

April 1, 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 School Breakfast Program Expansion Grant

CSFA Number: 586-84-3294
CSFA Title: School Breakfast Program Expansion Grant

CFDA Number: 10.579
CFDA Title: Child Nutrition Discretionary Grants

Program Overview

The Child Nutrition Act of 1966, (the Act), Section 23 (42 USC 1793, as amended by Section 105 of the Healthy Hunger-Free Kids Act of 2010 ([PL 111-296](#)), authorizes funds to provide grants on a competitive basis to state agencies to expand the [School Breakfast Program](#) (SBP).

The Illinois State Board of Education (ISBE) was awarded a [School Breakfast Program Expansion Grant](#), which will be used to provide sub-grants to Local Education Agencies (LEAs), not to exceed \$10,000 per qualifying school or group of qualifying schools to establish, maintain, or expand the SBP.

ISBE expects to award a total of \$1.78 million to eligible LEAs.

Eligibility and Application Information

Eligible Applicants:

Eligible applicants of this funding opportunity are School Food Authorities (SFAs) in Illinois with a qualifying school or group of qualifying schools as defined in Section 4(d)(1) of the Act.

The term “qualifying school” means a school in severe need. This includes only schools (having a School Breakfast Program or desiring to initiate a School Breakfast Program) in which 40 percent or more of the National School Lunch Program (NSLP) lunches served to students at the school were served free or at a reduced price.

See a list of [schools that qualify](#).

Priority will be given to SFAs in which at least 75 percent of the students within the qualifying school or group of qualifying schools are eligible for free or reduced-price school lunches under NSLP.

Only one application may be submitted per SFA.

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. The Illinois State Board of Education (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 / Vol. 1 / 2014-01-01192](#)

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](#)

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 \$500 to a maximum of \$10,000 per grant recipient.

The amount of each individual grant award is dependent on the budgeted allowable costs which are included in the budget proposal.

Maintenance of Effort -- Grant funds made available under this opportunity must supplement, not supplant, and shall not diminish or otherwise affect the expenditure of funds from state and local sources for the maintenance of the School Breakfast Program.

This grant does not have a cost matching requirement.

Funding Information is on page 8.

Grant Period:

The grant period will begin no sooner than July 1, 2024, and will extend from the execution date of the grant until June 30, 2025.

Submission Dates and Times/Other Submission Requirements:

Proposals can be submitted electronically through the ISBE Attachment Manager or emailed no later than 4 p.m. on May 16, 2024. Directions for each submission method are found below. Late proposals will not be accepted.

- Electronic Submission: Completed proposals sent electronically should be scanned into PDF with all supporting documents and required signatures and submitted via the [ISBE Attachment Manager](#). Choose (JOHNSON, ABBEY E) from the dropdown menu in Receiver Information. Submit the application using the button at the bottom of the page.
- Email: The proposal may be emailed to abjohnso@isbe.net.

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 Session:

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 May 9, 2024 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 Abbey Johnson at 217-782-2491 or abjohnso@isbe.net.

General Information

Program Background and Description

Program Purpose:

ISBE will administer the FY 25 School Breakfast Program Expansion Grant with the overall goal of expanding the School Breakfast Program in qualifying schools in Illinois.

Program Description:

SFAs may request up to \$10,000 to establish, maintain, or expand the School Breakfast Program in the SFA's qualifying school(s).

The FY 2025 School Breakfast Program Expansion Grant consists of a project component, grantee training/collaboration, and reporting on program analysis/project feedback.

A. Project Component

SFAs submit a project proposal, as part of their grant application indicating how they will utilize grant funding in support of the grant program's Key Objectives, which are listed below.

Key Objectives:

1. Improve quality and nutritional standards of breakfast food served using less sodium and sugar and serving a variety of protein sources, whole grains, milk, fruits, and vegetables.
2. Establish, maintain, or expand a School Breakfast Program within qualifying schools.
3. Increase School Breakfast Program participation in qualifying schools.

All proposed project activities must align with and support achievement toward meeting program objectives for qualifying schools. Examples of allowable grant activities include, but are not limited to:

- Marketing/event activities and materials to promote the School Breakfast Program to students in qualifying schools.
- Purchase or renovation of equipment that is needed for operation of the School Breakfast Program in qualifying schools.
- Staffing needs for operation of the School Breakfast Program in qualifying schools.
- Travel expenses for relevant LEA/school personnel to attend in-person training related to this grant.

