


December 16, 2024

**TO:** Eligible Applicants

**FROM:** Dr. Tony Sanders, State Superintendent of Education 

**SUBJECT:** NOTICE OF FUNDING OPPORTUNITY (NOFO) / REQUEST FOR PROPOSALS (RFP):  
Fiscal Year 2025 National School Lunch Program Equipment Assistance Grant

**CSFA Number:** 586-18-0871

**CSFA Title:** National School Lunch Program – Equipment Grant

**CFDA Number:** 10.579

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

## Program Overview

**Source of Funding:** Federal Award 242IL811N8103

**Total Available for Subawards:** \$319,619

**Individual Subaward Amount:** Ranging from \$1,000 to \$25,000

**Subaward Type:** Competitive

USDA Food and Nutrition Service memo [SP 20-2024](#) announced that \$10 million provided by the Consolidated Appropriations Act of 2024 ([Public Law 118-42](#)) is being distributed to state agencies for National School Lunch Program (NSLP) Equipment Assistance Grants.

The Illinois State Board of Education (ISBE) has received \$319,619 and is using the full amount of this funding for competitive subgrants, which are available to eligible entities participating in the National School Lunch Program.

Eligible entities may apply for up to \$25,000 to purchase or renovate/refurbish one piece of equipment – with a value of greater than \$1,000 – for the purpose of serving healthier meals, improving food safety, and or helping to support the establishment, maintenance, or expansion of the School Breakfast Program.

## Eligibility and Application Information

### Eligible Applicants

School Food Authorities (SFAs) participating in the National School Lunch Program in Illinois are eligible to apply. An SFA is the governing body that is responsible for one or more schools and has the legal authority to operate NSLP therein.

An SFA may submit only one application for this opportunity.

**NOTE:** The State of Illinois Grant Accountability and Transparency Act (GATA) requires applicants to complete prequalification requirements before applying for any grant. This includes completion of the Grantee Registration and prequalification 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 prequalification requirements well in advance of the NOFO/RFP deadline.

Successful grant applicants will be required to complete an FY 2025 Fiscal and Administrative Risk Assessment in the form of an Internal Controls Questionnaire (ICQ) available through the GATA Web Portal, an FY 2025 Organizational Risk Assessment through the ISBE Web Application Security (IWAS) system, and the FY 2025 Programmatic Risk Assessment that is found within the electronic Grant Management System budget. Grant awards will not be executed until the FY 2025 ICQ, Organizational Risk Assessment, and Programmatic Risk Assessment are completed.

### 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.
- (ii) Continue to maintain an active SAM registration with current information at all times during which it has an active federal or federal pass-through 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 award to an applicant until the applicant has complied with all applicable SAM requirements.

### [Code of Federal Regulations / Title 2 - Grants and Agreements](#)

This grant is subject to the provisions of:

- [Grant Accountability and Transparency Act, 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 [ISBE Merit-Based Review Policy](#).

## Grant Award/Cost Sharing or Matching

Grant awards will range from a minimum of \$1,000 to a maximum of \$25,000 per grant subgrant. Cost sharing/matching are not required.

## Grant Period

The grant period will begin no sooner than March 1, 2025, and will extend from the execution date of the grant until August 31, 2025. This will be the primary grant period.

To make efficient use of federal funds, any remaining grant funds not fully obligated by initial grant recipients during the primary grant period are subject to reallocation. A secondary grant period applies to any awards that may result from reallocation of available funds. The secondary grant period will begin no sooner than January 1, 2026, and will extend from the execution date of the grant until August 31, 2026.

- Primary grant period (Initial Award Phase): March 1 – August 31, 2025
- Secondary grant period (Reallocation Award Phase): January 1 – August 31, 2026

Funding in subsequent years is contingent upon compliance with federal and state law, state grant-making rules, passage of sufficient appropriations for the program, and satisfactory performance in the preceding grant period. No promise or undertaking made in this NOFO/RFP is an assurance that a grant agreement will be renewed, nor does this NOFO/RFP create any right to or expectation of renewal.

## Submission Dates and Times/Other Submission Requirements

### Submission Deadline

Applications must be received by ISBE **no later than 4 p.m. on January 23, 2025**.

