



Policy Updates August 28, 2024

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TEXAS DEPARTMENT OF AGRICULTURE
COMMISSIONER SID MILLER

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Food and Nutrition Division
Nutrition Assistance Programs



Updated 8/28/2024
www.SquareMeals.org

Final Rule - Partnerships With Faith-Based and Neighborhood Organizations



Final Rule Overview

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



Final Rule – What's New

All CNP operators:

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



Final Rule – What's Included on the Notice

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



Final Rule – Implementation

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

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



Final Rule – Implementation Timeline

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



Updated Spanish Applications and Household Letters



Updated Spanish Applications and Letters Released

Updated Spanish forms released 8-27:

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



Excess Net Cash Resources



Excess Net Cash Resource Threshold Expansion

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



CHILD NUTRITION

NATIONAL SCHOOL LUNCH PROGRAM

USDA Complaint Form



USDA Complaint Form

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