B. Training and Collaboration

As part of this opportunity, grant recipients are required to participate in grant-related training and collaboration meetings/events. The approximate timeline is as follows:

May 2024	Grant recipients announced and notified
August 2024	Virtual kickoff event
Sept./Oct. 2024	Regional training events (in person)
November 2024	Check-in No. 1 (virtual meeting)
January 2025	Check-in No. 2 (virtual meeting)
March 2025	Virtual collaborating and concluding event

All key personnel directly involved with the grant project should attend the virtual kickoff event. At minimum, this should include the person responsible for oversight and implementation of the grant, as well as the LEA/SFA employee who is the designated director for School Nutrition Programs.

The regional training events are one-day, in-person workshops for school nutrition program personnel directly employed by the LEA/SFA. There will be three regional training events (north, central, and southern parts of the state) that will take place at a local community college in each of the respective areas. Grantees are only required to attend one of the regional trainings, as the same training will be conducted at each location. The first portion of the day will be hands-on training with culinary program instructors, where training participants will learn ways to improve quality and nutritional standards of breakfast food served using less sodium and sugar and serving a variety of protein sources, whole grains, milk, fruits, and vegetables. The second part of the day will be training conducted by ISBE staff on SBP meal pattern requirements and other regulatory items. Specific locations/dates for the regional training events will be shared with grantees once those details are finalized. Each grantee must send at least one school nutrition program employee of the LEA/SFA to the regional training event. Grantees may utilize grant funds to facilitate school nutrition personnel attendance at the regional training event (not to exceed 5 percent of the SFA's total grant award). This may include costs that are necessary and reasonable for travel to the training location and/or expense for substitute coverage for school nutrition program personnel on the day of the training.

There will be two required virtual check-in meetings during the grant period and a final virtual collaborating and concluding event where grantees will receive additional training and share their experiences amongst each other.

C. Program Analysis and Project Feedback

Items required within this section are intended to aid in analysis of program effectiveness and to facilitate gathering of information to meet reporting requirements of the federal awarding agency.

- Each SFA that receives a grant under this program must conduct an evaluation to determine whether electing to provide universal free breakfasts under the School Breakfast Program would be cost-effective for the qualifying schools based on estimated administrative savings and economies of scale. Results of the evaluation must be submitted to ISBE no later than March 3, 2025.
- All grant recipients shall submit a breakfast menu for the qualifying school(s) for the last full serving month of school year 2023-24, if they were operating SBP in any of the qualifying schools prior to grant implementation. This deliverable is due to ISBE no later than Aug. 30, 2024.
- Grant recipients shall submit a breakfast menu for the qualifying school(s) for the month of February 2025. This deliverable is due to ISBE no later than March 3, 2025.
- Grant recipients must collect student feedback about the School Breakfast Program at least once per month, beginning with September 2024, through February 2025. Student feedback results are to be submitted to ISBE within the last business day of the month in which it is collected. Student feedback may be in the form of student surveys and or focus groups.

Federal Description:

School Breakfast Program Expansion Grants are available to eligible state agencies to provide sub-grants to LEAs for qualifying schools to establish, maintain, or expand the School Breakfast Program.

See the [USDA FY 2023 School Breakfast Program Expansion Grant – State Agencies and District of Columbia webpage](#).

Program Background/History:

The SBP is a federally assisted meal program that was established in 1966. It provides categorical grants to assist public and nonprofit private schools and residential childcare institutions that serve breakfasts to “nutritionally needy” children. The SBP operates in the same manner as the NSLP.

Program Objectives:

Key Objectives:

1. Improve quality and nutritional standards of breakfast food served using less sodium and sugar and serving a variety of protein sources, whole grains, milk, fruits, and vegetables.
2. Establish, maintain, or expand a School Breakfast Program within qualifying schools.
3. Increase School Breakfast Program participation in qualifying schools.

Policy Requirements:

All federal and state regulations for grant funding, including [2 CFR 200.405](#), must be followed.

[Fiscal Policies/Procedures/Requirements Handbook](#)

Performance Measures:

- Grantee participation in grant-related training and collaboration meetings/events
 - All key personnel including, but not limited to, grant coordinator and/or food service director/staff in attendance at each meeting/event
- Student feedback collected
 - One student survey and/or student focus group activity conducted each month from September through February during school year 2024-25
- Complete universal breakfast analysis
 - Grantee must evaluate the cost-effectiveness of providing universal free breakfasts in qualifying schools and provide the results of the evaluation to ISBE by March 2025

Targets:

Quarter 1

- All key personnel attend the virtual kickoff event.
- Conduct initial student survey or focus group for September

Quarter 2

- School Nutrition Program personnel attend one of the in-person regional training events
- All key personnel attend Check-in No. 1 virtual meeting
- Conduct student survey or focus group each month from October through December