### Submission Methods

Applications are to be submitted electronically via file upload or email. The digital time stamp on the email or file upload indicates the date and time received by ISBE. Late applications will not be accepted.

### *File Upload:*

Application files may be uploaded via the [ISBE Attachment Manager](#). Choose DURBIN, EMILY S from the dropdown menu in Receiver Information. Submit the application using the button at the bottom of the page.

### *Email:*

Application files may be sent as an email attachment to [edurbin@isbe.net](mailto:edurbin@isbe.net).

## Grant Award Notice

It is anticipated that successful applicants will receive a Notice of Tentative 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 Session

For technical assistance, contact Emily Durbin at [edurbin@isbe.net](mailto:edurbin@isbe.net) or call 217-782-2491.

## Changes to NOFO/RFP

ISBE will post any changes made to the NOFO/RFP prior to January 17, 2025, on the ISBE [Funding Opportunities webpage](#). Applicants are advised to check the site before submitting a proposal.

## Agency Contact/Contact to Request Application Package

For more information on this NOFO/RFP, contact Emily Durbin at [edurbin@isbe.net](mailto:edurbin@isbe.net) or 217-782-5491.

## Program Background and Description

### Program Purpose

The NSLP Equipment Assistance Grant program provides equipment assistance via competitive grants to School Food Authorities that participate in the federally funded National School Lunch Program. Funds allocated for this program are intended to support the capacity of SFAs to operate the National School Lunch and/or School Breakfast Program by enabling them to meet school food service equipment needs.

### Program Description

ISBE will competitively award and administer subgrants to eligible SFAs. For FY 2025, SFAs may request up to \$25,000 to purchase or renovate/refurbish one piece of equipment – with a value of greater than \$1,000 – for the purpose of serving healthier meals, improving food safety, and or helping to support the establishment, maintenance, or expansion of the School Breakfast Program.

SFAs are required to follow all federal, state, and local procurement laws when purchasing equipment. SFAs must conduct procurement and obligate the equipment expense during the specified subgrant period.

#### Subgrants

All eligible proposals in response to this NOFO/RFP will be considered for a subaward; however, the number of projects selected to receive funding is subject to limitation by the overall amount of funding available for this opportunity. Individual awards are limited to a maximum of \$25,000 per SFA toward the purchase of one approved piece of equipment.

Selection of applicants to receive a subaward will be determined using the [eligibility](#) and [review criteria](#) specified within this document. Applicants will be scored and ranked in order of overall score from highest to lowest.

#### *Initial Award Phase:*

After scoring is complete, ISBE will make subawards by allocating funds to applicants in order, beginning with the highest scoring applicant proposal and continuing with the next highest score in succession, until the maximum extent of available funding has been reached.

An SFA awarded a subgrant in the Initial Award phase must obligate its subaward funds for allowable expenses during the primary grant period (March 1 to August 31, 2025). Any amount the SFA does not obligate and/or submit to ISBE with proper documentation for reimbursement during the required timeframe for Initial Awards is retained by ISBE and subject to reallocation.

#### *Reallocation Award Phase:*

ISBE may conduct a Reallocation Award phase, in which remaining unused funds may be used to make additional subgrants. In the event of reallocation, additional subgrants will be awarded by continuing down the original ranked list of applicants, beginning with the next in line where the Initial Award phase left off, until the maximum extent of unused remaining available funds has been reallocated.

SFAs that receive a subaward due to reallocation of funds must obligate funds for allowable expenses from January 1 – August 31, 2026 (secondary grant period). Any amount of the subaward that the SFA does not obligate and/or submit to ISBE with proper documentation for reimbursement during the required timeframe for Reallocation Awards is retained by ISBE and returned to the federal awarding agency in accordance with federal requirements.

### *Disbursement/Payment of Funds:*

Subgrant funds are disbursed to SFAs on a reimbursement basis, not to exceed the total amount of the subaward. Following purchase, the SFA must submit a copy of the vendor invoice/receipt and the designated expense claim form to the grant program contact at ISBE. Disbursements (payment of awarded funds) are processed via electronic funds transfer to the SFA.

