Assessment are completed.

**Dun and Bradstreet Universal Numbering System (DUNS) Number and System for Award Management (SAM):** Each applicant (unless the applicant is an individual or federal or state awarding agency that is exempt from those requirements under 2 CFR § 25.110(b) or (c), or has an exception approved by the federal or state awarding agency under 2 CFR § 25.110(d)) is required to:

- (i) Be registered in SAM before submitting its application. If you are not registered in SAM, you may do so at [www.sam.gov](http://www.sam.gov);
- (ii) Provide a valid DUNS number (<https://fedgov.dnb.com/webform>) in its application; and
- (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active federal, federal pass-through, or state award or an application or plan under consideration by a federal or state awarding agency. ISBE may not consider an application for a federal pass-through or state award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements.

**Code of Federal Regulations / Title 2 - Grants and Agreements / Vol. 1 / 2020-01-01:**

Guidance is found at <https://www.govinfo.gov/content/pkg/CFR-2020-title2-vol1/pdf/CFR-2020-title2-vol1.pdf>.

**This grant is subject to the provisions of:**

- [Grant Accountability and Transparency Act \(GATA\), 30 ILCS 708/1 et seq.](#)
- [Administrative Rules for GATA, 44 Ill. Admin. Code Part 7000](#)
- All federal regulations, principals, and assurances listed in Appendix A of this document.

**Merit-Based Review and Selection Process for Competitive Grants:** ISBE is required to design and execute a merit-based review and selection process for applications. This process is incorporated by reference in all applicable funding opportunities. Applicants are advised to refer to the full text of the [ISBE Merit-Based Review Policy](#) document.

**Grant Award/Cost Sharing or Matching:**

The Illinois 2023 NSLP Equipment Assistance Grant will allocate up to \$1,062,275 in total grant funding to eligible SFAs to assist in purchasing, renovating, or replacing equipment needed to serve healthier school meals, improve food safety, and expand access to school meals. Grant awards will range from a minimum of \$1,000 to a maximum of \$50,000 per SFA. No local matching of funds is required for this grant. The number of grants awarded and dollar amount of individual grant awards is dependent on the total number of applications received and the amount of grant funding requested for allowable items within each approved proposal. Additional funding information can be found under Funding Information on page 6 of this document.

**Grant Period:** The grant period will begin no sooner than July 1, 2022, and will extend from the execution date of the grant until no later than August 31, 2023.

**Submission Dates and Times/Other Submission Requirements:** Proposals can be submitted electronically through the ISBE Attachment Manager or mailed to arrive no later than 4 p.m. January 14, 2022. Directions for each submission method are found below. Late proposals will not be accepted.

- **Electronic Submission:** Completed proposals submitted electronically should be scanned into PDF with all supporting documents and required signatures. The ISBE Attachment Manager is found at <https://sec1.isbe.net/attachmgr/default.aspx>. Choose [DURBIN, EMILY S] from the drop-down menu in Receiver Information. Submit the application using the button at the bottom of the page.
- **Mailed Proposals:** Mail the original signed application to **Illinois State Board of Education, Attn: Emily Durbin, 100 North First Street (W-270), Springfield, IL 62777-0001** to ensure the NOFO/RFP response is in the ISBE offices no later than 4 p.m. January 14, 2022. It is advised to use certified mail with guaranteed delivery date and a return receipt requested.

**Grant Award Notice:** It is anticipated that successful applicants will receive a Notice of Award via email approximately 90 days after the application deadline. The award letter is NOT an authorization to begin performance or expenditures. After the Merit-Based Appeal timeframe has ended, awardees will receive additional information from the program area that includes the next steps for finalizing the grant. Monies spent prior to programmatic approval are done so at the applicant's own risk.

**Technical Assistance:** Technical assistance is available through the agency contact listed below.

**Changes to NOFO/RFP:** ISBE will post any changes made to the NOFO/RFP prior to January 8, 2022 at <https://www.isbe.net/Pages/Request-for-Proposals.aspx>. Applicants are advised to check the site before submitting a proposal.

