The Emergency Food Assistance Program Provider Manual

FFY 2017
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Acronyms

BIUB – Best if used by
CACFP – Child and Adult Food Program
CFR – Code of Federal Regulations
DHS – Iowa Department of Human Services, department
EFO – Emergency Feeding Organization
FFY – Federal Fiscal Year
FNS – Food and Nutrition Services
IRS – Internal Revenue Service
TEFAP – The Emergency Food Assistance Program
USDA – United Stated Department of Agriculture
WBSCM – Web-Based Supply Chain Management
Introduction

TEFAP is a federal program that helps supplement the diets of low-income recipients by providing them with emergency food and nutrition assistance at no cost. To distribute TEFAP foods to eligible participants, DHS contracts with the eight food banks that serve the state of Iowa. The food banks then contract with eligible agencies such as, pantries, soup kitchens and shelters to distribute foods. The eligible agencies are referred to as sub-recipient agencies throughout this manual.

Food banks and sub-recipient agencies are not required to participate in TEFAP. By choosing to participate, food banks and sub-recipient agencies agree to operate their program in compliance with the rules established by the USDA and the department.

This handbook provides the standard set of procedures and guidelines to deliver services under TEFAP based in part on federal regulations found in Code of Federal Regulations, Title 7, parts 250 and 251.

Thank you for your partnership and commitment to serving participants. If you have questions regarding the information in this handbook, do not hesitate to contact the program manager.

Program contacts

<table>
<thead>
<tr>
<th>Cindy O'Brien</th>
<th>TEFAP Program Manager</th>
<th>515-281-5410</th>
<th><a href="mailto:cobrien@dhs.state.ia.us">cobrien@dhs.state.ia.us</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Kari Lind</td>
<td>Food Assistance Program Manager, TEFAP backup</td>
<td>515-281-7000</td>
<td><a href="mailto:klind@dhs.state.ia.us">klind@dhs.state.ia.us</a></td>
</tr>
</tbody>
</table>

SharePoint

Overview

The SharePoint is available at: https://www.sp.dhs.state.ia.us/_layouts/DHSLogin.aspx?ReturnUrl=%2fFoodAssistanceET%2fdefault.aspx. The SharePoint houses all of the forms and trainings referenced in the handbook along with meeting notes, financial information, order forms, etc. The SharePoint provides all information necessary to deliver USDA foods through TEFAP.

Access

Only food bank and DHS staff will have access to SharePoint. Food banks are responsible to provide all agencies with the most current information and forms at all times. SharePoint will send notifications when information is added or changed. At minimum, at least one person at the food bank must have notifications set for weekly updates and be responsible to share information with all food bank staff.
To request access, send an email to the program manager including the name, title and email of the person requesting SharePoint access. Access is usually granted within 72 hours of the request. The food bank is responsible to ensure only current employees have access to the SharePoint and must notify the program manager with any access removals. **Food bank staff may not share passwords.** Contact the program manager to have your password reset.

**Administration**

**Contracts**
The department contracts with the following eight food banks **that provide service to all 99 counties in Iowa.**

<table>
<thead>
<tr>
<th>Food Bank</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food Bank for the Heartland</td>
<td>Omaha, NE</td>
</tr>
<tr>
<td>Food Bank of Iowa</td>
<td>Des Moines, IA</td>
</tr>
<tr>
<td>Food Bank of Siouxland</td>
<td>Sioux City, IA</td>
</tr>
<tr>
<td>Food Bank of Southern Iowa</td>
<td>Ottumwa, IA</td>
</tr>
<tr>
<td>HACAP Food Reservoir</td>
<td>Hiawatha, IA</td>
</tr>
<tr>
<td>Northeast Iowa Food Bank</td>
<td>Waterloo, IA</td>
</tr>
<tr>
<td>River Bend Food Bank</td>
<td>Davenport, IA</td>
</tr>
<tr>
<td>St. Stephen’s Food Bank</td>
<td>Dubuque, IA</td>
</tr>
</tbody>
</table>

The following items must be provided to TEFAP program manager annually by the 1\textsuperscript{st} of September:

- Blank copy of the current agreement between the food bank and sub-recipient agencies (regardless if changes have occurred).
- Excel list of partner agencies. A blank excel form of required fields is located on the SharePoint.
- Civil Rights training verification for food bank staff.
- Annual audit if the food bank receives $500,000 or more in federal funds for all programs.
- Insurance verification (see contract for requirements).
- Documentation IRS tax-exempt status for sub-recipient agencies has been verified.