### *Program Website:*

[ISBE Nutrition - NSLP Equipment Assistance Grant](#)

## Federal Description

NSLP Equipment Assistance Grants are competitively awarded subgrants to SFAs to purchase equipment, with a value of greater than \$1,000, for the purpose of serving healthier meals, improving food safety, and/or helping to support the establishment, maintenance, or expansion of the School Breakfast Program.

[FY 2024 NSLP Equipment Assistance Grants for SFAs Memo](#)

## Program Background/History

The U.S. Department of Agriculture (USDA) has awarded states \$481 million in school nutrition equipment grants since 2009. USDA provides this funding to states via a formula; states then competitively award subgrants to SFAs.

## Program Objectives

SFAs that operate the National School Lunch Program shall use awarded funds to purchase or renovate equipment that is needed to serve healthier meals; improve food safety; and support the establishment, maintenance, and/or expansion of the School Breakfast Program.

Equipment purchased or renovated must have a value of greater than \$1,000 (per unit cost).

## Policy Requirements

As it pertains to this funding opportunity, the term “equipment” is defined by federal regulation at [2 CFR Part 200.1](#) and by [Public Law 118-42](#). Equipment is defined as tangible, nonexpendable personal property having a useful life of more than one year and an acquisition cost of greater than \$1,000 per unit.

SFAs must follow all federal, state, and local procurement laws when purchasing equipment with these subgrant awards.

Federal procurement regulations at [7 CFR Part 210.21](#) and [2 CFR Part 200.317-327](#) apply to purchases made with federal grant funds. Equipment must be competitively procured, and the equipment must be necessary, reasonable, and allocable to the National School Lunch Program and/or School Breakfast Program.

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

Also see pages 14-17 of the [Fiscal Policies/Procedures/Requirements Handbook](#) regarding equipment.

## Performance Measures

SFAs that receive a subaward under this grant program are to use the funds to purchase or renovate a preapproved equipment item that has a value of greater than \$1,000 (unit cost).

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

NSLP Equipment Grant Claim Form (69-75) with supporting purchase records must be submitted by the due date.

## Targets

SFA must be on track to complete activities related to procurement, installation, and/or renovation of equipment and obligate all costs within the grant period.

## Performance Standards

Only a preapproved equipment item may be purchased or renovated. Expenses may only be incurred during the designated grant period.

NSLP Equipment Grant Claim Form (69-75) with supporting purchase records must be submitted prior to disbursement of grant funds.

## Deliverables and Milestones

### Initial Award Recipients

Grant Period: March 1 - August 31, 2025

Due Date	Description
April 30, 2025	REPORT DUE: <input type="checkbox"/> Periodic Performance Report for the period March 1 to March 30, 2025
July 30, 2025	REPORTS DUE: <input type="checkbox"/> Periodic Performance Report for the period April 1 to June 30, 2025 <input type="checkbox"/> NSLP Equipment Grant Claim Form (69-75) for expenses incurred from March 1 to June 30, 2025
August 31, 2025	FINAL DATE to obligate grant expenses for an Initial Award
September 30, 2025	REPORT DUE: <input type="checkbox"/> NSLP Equipment Grant Claim Form (69-75) for expenses incurred from July 1 to August 31, 2025

### Reallocation Award Recipients

Grant Period: January 1 - August 31, 2026

Due Date	Description
April 30, 2026	REPORT DUE: <input type="checkbox"/> Periodic Performance Report for the period January 1 to March 30, 2026
July 30, 2026	REPORTS DUE: <input type="checkbox"/> Periodic Performance Report for the period April 1 to June 30, 2026 <input type="checkbox"/> NSLP Equipment Grant Claim Form (69-75) for expenses incurred from January 1 to June 30, 2026
August 31, 2026	FINAL DATE to obligate grant expenses for a Reallocation Award
September 30, 2026	REPORT DUE: <input type="checkbox"/> NSLP Equipment Grant Claim Form (69-75) for expenses incurred from July 1 through August 31, 2026



## Funding Information

### Introduction

Total amount of funding available for this opportunity: \$319,619

Expected amount of funding per individual subaward: Awards will range in dollar amount from \$1,000 to \$25,000.