**Agency Contact/Contact to Request Application Package:** For more information regarding this NOFO/RFP, contact Emily Durbin at [edurbin@isbe.net](mailto:edurbin@isbe.net) or call (217) 782-2491 or (800) 545-7892.

# General Information

## *Program Background and Description*

### Program Purpose:

The National School Lunch Program Equipment Assistance Grant program allocates funding via a competitive grant process to School Food Authorities with schools participating in the National School Lunch Program to purchase and/or renovate equipment needed to serve healthier meals; improve food safety; expand access to school meals; and to help support the establishment, maintenance, or expansion of the School Breakfast Program.

### Program Description:

Grant funds are provided on a reimbursement basis to SFAs receiving awards under this grant. SFAs will be reimbursed for preapproved purchase/renovation of equipment items with a value of \$1,000 or greater that are used for the improvement of school meal programs as described in the Program Purpose section above.

### Federal Description:

The purpose of the [NSLP Equipment Assistance Grant](#) program is to distribute funding allocations provided by the Consolidated Appropriations Act. State agencies competitively award equipment assistance grants to eligible SFAs participating in the National School Lunch Program. These funds will allow SFAs to purchase equipment to serve healthier meals, improve food safety, and expand access.

### Program Background/History:

The USDA distributed funding allocations out of the total \$30 million provided by the Consolidated Appropriations Act, 2021 (Public Law 116-260) to state agencies to competitively award Equipment Assistance Grants to eligible SFAs participating in the National School Lunch Program. Illinois is allocated \$1,062,275 to award grants to SFAs in this round of funding.

### Program Objectives:

SFAs will use grant funds to purchase new equipment or replace/renovate existing equipment for the improvement of their school meal programs. In order to make the most effective use of the grant funds, key focus areas are:

- Equipment that improves the quality of school meals;
- Equipment that improves the safety of food served in the school meal programs; and/or
- Equipment used to improve or expand participation in school meals.

### Policy Requirements:

The term *equipment*, for purposes of this program, is defined by federal regulation at 2 CFR Part 200.33 as tangible personal property having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000. **Congress has specified that equipment purchases made in this grant cycle must meet a threshold of at least \$1,000.**

As with all federal grant funds, procurement regulations at 7 CFR Part 210.21 and 2 CFR Part 200.317-326 apply, and equipment competitively procured using these grant funds must be necessary, reasonable, and allocable.

SFAs are required to follow all federal, state, and local procurement laws when purchasing equipment with these grant awards. SFAs that are awarded grant funds are not required – but are encouraged – to purchase equipment made domestically.

Procedures for managing equipment, whether acquired in whole or in part with grant funds, must meet at minimum the following requirements as provided in 2 CFR 200.313(d) until disposition takes place:

- Property records must be maintained that include:
  - A description of the property;

- A serial number or other identification number;
  - The source of the property;
  - Who holds the title;
  - The acquisition date and cost of property;
  - Percentage of state/federal participation in the cost of the property;
  - The location, use, and condition of the property; and
  - Any ultimate disposition date, including the date of disposal and sale price of the property.
- A physical inventory of the property must be taken and results reconciled with the property records at least once every two years to verify the existence, current utilization, and continued need for the property.
  - A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated and fully documented.
  - Adequate maintenance procedures must be developed to keep the property in good condition.
  - If the fund recipient is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.
  - All equipment or property purchased with grant funds shall be identified and marked as such.
  - All equipment purchased with federal/state funds are the property of the federal/state program.

Performance Measures:

School Food Authorities receiving awards under this grant program will realize improvements in the quality of school meals, safety of food served in the school meal programs, overall energy efficiency of the food service operations, and/or expanded participation in school meal programs. Students will gain increased access to better quality, healthier school meals.

Targets:

School Food Authorities should follow target timeframes as outlined in their proposal. SFAs must report any major deviation from planned targets on the Periodic Performance Report and/or discuss with the ISBE grant administrator for this grant program.

Performance Standards:

Periodic Performance Reports submitted by the due date each reporting period.

Purchase or renovate only preapproved equipment items.

Claim Request for Reimbursement with supporting documentation for purchases submitted by the due date.