**Note:** Reimbursements will not be issued until all required items are provided, starting with September.

**Staff changes**
The program manager must be notified within 14 days of the following staffing changes:

- **Executive Director**
- **Operations Manager /person(s) responsible for ordering/inventory**
- **Agency Relations /person(s) responsible for sub-recipient eligibility**
- **Financial Management/person(s) responsible for monthly billing form**
Coordinating and Collaborating Food Banks

The Food Bank of Iowa (FBOI) and the Northeast Iowa Food Bank (NEIFB) are the primary coordinating food banks for TEFAP. These banks are responsible for the ordering, receipting and temporary storage of USDA commodities.

<table>
<thead>
<tr>
<th>Des Moines Region</th>
<th>Waterloo Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>FBOI and is the coordinating agency for:</td>
<td>NEIFB and is the coordinating agency for:</td>
</tr>
<tr>
<td>Food Bank of Southern Iowa</td>
<td>River Bend Food Bank</td>
</tr>
<tr>
<td>Food Bank of Siouxland</td>
<td>St. Stephen's Food Bank</td>
</tr>
<tr>
<td>Food Bank for the Heartland</td>
<td>HACAP Food Reservoir</td>
</tr>
</tbody>
</table>

Orders must be based on the needs of all food banks ability to distribute without waste. Communication must occur at least annually between coordinating and collaborating food banks to determine the amounts and types of foods each bank can reasonably distribute.

Entitlement orders are placed by region in most circumstances. For most entitlement orders, product is directly delivered in the following manner:

a. Des Moines Region:
   i. FBOI (includes Food Bank of Southern IA allocation)
   ii. FBHL (includes Food Bank of Siouxland allocation)

b. Waterloo Region:
   i. NEIFB
   ii. HACAP
   iii. River Bend (includes St. Stephen’s allocation)

When items are direct delivered only to FBOI and NEIFB, the delivery includes the allocation for all food banks in their respective region.

Whenever possible, orders will be delivered directly to FBOI, FBHL, NEIFB, HACAP and River Bend. Any food bank that receives a direct delivery is responsible for the receipting and, when applicable, temporary storage of USDA products.

Receipting product:
Bills of Lading (BOL) must be uploaded to the applicable folder on SharePoint within 24 hours of delivery. If you are able to direct receipt to WBSCM (USDA ordering system), this must be completed within 48 hours of product receipt.

Coordinating and collaborating food banks storage and distribution guidelines:
1. In most situations, arrangements must be made to transport product within three weeks of receipt.
   When extenuation circumstances (need for a full-truck load, etc.) dictate, the program manager must be notified to approve additional time.
2. A food bank may not charge another bank for storage unless product is not retrieved as arranged. Any storage costs must be approved by the program manager.

3. Food banks that receive product outside of vendor direct delivery, must review the “Value of Foods Received” document on the SharePoint by the 20th of the month to ensure all product has been received. If product has not been received, contact the responsible food bank and the program manager.

Agency Partnerships
Each food bank contracts with sub-recipient agencies to distribute USDA foods to eligible households. To be an eligible agency for the distribution of commodities, the agency must meet the following criteria:
1. Is either:
   a. Public, or
   b. Private, possessing tax exempt status
2. Is not a penal institution
3. Provides food assistance:
   a. Exclusively to needy persons for household consumption. This is determined by the use of the TEFAP eligibility form.
   b. To predominantly needy persons when serving prepared meals.
4. Has entered into a signed agreement with the food bank.
5. Falls into one of the following categories:
   a. Emergency Feeding Organization (includes soup kitchens, food banks and food pantries);
   b. Charitable institutions (including hospitals and retirement homes);
   c. Summer camps for children or child nutrition programs providing food service;
   d. Nutrition projects operating under the Older Americans Act of 1965, including projects that operate congregate nutrition sites and projects that provide home-delivered meals, and
   e. Disaster relief programs.

Food banks are responsible to ensure their sub-recipient agencies:
1. Meet the above criteria for an eligible agency.
2. Have a signed agreement with the food bank.
3. Complete civil rights trainings annually.
4. Retain their tax exempt status (this must be reviewed at least annually).
5. Understand the eligibility and distribution criteria for TEFAP.
6. Understand the difference between USDA and other foods.
7. Retain TEFAP documents for at least three years.

Agency Agreements
The food banks written agreement with their sub-recipient agencies must be updated as necessary and contain the following information:
1. Name and address of partner agency.
2. Donated commodities may not be sold, exchanged or otherwise disposed of. The agency is responsible for any improper distribution, use or damage caused by their fault or negligence.
3. The agreement may be terminated for cause by either party upon 30 days notice.
4. The agency agrees to operate the program in accordance with the requirements of 7 CFR Part 251 and, as applicable 250.