Quarter 3

- All key personnel attend Check-in No. 2 virtual meeting
- Conduct student survey or focus group in both January and February
- All key personnel attend virtual collaboration and concluding event

Performance Standards:

- Grantee participation in grant-related training and collaboration meetings/events

- At least one key personnel in attendance at each meeting/event
- Student feedback collected
 - One student survey and/or student focus group activity conducted between September and February during school year 2024-25
- Complete universal breakfast analysis
 - Grantee must evaluate the cost-effectiveness of providing universal free breakfasts in qualifying schools and provide the results of the evaluation to ISBE by March 2025

Deliverables and Milestones

KEY DATES AND EVENTS		
EVENT	TYPE	DATE
Kickoff event	Virtual	August 2024
Regional trainings	In Person	Sept./Oct. 2024
Check-in meeting No. 1	Virtual	November 2024
Check-in meeting No. 2	Virtual	January 2025
Collaborating and concluding event	Virtual	March 2025

DELIVERABLES		
	DESCRIPTION	DUE DATE
1	School Breakfast Program menu for each qualifying school for the months of April/May 2024	Aug. 30, 2024
2a	Monthly student feedback report - September 2024	Sept. 30, 2024
2b	Monthly student feedback report - October 2024	Oct. 31, 2024
2c	Monthly student feedback report - November 2024	Nov. 29, 2024
2d	Monthly student feedback report - December 2024	Dec. 31, 2024
2e	Monthly student feedback report - January 2025	Jan. 31, 2025
2f	Monthly student feedback report - February 2025	Feb. 28, 2025
3	Universal breakfast cost analysis report	March 3, 2025
4	School Breakfast Program menu for each qualifying school for the month of February 2025	March 3, 2025

Funding Information

Introduction:

- Total amount of funding available for this opportunity: \$1.78 million
- Expected amount of funding per individual award: \$500 - \$10,000 per SFA
- Anticipated number of awards: Approximately 178 individual awards to SFAs (if maximum awards are allocated)

Allowable/Unallowable Costs:

Grant funds may be used to carry out activities in accordance with the three Key Objectives in support of qualifying schools. (See Program Objectives section on page 6.) This may include activities, such as:

- Improve meal quality and supporting healthy and appealing breakfasts that meet the current standards and support stronger nutrition standards including reducing added sugar and sodium, increasing and promoting a variety of protein sources, whole grains, milk, fruits, and vegetables;
- Establish, promote, or expand a School Breakfast Program;
- Extend the period during which school breakfast is available during the day (e.g., staff costs, outreach activity to increase participation, small equipment costs, breakfast in the classroom);
- Purchase equipment that allows you to increase the type, quantity, or quality of food available for students.

ALLOWABLE costs include, but are not limited to:

• Equipment

Equipment costs are allowable if they are specifically approved beforehand by ISBE. Equipment costs must be justified within the proposal with enough detail to support that the equipment is necessary and reasonable to carry out project activities.

- ✓ Acquisition of 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 for which it is acquired
 - Installation costs
 - Shipping, freight, or delivery costs
- ✓ Equipment renovation -- 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

• Marketing/Event Materials

Any marketing materials that will be utilized in establishing, maintaining, or expanding the School Breakfast Program:

- ✓ Posters and signage
- ✓ Event invites, décor, etc.

- **Staffing**

Staffing costs must be for SBP purposes. Please note: This is a one-time grant and has a maximum funding amount of \$10,000. Please ensure you are aware of this if attempting to use the funds for staffing purposes:

- ✓ Hiring temporary staff to pilot a new breakfast item or service (smoothie bar, made to order omelets, etc.)
- ✓ Hiring staff to implement the SBP

- **In-Person Training/Travel Costs** (not to exceed 5 percent of the total grant award)

The regional in-person training, held in September/October 2024 for school nutrition program personnel, is required and grant funds can be used to facilitate attendance.

- ✓ Hotel (if overnight stay is necessary)
- ✓ Fuel/mileage
- ✓ Substitute coverage to allow school nutrition program personnel to attend

UNALLOWABLE costs include, but are not limited to:

- ⊗ Remodeling of the food service area or cafeteria
- ⊗ Facility renovation or construction costs (building improvements)
- ⊗ Prior purchases -- Funds may not be used to retroactively reimburse or pay for expenditures that were incurred prior to the grant award
- ⊗ Food (unless being used for specific situations such as demonstrations)
- ⊗ Any materials/expenses over the awarded amount

Cost Sharing or Matching:

There are no matching requirements associated with this grant.

Grant funds made available under this opportunity must not diminish or otherwise affect the expenditure of funds from state and local sources for the maintenance of the School Breakfast Program.