Deliverables and Milestones:

- Programmatic Reporting – Programmatic reporting should be completed a minimum of semiannually via the Periodic Performance Report form. These reports are due 30 following the end of the reporting periods ended December 31 and June 30. Grantees whose risk assessment responses indicate the need for more frequent reporting will be required to submit reports quarterly.
- Expenditure Reporting – NSLP Equipment Grant Claim Form (69-75), including documentation of equipment purchases (invoice/receipt), is due as purchases are made during the grant period. Purchases must be completed by the end of the grant period and the final claim form must be submitted to ISBE no later than 30 days after the end of the grant period.

## ***Funding Information***

### Introduction:

The Illinois State Board of Education will competitively award, in total, up to \$1,062,275 in Equipment Assistance Grants to successful applicants. Awards will range in dollar amount from a minimum of \$1,000 to a maximum of \$50,000 per School Food Authority. Funding will be awarded by school, beginning with the highest-scoring school and going down the ranked list until funds are depleted. Individual award amounts will be determined based on the amount requested in the budget for allowable costs.

### Allowable expenditures for this grant include costs associated with:

- Purchase of new equipment,
- Renovation of existing equipment, and/or
- Replacement of existing equipment.

Examples of equipment include, but are not limited to, refrigeration (reach-in or walk-in, if efficiently sized), preparation equipment (convection oven, combination oven, steamer, tilt skillet, food processor), serving line (effective flow and components, including merchandising), holding cabinet, dishwasher, shelving, salad bar, food transport carts, carriers, and point-of-sale system.

SFAs should not obligate or expend funds prior to the start date of the grant period or prior to ISBE providing formal approval of the application, requested items, and grant amount. Funds may only be used for the equipment specified in the award detail. An amendment to buy any other equipment must be approved prior to purchase.

### SFAs are reminded that each unit must meet the federal definition of equipment as provided in 2 CFR 200.313:

Equipment means tangible personal property having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000. However, Congress has approved a lower threshold for the purchase of equipment made in this grant cycle; therefore, for this grant specifically, requested equipment must have a useful life of more than one year and a per-unit acquisition cost of at least \$1,000. Requested items that do not meet these criteria will not be approved for funding.

### ISBE provides funding awarded under the NSLP Equipment Assistance Grant Program on a reimbursement basis:

Each SFA selected to receive funds must submit at least one Claim for Reimbursement, which must include copies of the invoice(s) and/or receipt(s) to support each approved equipment item that was purchased, replaced, or renovated.

### Cost Sharing or Matching:

There are no cost sharing or matching requirements associated with this grant.

### Funding Restrictions:

Unallowable costs include, but are not limited to:

- Remodeling of the food service area or cafeteria,
- Facility renovation or construction costs (building improvements),
- Administrative expenses,
- Indirect costs, and/or
- Set-asides for auditing services.

### Stevens Amendment:

For purposes of compliance with Section 511 of P.L. 101-166 (the “Stevens Amendment”), applicants are advised that 100 percent of the funds for this program are derived from federal sources. The total amount of federal funding involved is \$1,062,275.

## ***Reporting Requirements***

### Programmatic Reporting:

Programmatic reporting should be completed a minimum of semiannually via the Periodic Performance Report form. These reports are due 30 following the end of the reporting periods ended December 31 and June 30. Grantees whose risk assessment responses indicate the need for more frequent reporting will be required to submit reports quarterly.

### Expenditure Reporting:

NSLP Equipment Grant Claim Form (69-75), including documentation of equipment purchases (invoice/receipt), is due as purchases are made during the grant period following the quarter during which the expenditure occurs. Purchases must be completed by the end of the grant period, no later than August 31, 2023, and the final claim form and documentation must be submitted to ISBE no later than September 30, 2023.

All reporting forms will be available at <https://www.isbe.net/Pages/Equipment-Grants.aspx>.

## Content and Form of Application Submission

**Instructions:** Each application must be submitted in the format outlined below to be considered complete. A complete application will include all required components (the numbered items below) and signatures when mentioned. Please use the checkboxes in front of the numbers as a checklist when assembling your completed application. It is advised to attach a copy of the completed checklist with the application.