5. Food safety guidelines, including:
   a. USDA foods may not be distributed beyond their BIUB date.
   b. Food storage requirements and temperatures.
   c. USDA foods may not be re-packaged.

6. Compliance with civil rights.

Agency Reviews
Both the department and food banks are required to complete agency reviews. All reviews must be documented. When a corrective action is necessary, a response should be in writing and contain the following information:
   • Date correction was made
   • Action completed to address the deficiency
   • When applicable, how the issue will keep from occurring again

All corrective actions must be completed within 60 days, of being notified of the deficiencies, unless alternative arrangements are approved by the program manager.

DHS Reviews
DHS is required to annually review, at least, 25% of all eligible recipient agencies that signed an agreement with the department. Each agency must be reviewed at least once every four years.

The department is also required to annually review one-tenth or 20, whichever is fewer, of all eligible recipient agencies that receive TEFAP foods and/or administrative funds that have a sub-recipient agreement. These reviews will be conducted whenever possible when the agency is distributing foods and/or meals.
   • At least half of these reviews will be based on the following risk-assessments:
     ♦ Value of foods received
     ♦ History of complaints/program violations
     ♦ Length of time in TEFAP operation
     ♦ Length of time since last review
     ♦ Key staff turnover
   • The other half of the annual reviews will be based on a random sampling, whenever possible.

Food Bank Reviews
Food banks are required to annually monitor 50% of their agencies that distribute TEFAP. At minimum, reviews should include the following items:
   • Eligibility
     ♦ Use of the TEFAP form and self–attestation of eligibility factors, or
     ♦ Agency is serving a predominantly needy population
   • Food ordering procedures (able to distribute what is ordered)
   • Storage and warehousing practices
   • Inventory controls (first in, first out concept utilized. No “expired” USDA foods)
• Hours of operation posted
• Recordkeeping (TEFAP documents are available for past three years)
• Civil Rights (poster, verification of training, written notice and referral requirements for religious organizations, etc.)

Contact the program manager if you need assistance with review requirements.
Agency reviews must be documented and available upon request. All agencies must correct any deficiencies. If the food bank makes a decision to suspend an agency from receiving foods for violation of a TEFAP guideline, the program manager must be notified immediately.

Data collection
Each food bank must ensure all sub-recipient agencies are tracking how many participants, not households, are served for both foods distributed for home consumption and prepared meals.
These numbers must be reported no less than quarterly on either the reimbursement form or by email to the program manager.

Food Ordering
Food product should be ordered in quantities food banks and their agency partners are able to distribute without waste and to meet the USDA goal that product is consumed within six months of original receipt.
Food is to be provided to agencies no later than 30 days prior to the BIUB date. Food banks must contact the program manager if there are USDA foods in their warehouse within 21 days of the BIUB date.

There are two types of foods available for order through TEFAP, entitlement and bonus. Entitlement foods are purchased with the food dollars appropriated to the state. Bonus foods are available periodically at no cost.

Entitlement Orders
Each year DHS receives an allotment of food dollars. This amount is placed on the SharePoint to purchase entitlement foods. A catalog of available foods and their estimated costs is uploaded to the SharePoint each quarter. Orders for entitlement foods are due on the SharePoint by the 1st of the month when an order is requested for that month. DHS then places the order no later than the 10th of the month an order is uploaded. Once each order is placed, an order status report is uploaded to the SharePoint. It is the responsibility of the coordinating food banks to ensure orders placed are within the entitlement allotment.

The actual price of the product is not known until the products are received. Once the products are received, DHS will adjust the SharePoint to reflect actual costs and update the amount of food dollars remaining to order. DHS will retain at least 5% of food purchasing funds available to account for price fluctuations. These funds may be released closer to the end of the fiscal year.
Note: It is likely that orders will be placed by the coordinating banks beyond the contracted period with the department. Certain foods are available for purchase one time for the entire next year. If necessary, changes can be made to ensure accurate delivery of product.

Bonus Orders
Bonus foods are available at no cost throughout the year. DHS receives notification that a particular bonus food is available and will send an email to the coordinating banks. In the event all food banks serving Iowa determine we cannot utilize our fair share, Coordinating banks must notify DHS by the due date listed in the email. When this occurs, the product is reallocated to other states. While there is no penalty for refusing bonus items, it is helpful to FNS if we provide a reason for our refusal (product does not move, too much, etc.).

Bonus orders are handled the same as entitlement orders with the exception of the initial email and refusal option. For delivery, unless multiple trucks are available, orders will be direct delivered to FBOI and NEIFB for the entire state.