Anticipated number of awards: The number of projects that will receive funding is subject to limitation based on the total amount of funding available for this opportunity. If the total amount of funding requested by applicants exceeds the amount available, projects will be funding in order of score – from highest to lowest – until all funds are allocated.

### Allowable/Unallowable Costs

Grant funds may be used for capitalized equipment expenditures, where costs are incurred during the grant period, to purchase or renovate preapproved equipment items for use in operation of the National School Lunch and/or School Breakfast Program. All costs are subject to the cost principles within 2 CFR Part 200.

**ALLOWABLE costs include direct costs for preapproved projects/equipment items:**

#### *Acquisition Costs*

The **capitalized** cost of the equipment, including the cost to ready the equipment for its intended use:

- ✓ Net invoice price of the equipment (list price, net of any discounts)
- ✓ Cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make the equipment usable for the purpose which it is acquired
- ✓ Installation costs
- ✓ Shipping, freight, liftgate, and delivery costs

#### *Cost to Renovate/Refurbish Existing Equipment*

The **capitalized** cost of additions, improvements, modifications, replacements, or alterations to existing equipment that significantly extends its useful life and/or materially increases its value (not ordinary repairs or maintenance):

- ✓ Service charge/labor
- ✓ Parts/materials

### UNALLOWABLE costs include, but are not limited to:

- ✗ Remodeling of the food service area or cafeteria.
- ✗ Facility renovation or construction costs (building improvements).
- ✗ Non-capitalized equipment (supplies and other items that cost less than the capitalization threshold for this grant, which means items with an individual unit cost of less than \$1,000).
- ✗ Prior equipment purchases – funds may not be used to retroactively reimburse or pay for equipment expenditures that were incurred prior to the grant award.
- ✗ Costs for service contracts, ordinary repairs, or routine maintenance of equipment.
- ✗ Extended or additional warranties purchased at an additional cost separate from the price of the equipment.
- ✗ Administrative expenses.
- ✗ Indirect costs.
- ✗ Set-asides for auditing services.

### Cost Sharing or Matching

There is no cost sharing or matching requirement.

### Indirect Cost Rate

The federal Uniform Guidance at 2 CFR 200 requires that grantees be provided the opportunity to seek indirect cost reimbursements based on negotiated indirect cost reimbursement rates. Rates are determined and applied as follows:

#### Local Education Agencies

- Local Education Agency (LEA) indirect cost rates are developed in accordance with a delegation of authority agreement between ISBE and the U.S. Department of Education (ED). The plan includes both a restricted and unrestricted rate for each individual LEA. Both the restricted and unrestricted LEA rates are published annually on the [ISBE Indirect Cost Rate Plan webpage](#). In the past, only the restricted rate was allowed when budgeting indirect cost reimbursements.
- LEAs have the ability to seek indirect cost reimbursement at the published unrestricted rate for any program other than those identified as restricted by ED.
- Newly organized LEAs, Regional Offices of Education, Intermediate Service Centers, area vocational centers, charter schools, university laboratory schools, and governmental entities formed by a joint agreement among LEAs utilize either the statewide average of LEA unrestricted or restricted indirect rates as appropriate, depending on program.

- LEAs that jointly administer federal program(s) utilize either the approved unrestricted or restricted indirect cost rates for the administrative district of the joint program as appropriate, depending on program.

### Non-LEAs

- Programs eligible for an unrestricted indirect cost rate; not-for-profit entities; community-/faith-based organizations; and other non-LEA, non-university subgrantees utilize rates negotiated through the Governor's Office of Management and Budget centralized process in which they will have the option to:
  - Select the 10% de minimis rate.
  - Submit documentation supporting a rate determined through negotiation with their federal cognizant agency.
  - Negotiate a rate.

Non-LEA, non-university grantees may initiate the unrestricted indirect cost rate negotiation process through the [GATA Grantee Portal](#).

- Federal programs requiring the use of a restricted indirect cost rate, not-for-profit entities, community-/faith-based organizations, and other non-LEA subgrantees shall utilize the 8 percent default rate described at 34 CFR 76.564.
- Colleges and universities will be limited to a maximum indirect cost rate of 8 percent or other indirect cost rate calculated by their cognizant federal agency, whichever is less, for grants administered by ISBE.