- 1. Uniform Application for State Grant Assistance (Attachment 1):** Include the name, address, and telephone and fax numbers of the entity; email, name, and telephone number of the contact person; Federal Employer Identification number; DUNS number; SAM CAGE Code; and all other listed information. The Application page must be signed by the official authorized to submit proposals.
  
- 2. Cover Page (Attachment 2):** Indicate the number of schools that you are including in your application for funding. List the name of each school and its address. Provide the total dollar amount (total of all schools) requested for funding.
  
- 3. Equipment Proposal and Justification Form (Attachment 3 – COMPLETE ONE PER SCHOOL):** Fill out an Attachment 3 for each school listed on the Cover Page (Attachment 2).
  - Sections 1-4: Attachment 3 includes four short narrative sections that will provide reviewers with information to determine whether grant criteria are met.
  - Equipment Request & Budget Section: Fill out column for each type of equipment item requested for the specified school location.

Refer back to page 3 of this document for submission methods and deadlines.



# Review Criteria

## *Application Review and Selection Process*

The selection of the grantees will be based upon the overall quality of the application. In addition, priority points will be given to schools that meet criteria specified for prioritization. Applications will be scored against the rubric and criteria listed within this document. Schools will be placed into a ranked list, based on their overall score from highest to lowest, and funding requests will be awarded to schools in ranked order until the amount of available funding is depleted. Following the notification of grant awards, an applicant may request copies of reviewer scores and comments by contacting Emily Durbin at [edurbin@isbe.net](mailto:edurbin@isbe.net).

## *Tiebreaker*

In the event of a tie between schools, the school serving a higher enrollment of students\* will receive priority.

## *Evaluation Criteria*

The scoring is based upon the following overall criteria:

- Need is defined as the identification of stakeholders, facts, and evidence that demonstrate the proposal supports the grant program purpose.
- Capacity is defined as the ability of an entity to execute the grant project according to the project requirements.
- Quality is defined as the totality of features and characteristics of a service, project, or product that indicate its ability to satisfy the requirements of the grant program.

These overall criteria are built into the specific selection criteria in the following summary and detail.

### **SELECTION CRITERIA AND POINTS - SUMMARY**

<b>Priority Points</b>	<b>Maximum Points</b>
Schools with at least 50 percent free and reduced-price eligibility*.	10
Schools that were not awarded a grant in the last five award years.	10
Schools that also participated in the School Breakfast Program*.	10
School meals are prepared on site using district-owned equipment or, through this grant, will be able to start preparing meals on site without a school-to-school agreement or vended or food service management contract.	10
<b>Project Criteria</b>	
Section 1: Applicant demonstrates high-need for equipment requests.	10
Section 2: Applicant demonstrates consideration of how the grant award will provide meaningful impacts on nutrition and quality of school meals.	10
Section 3: Applicant demonstrates commitment to lunchroom strategies that provide convenience and appeal to the student population.	10
Section 4: Applicant demonstrates capacity to execute the grant project in accordance with grant requirements.	10
<b>TOTAL POINTS AVAILABLE:</b>	<b>80</b>

\*Based on school nutrition program year FY 2020 [annual eligibility data](#).

**SELECTION CRITERIA AND POINTS - DETAIL**

**Priority Points (40 Points Possible)**

Schools are awarded the indicated number of priority points based on school nutrition program year FY 2020 [annual eligibility data](#), where applicable, and the list of [previously awarded schools](#) (since FY 2009).