Administrative payments
General
TEFAP includes administrative funding that is paid to the food banks by the department. The percentage allocation of administrative funds is the same as the food distribution allocation.

The annual amount of administrative payments is divided by 12 months and paid evenly each month. In the event there are additional administrative funds remaining at the end of the federal fiscal year, these funds will be distributed annually after September.

Once a signed, correctly completed form is received, DHS will issue payment within 60 days.

USDA Reporting Form
Located on the SharePoint in the monthly billings folder is the USDA reimbursement form and detailed instructions for completion.

This form is to be completed monthly and submitted to DHS through the SharePoint by the 20th of each month. These forms should be uploaded to each food bank’s respective folder.

Food Distribution
General Information
Food is distributed to each food bank based on counties and population served. The quantities and types of food delivered are limited to the prorated share of the state’s total allocation. Exception: Bonus foods can be distributed at alternative rates based on agreement with all food banks. The Des Moines region receives 62% of TEFAP commodities. The Waterloo region receives 38%.
The current distribution formula is:

<table>
<thead>
<tr>
<th>Des Moines Region</th>
<th>Percentage</th>
<th>Waterloo Region</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food Bank of Iowa</td>
<td>36</td>
<td>Northeast Iowa Food Bank</td>
<td>15</td>
</tr>
<tr>
<td>Food Bank of Southern Iowa</td>
<td>10</td>
<td>HACAP Food Reservoir</td>
<td>11</td>
</tr>
<tr>
<td>Food Bank for the Heartland</td>
<td>8.5</td>
<td>River Bend Food Bank</td>
<td>9.5</td>
</tr>
<tr>
<td>Food Bank of Siouxland</td>
<td>7.5</td>
<td>St. Stephen’s Food Bank</td>
<td>2.5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>62%</strong></td>
<td><strong>Total</strong></td>
<td><strong>38%</strong></td>
</tr>
</tbody>
</table>

Foods should be distributed by both the food bank and sub-recipient agencies to ensure participants have at least 30 days to consume the food prior to the BIUB date.

All USDA foods should be distributed within six months of receipt. In the event product is still available beyond eight months, the program manager should be notified.

To ensure we are distributing foods within regulation, it may be necessary to push a specific product to an agency and/or participant along with their choice items.

**Food Distribution Hierarchy**

When there are not enough commodities to meet agency requests, commodities must be made available using the following hierarchy:

- First priority ~ Emergency feeding organizations (EFO) food pantries, meal sites, etc.
- Second priority ~ Agencies which serve needy people, but do not relieve situations of emergency and distress

**Food Distribution Guidelines**

The following guidelines apply to all food banks and sub-recipient agencies.

**Costs**

Food banks may charge a shared maintenance to their partner agencies for costs associated with the receipt and distribution of USDA commodities. This fee may not be in excess of four cents per gross pound for entitlement commodities or 14 cents per gross pound for bonus commodities. The amount of reimbursement received must be included on the reimbursement form submitted monthly for payment.

Food banks may charge a reasonable delivery fee to sub-recipient agencies for the delivery of foods. The amount must be listed in the agency agreements.

Sub-recipient agencies may not charge a fee to participants for the receipt of foods.
Food Storage
Food banks must store USDA foods separately from other foods and clearly mark them as USDA.

Temperature requirements:
- Refrigerator foods must be stored between 35-40 degrees. Temperatures should never be outside of this range.
- Frozen foods must be stored at zero to negative 10 degrees
- Dry storage optimal temperatures are 50-70 degrees. Temperatures may never fall below 32 degrees and rarely exceed 70 degrees to preserve food quality.

All freezers, refrigerators and warehouse space must have a thermometer at all times. Sharing a thermometer between two appliances is not allowed.

A temperature log should be maintained. Food banks and/or sub-recipient agencies can be held liable for food loss due to neglect.

Unless ensuring consumption by the BIUB date dictates otherwise, the “first -expired, first out” concept must be utilized along with manufacturer use-by dates. Food banks must notify the program manager if any foods are in their warehouse within 21 days of the BIUB date.

Inventory of USDA foods should not exceed six months.

Non-food items must be stored separately from food.

Food must be at least four inches away from walls, six inches off the floor and two foot from the ceiling.

Storage areas should be kept clean.

A pest control system must be in place. Verification of pest control services may be required if there is evidence of pests.

Best If Used By (BIUB) Date

While it is recognized foods may be in good condition beyond the BIUB date, Food Distribution policy memo 107 (FD-107) states, in part, "Distribution and recipient agencies must consider “best-if-used-by” dates in managing their USDA donated food inventories, and distribute USDA donated foods in a manner that allows them to be consumed by such date."