Costs associated with Fiscal Support Services (2520), Internal Support Services (2570), Staff Support Services (2640), Data Processing Services (2660), and Direction of Business Support Services (2510) charged to the Educational Fund are properly budgeted as indirect costs.

## Funding Restrictions

Allowable costs for this grant are limited to capital expenditures for approved equipment item(s). Indirect costs do not apply.

## Stevens Amendment

For purposes of compliance with Section 511 of Public Law 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 \$319,619.

## Reporting Requirements

Periodic financial reporting is completed at a minimum of quarterly via the FY 2025 NSLP Equipment Grant Claim Form (69-75).

Programmatic reporting is completed via the FY 2025 NSLP Equipment Grant Periodic Performance Report Form.

The reporting forms will be accessible on the [ISBE NSLP Equipment Assistance Grant webpage](#).

## 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.

☐ 1. [Uniform Application for State Grant Assistance \(Attachment 1\)](#)

Include the name, address, telephone, and fax numbers of the entity; email, name, and telephone number of the contact person; Federal Employer Identification number; Unique Entity Identifier (UEI) number; SAM CAGE Code; and all other listed information. The Application page must be signed by the official authorized to submit proposals. First time applicants without a Region-County-District-Type (RCDT) code must call or email the agency contact to obtain an RCDT code **before** submitting an application.

☐ 2. [Project Proposal/Equipment Request \(Attachment 2\)](#)

Only one equipment request is allowed per entity.

## Review Criteria

### Application Review and Selection Process

All eligible proposals in response to this NOFO/RFP will be considered for a subaward, subject to the total amount of funding available for this opportunity.

Applications will be evaluated on need, capacity, and quality. In addition, priority points will be added to the evaluation score based on priority criteria specified within this section.

- 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 incorporated within the [evaluation rubric](#). Using the rubric, a committee of at least three evaluators will each individually review and score proposals independently of each other. The individual scores will be averaged for an overall evaluation score. Priority points will be determined in accordance with the criteria and point values as indicated within the priority rubric [priority rubric](#). The overall evaluation score and priority points will be added together for a total score.

After scoring is complete, subawards will be made by allocating funds, first to the project with the highest total score, and then to the project with the next highest score in succession until all funds are allocated. Individual subawards are limited to a maximum of \$25,000 toward the purchase of one equipment item per SFA.

In the event of a tie, the project that serves a higher number of enrolled students will receive priority. Enrollment is determined using the most recent year finalized [annual eligibility data](#) at the time of scoring.

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).

## Evaluation Rubric – Criteria and Point Values

The evaluation rubric lists the specific criteria against which proposals are evaluated and the number of points possible for each. Below each criterion, the attachment number indicates the portion of the proposal that evaluators will use to determine whether the criterion has been met. Evaluators will assign points for each criteria using the evaluation scale.

Evaluation Scale					
Not Provided	Very Limited	Limited	Moderate	Strong	Very Strong
0	1	2	3	4	5
The element is missing or not addressed within the proposal.	The proposal is vague or unclear in addressing the criteria. Lacks evidence to meet project outcomes.	The proposal provides some relevant information but not enough evidence to meet project outcomes.	The proposal provides moderate detail and conveys potential to meet project outcomes.	The proposal provides adequate detail and evidence to meet project outcomes.	The proposal provides excellent detail and a solid plan to meet project outcomes.
Project Evaluation Criteria					
Need					Up to 5 Points
The proposal provides facts and rationale that indicate a high need for the project. <i>Attachment 2</i>					5
Capacity					Up to 5 Points
The proposal demonstrates adequate consideration and analysis of equipment options, alternatives, and cost that would best meet program goals and requirements. <i>Attachment 2</i>					5
Quality of the Plan					Up to 5 Points
The proposed project aligns with the goals and objectives of the grant program. <i>Attachment 2</i>					5

## Priority Rubric – Criteria and Point Values

The most recent finalized [Free and Reduced-Priced Meal Eligibility Data](#) shall be used to determine priority scores.