Priority Points 40 Points Total	Possible Points														
<p>Priority points based on free and reduced-price meal eligibility of enrolled students (e.g., schools in underserved areas, schools with limited access to other resources).</p> <p>Each school site will receive the following points based on the free and reduced-price meal eligibility percentage of enrollment based on school nutrition program year FY 2020 <a href="#">annual eligibility data</a>.</p> <table border="1"> <thead> <tr> <th style="background-color: #d9ead3;">Free and Reduced-Price Eligibility Percentage</th> <th>Number of Points</th> </tr> </thead> <tbody> <tr> <td>90 percent or more up to or equal to 100 percent</td> <td align="center">10</td> </tr> <tr> <td>80 percent or more but less than 90 percent</td> <td align="center">8</td> </tr> <tr> <td>70 percent or more but less than 80 percent</td> <td align="center">6</td> </tr> <tr> <td>60 percent or more but less than 70 percent</td> <td align="center">4</td> </tr> <tr> <td>50 percent or more but less than 60 percent</td> <td align="center">2</td> </tr> <tr> <td>Less than 50 percent</td> <td align="center">0</td> </tr> </tbody> </table>	Free and Reduced-Price Eligibility Percentage	Number of Points	90 percent or more up to or equal to 100 percent	10	80 percent or more but less than 90 percent	8	70 percent or more but less than 80 percent	6	60 percent or more but less than 70 percent	4	50 percent or more but less than 60 percent	2	Less than 50 percent	0	10
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50 percent or more but less than 60 percent	2														
Less than 50 percent	0														
<p>Priority points awarded to schools based on whether they have previously been awarded an NSLP Equipment Assistance Grant. List of previously awarded schools can be found on the ISBE Equipment Grant <a href="#">webpage</a>.</p> <table border="1"> <thead> <tr> <th style="background-color: #d9ead3;">Grant History</th> <th>Number of Points</th> </tr> </thead> <tbody> <tr> <td>School has never been awarded an equipment grant</td> <td align="center">10</td> </tr> <tr> <td>School has been previously awarded a grant but not within the last 5 award years</td> <td align="center">5</td> </tr> <tr> <td>School has been awarded a grant within the last 5 award years (FY17 - FY21)</td> <td align="center">0</td> </tr> </tbody> </table>	Grant History	Number of Points	School has never been awarded an equipment grant	10	School has been previously awarded a grant but not within the last 5 award years	5	School has been awarded a grant within the last 5 award years (FY17 - FY21)	0	10						
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<p>Priority points awarded to schools that also participated in the School Breakfast Program based on school nutrition program year FY 2020 <a href="#">annual eligibility data</a>.</p>	10														
<p>Priority points awarded to schools for which meals are prepared on site using district-owned equipment or, through this grant, will be able to start preparing meals on site without a school-to-school agreement or vended or food service management contract.</p>	10														

**Project Criteria (40 Points Possible)**

Sections 1 through 4 criteria will be awarded points based on the rubric below.

SCORING RUBRIC					
Not Provided	Very Limited	Somewhat Limited	Moderate	Strong	Very Strong
0	2	4	6	8	10
Response requirements are absent.	Response provides very few details to meet the criteria requirement.	Response is unclear and lacks enough evidence to meet the criteria requirement.	Response provides moderate detail and conveys potential to meet the criteria requirement.	Response provides good detail and strong evidence to meet the criteria requirement.	Response exceeds expectations and provides a solid plan to meet project outcomes.

The attachment number in the parentheses following the criteria detail indicates the attachment that will be used to determine if the criteria has been met.

<p><b>Section 1:</b> Applicant demonstrates high need for equipment requests.</p> <p><b>10 Points Total</b></p>	<p><b>Possible Points</b></p>
<p>Describe in detail the state of the current equipment needs for this site. Specifically, how does the age/condition of the current equipment, lack of appropriate equipment, and/or limited access to resources/funding for equipment needs hinder the school food service operation for this site? (Attachment 3)</p>	<p>10</p>
<p><b>Section 2:</b> Applicant demonstrates consideration of how the grant award will provide meaningful impacts on nutrition and quality of school meals.</p> <p><b>10 Points Total</b></p>	<p><b>Possible Points</b></p>
<p>Describe how the equipment request will improve the school meal program. Elaborate on specifically how the equipment will improve the quality of school meals, improve the safety of food served, and/or improve or expand participation in school meals. (Attachment 3)</p>	<p>10</p>