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.

LEAs

- LEA indirect cost rates are developed in accordance with a delegation of authority agreement between ISBE and USDE. 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 webpage](https://www.isbe.net/Pages/Indirect-Cost-Rate-Plan.aspx). The FY22 rates are available at: <https://www.isbe.net/Pages/Indirect-Cost-Rate-Plan.aspx>. 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 USDE.
- 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 which 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

- For 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 GOMB centralized process where 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](https://grants.illinois.gov/portal/). at: <https://grants.illinois.gov/portal/>.

- For 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% default rate described at 34 CFR 76.564.
- Colleges and Universities will be limited to a maximum indirect cost rate of 8% 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:

Pre-award costs will not be awarded for this grant opportunity.

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 \$1,910,220.

Reporting Requirements

Periodic financial reporting should be completed at a minimum of quarterly via the IWAS system. Programmatic reporting should be completed annually via the IWAS system.

Additional reporting requirements are listed below.

- Monthly student feedback reporting for September 2024 through February 2025
- Universal breakfast cost analysis report

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, telephone, and fax numbers of the entity; email, name, and telephone number of the contact person; Federal Employer Identification number; 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. FY 2025 School Breakfast Program Expansion Grant Application (Attachment 2):**
Use only the form that is provided. Additional pages may be attached if more space is needed for any section.
- 3. Federal Budget Summary (Attachment 3):**
The budget **MUST** be submitted on this form. No other budget form will be accepted. District budgets **MUST** be signed by the district superintendent. Other applicants should have an authorized official sign the form
- 4. Budget Summary Breakdown (Attachment 4):**
The Budget Summary Breakdown **MUST** include descriptions of the anticipated expenditures, correlated to the line items set forth on the Federal Budget Summary. and Payment Schedule. The Budget Summary Breakdown should also include subcontract information, if applicable.

Review Criteria

Application Review and Selection Process

All eligible applicants submitting a proposal within the deadline will be considered for an award.

Selection of grantees will be made by an evaluation committee through a ranking process as described below.

Priority will be given to SFAs in which at least 75 percent of the students within the qualifying school or group of qualifying schools are eligible for free or reduced-price school lunches under NSLP. Prioritization will be achieved by using the free and reduced-price eligibility percentage of the qualifying school(s) to rank the applicants from highest to lowest eligibility.

The ranking methodology will be completed independently by three separate members of the evaluation committee. The grant program manager will then compare the results of the independent ranking to ensure consistency between them. If any discrepancies exist, the grant program manager will conduct a meeting with the three independent evaluators to collectively review the data and calculations for accuracy and identify any corrections that need to be made to the ranking. Documentation of the independent ranking completed by each evaluator, the comparison of individual results by the grant program manager, and any discrepancies/corrections (if applicable), along with the final result of the ranking process, will be maintained within the grant award file.

Once ranking is established, funds will be allocated beginning with the highest-ranking applicant and continuing down the ranked list in order until the end of the list is reached or, until the total amount of funding available for this opportunity has been fully allocated.

- The amount allocated for an individual award will be the total amount budgeted by the SFA for allowable costs that are included within the application budget, not to exceed \$10,000.

Tiebreaker

See Ranking Methodology in the next section.

Evaluation Criteria

Ranking Methodology:

- Data from the FY 2024 [annual free and reduced-price meal eligibility report](#) will be used to determine the free and reduced-price eligibility percentage for the population of students enrolled at qualifying school(s) included within each applicant's proposal.
 - For proposals with a single qualifying school, this will be the free and reduced-price eligibility percentage of that specific school, as indicated in the eligibility report.
 - For proposals with a group of qualifying schools, this will be the overall average of the free and reduced-price eligibility percentage of the group of schools, weighted by the ratio of each individual school's enrollment to the overall total enrollment of the group of schools.
- Applicants will then be sorted by percentage of free and reduced-price eligibility, from highest to lowest.
- If there are multiple applicants with the same free and reduced-price eligibility percentage, as determined above, the number of students served by the project will be the secondary factor used to determine priority among them, with higher priority given to the greater number of students. The number of students served by the project will be determined as the total number of students enrolled

within the qualifying school(s) included within each applicant's proposal based on the enrollment data within the eligibility report.

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 176: “Award Term for Assistance Agreements That Include Funds Under the American Recovery and Reinvestment Act of 2009, Public Law 111-5”](#)
- [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 \(Financial Assistance\)”](#)
- [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 U.S. Department of Agriculture (USDA) (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 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 (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 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:

Program.Intake@usda.gov

This institution is an equal opportunity provider.