Priority Points		
Eligibility for Free and Reduced-Price Meals		Up to 10 Points
Schools that have higher rates of enrolled students who are eligible for free or reduced-price meals will receive priority points in the amount corresponding to each school's free and reduced-price eligibility percentage. A location that conducts centralized operations for the benefit of any additional site(s) belonging to the same SFA will utilize a weighted average of the location and the additional site(s) eligibility percentage to award points.	Less than 50%	0
	50% or more, but less than 60%	2
	60% or more, but less than 70%	4
	70% or more, but less than 80%	6
	80% or more, but less than 90%	8
	90% or more, up to or equal to 100%	10
Prior Grant Awards		Up to 10 Points
Schools that have not recently been awarded an NSLP Equipment Assistance Grant will receive points. A list of <a href="#">previously awarded schools</a> is on the ISBE Equipment Grant webpage.	FY 2024	0
	FY 2023 (ARPA)	2
	FY 2023	4
	FY 2021	6
	FY 2020	8
	All Other Schools	10
School Breakfast Program		Up to 5 Points
Schools that participate in the federal School Breakfast Program will receive points.	Non-Participating School	0
	Participating School	5

## Appendix A: Federal and USDA Requirements

Grant recipients chosen for an award from this Notice of Funding Opportunity/Request for Proposals must comply with the following regulations, principles, 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 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#)
- [2 CFR 400: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#)
- [2 CFR Part 415: General Program Administrative Regulations](#)
- [2 CFR Part 416: General Program Administrative Regulations for Grants and Cooperative Agreements to State and Local Governments](#)
- [2 CFR Part 417: Non-Procurement Debarment and Suspension](#)
- [2 CFR Part 418: New Restrictions on Lobbying](#)
- [2 CFR Part 421: Requirements for Drug-Free Workplace \(Financial Assistance\)](#)
- [7 CFR Part 3: Debt Management](#)
- [7 CFR Part 16: Equal Opportunity for Religious Organizations](#)
- [41 U.S.C. Section 22: Interest of Member of Congress](#)
- Privacy Act: The Cooperator/Grantee shall follow the rules and procedures of disclosure set forth in the [Privacy Act of 1974, 5 U.S.C. 552a](#), and implementing regulations and policies, with respect to systems of records determined to be subject to the Privacy Act.
- 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](#)).
- 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](#)

## ASSURANCE OF CIVIL RIGHTS COMPLIANCE

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).
- Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.).
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).
- Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).
- Title II and Title III of the Americans with Disabilities Act (ADA) of 1990 as amended by the ADA Amendment Act of 2008 (42 U.S.C. 12131-12189).
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000).
- All provisions required by the implementing regulations of the Department of Agriculture (7 CFR Part 15 et seq.).
- Department of Justice Enforcement Guidelines (28 CFR Parts 35, 42 and 50.3).
- Food and Nutrition Service (FNS) directives and guidelines to the effect that, no person shall, on the grounds of race, color, national origin, sex (including gender identity and sexual orientation), age, or disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity for which the Program applicant receives Federal financial assistance from USDA, and hereby gives assurance that it will immediately take measures necessary to effectuate this Agreement.
- The USDA non-discrimination statement that 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, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). This assurance is given in consideration of and for the purpose of obtaining any and all Federal financial assistance, grants, and loans of Federal funds, reimbursable expenditures, grant, or donation of Federal property and interest in property, the detail of Federal personnel, the sale and lease of and the permission to use Federal property or interest in such property or the furnishing of services without consideration or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or any improvements made with Federal financial assistance extended to the Program applicant by USDA. This includes any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of cash assistance for the purchase of food and cash assistance for purchase or rental of food service equipment or any other financial assistance extended in reliance on the representations and agreements made in this assurance. By accepting this assurance, the Grantee agrees to compile data, maintain records, and submit records and reports, as required, to permit effective enforcement of nondiscrimination laws and permit authorized USDA personnel during hours of program operation to review and copy such records, books, and

accounts, access such facilities, and interview such personnel as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the U.S. Department of Agriculture FNS shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Grantee, its successors, transferees, and assignees as long as it receives assistance or retains possession of any assistance from USDA.

## USDA REGULATIONS

- [7 CFR Part 15: Nondiscrimination](#)

## NONDISCRIMINATION STATEMENT

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, audiotape, 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/ad-3027.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:**  
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