<p><b>Section 3:</b>  Applicant demonstrates commitment to lunchroom strategies that provide convenience and appeal to the student population.</p> <p><b>10 Points Total</b></p>	<p><b>Possible Points</b></p>
<p>Describe ways in which your lunchroom environment provides convenience and appeal to the student population with a focus on less waste, higher participation, more satisfied students, and increased consumption of important nutrient-rich foods. Elaborate on strategies you are already using in your lunchroom, as well as strategies you are committed to implementing in the future. Provide an explanation of how the requested equipment supports those strategies.</p> <p>(Attachment 3)</p>	<p>10</p>
<p><b>Section 4:</b>  Applicant demonstrates capacity to execute the grant project in accordance with grant requirements.</p> <p><i>For preliminary planning purposes, applicants should be aware the grant project period will begin no earlier than July 1, 2022, and will extend through no later than August 31, 2023.</i></p> <p><b>10 Points Total</b></p>	<p><b>Possible Points</b></p>
<p>Describe preliminary plans for the process and responsibilities of carrying out the requirements of the grant award.</p> <p>Include a description of the intended timeline for purchase and installation of the requested equipment. Consider the need for formal or informal bidding procedures, best timeframe for delivery and installation of the equipment, and who is responsible for coordinating these processes.</p> <p>(Attachment 3)</p>	<p>10</p>

**Total Points Available: 80**

## Appendix A

### Federal and USDA Requirements

Grant recipients chosen for an award from this Request for Applications must comply with the following regulations, principals, and assurances.

#### GOVERNMENT-WIDE REGULATIONS

- 2 CFR Part 25: “Universal Identifier and System for Award Management”
- 2 CFR Part 170: “Reporting Sub-award and Executive Compensation Information”
- 2 CFR Part 175: “Award Term for Trafficking in Persons”
- 2 CFR Part 180: “OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-Procurement)”
- 2 CFR Part 200: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”
- 2 CFR Part 400: USDA Implementing regulations” Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”
- 2 CFR Part 415: USDA “General Program Administrative Regulations”
- 2 CFR Part 416: USDA “General Program Administrative Regulations for Grants and Cooperative Agreements to State and Local Governments”
- 2 CFR Part 417: USDA “Nonprocurement Debarment and Suspension”
- 2 CFR Part 418 USDA “New Restrictions on Lobbying”
- 2 CFR Part 421: USDA “Requirements for Drug-Free Workplace (Financial Assistance)”
- 41 USC Section 22 “Interest of Member of Congress”
- Duncan Hunter National Defense Authorization Act of Fiscal Year 2009, Public Law 110-417
- Sections 738 and 739 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012 (Public Law 112-55)
- “The Federal Funding Accountability and Transparency Act (FFATA), dated September 26, 2006”

#### COST PRINCIPALS

- 2 CFR, Part 200: Subpart E, Cost Principles

#### USDA REGULATIONS

- 7 CFR Part 15: “Nondiscrimination”
- Freedom of Information Act (FOIA). Public access to Federal Financial Assistance records shall not be limited, except when such records must be kept confidential and would have been excepted from disclosure pursuant to the “Freedom of Information” regulation (5 U.S.C. 552).

#### ASSURANCE OF CIVIL RIGHTS COMPLIANCE

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-et seq.), USDA regulations at 7 CFR Part 15, Nondiscrimination, and Department of Justice regulations at 28 CFR Part 42, Nondiscrimination; Equal Employment Opportunity: Policies and Procedures
- Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and USDA regulations at 7 CFR Part 15a, Education Programs or Activities Receiving or Benefiting from Federal Financial Assistance

- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 1681 et seq.) and USDA regulations at 7 CFR Part 15a, Education Programs or Activities Receiving or Benefiting from Federal Financial Assistance, and Department of Justice regulations at 28 CFR Part 41, Implementation of Executive Order 12250, Nondiscrimination on the Basis of Handicap In Federally Assisted Programs
- Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) The Grantee assures that it will immediately take any measures necessary to effectuate the requirements in these laws, regulations, and directives. The Grantee gives this assurance in consideration of and for the purpose of obtaining the funds provided under this agreement.
- The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination on the basis of disability in employment (Title I), state & local government services (Title II), places of public accommodation and commercial facilities (Title III). (42 U.S.C. 12101-12213)

### 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: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), 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](mailto:program.intake@usda.gov)

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