Failure to distribute foods by the BIUB date is considered a TEFAP food loss.

Code of Federal Regulations, Title 7, section 250.16 details regulations specific to claims and restitution for donated products. Regulations require the distributing agency ensure restitution is made for loss of donated foods from responsible parties as well as ensure a corrective action plan is implemented to prevent future loss.

The “distributing agency” may be the Iowa Department of Human Services seeking restitution from a food bank, or a food bank seeking restitution from a partner agency.
Note: We all have a common goal to provide quality foods to eligible participants. To meet this goal, we must ensure product is distributed timely. Food loss occurring more than once every three years may result in specific technical assistance to continue as a distributing agency.

**Foods for Household Consumption**

Examples of agencies that would be considered to provide foods for household consumption would be food pantries, transitional housing or shelter programs that offer TEFAP foods for residents to prepare their own meals. This includes housing programs who offer food only to residents of their facility to prepare themselves.

When space and time constraints allow, the department strongly encourages choice pantries for participants instead of pre-packaged distribution.

The department does not determine the amount of food sub-recipients distribute to participants. There is a food distribution guide located on the SharePoint which food banks may share with their agencies.

For a household to be eligible, they must be:

- A resident of Iowa, **and**
- At or below 185% of poverty, **or**
- A Food Assistance or free/reduced lunch recipient

Residency note: A household does not need a fixed address to meet residency requirements. For households who are homeless, it is sufficient for the participant to indicate they live in Iowa.

Income note: Income limits are updated annually on July 1.

TEFAP eligibility is **self-attested**. By signing form 470-5313, *TEFAP Eligibility*, participants are attesting to eligibility and are eligible to receive USDA foods.

To receive TEFAP foods, households must sign form 470-5313 annually. For subsequent visits to the pantry, the household or agency must document the household received TEFAP foods. How the sub-recipient agency decides to document subsequent visits by the household is not defined. The agency may choose the method that works best for them. Some examples include:

- Signing the back of their TEFAP form
- Index cards where pantry visits are documented
- Sign in sheets for each date the pantry is accessed

Households may not be asked, nor required to sign the first page of the eligibility form more than once per year. Note: This requirement is for each individual pantry. A household who utilizes more than one pantry will be required to sign the eligibility form annually at each pantry, unless approved by the Program Manager.
Pantries may not require additional information for participants to receive TEFAP foods. For example: If a pantry requires ID verification to utilize all pantry food, households who choose not (or who are unable) to provide ID must still be provided TEFAP foods at the same rate as participants who provide an ID. Agencies may require verification prior to making other products available to participants. However, it must be clear to the participant they can receive USDA foods without providing additional information. For this reason, it is critical agencies understand which products are USDA to ensure these regulations are followed.

Pantry operating days and hours must be clearly displayed.

Persons Unable to Visit a Pantry
Persons who are unable to visit the pantry (homebound, disabled, etc.) must be served by proxy when arrangements have been made. Eligibility for participants who are unable to visit the pantry must be determined the same as all other households.

- By proxy means the person who is unable to visit the pantry provides written documentation that another person is able to receive their foods for them.
- The agency must have a TEFAP form signed by the person unable to visit the pantry attesting to eligibility factors.

Delivery can be an option for those agencies that are able to do so, but is not required.

Prepared Meals
Sites which serve prepared meals must be able to demonstrate to the food bank and department’s satisfaction that they serve a predominantly needy population.

- Predominantly needy is defined as 51% of the participants served.
- Needy is defined as the receipt of food assistance or income at or below 185% of poverty.

Participants may not be asked to provide income information solely for the purpose of this demonstration; this includes having participants sign the TEFAP form.

The department does not define how an agency demonstrates predominantly needy. Some examples include:

- A group home has participant income information/verification for the purposes of program eligibility, example: Medicaid.
- A child care facility receives CACFP.
- The socioeconomic data of the area where the organization is located, or from which it draws its participants.

In the examples above, the sub-recipient agency would have records available for another purpose that would also demonstrate they serve a predominantly needy population. Note: A “group home” is a broad term that defines many types of facilities agencies may operate. Not all group homes will meet the eligibility criteria listed under agency partnerships.
Demonstration by an agency of how they serve predominantly needy participants is required at initial partner agency application and all subsequent reviews.

For sub-recipient agencies whose population fluctuates and some months they serve predominantly needy and other months they do not, the department considers the numbers on an annual basis. Therefore as long as the agency is serving predominantly needy seven months of the year, they would be considered meeting regulations.

At least one member of the agency must be food safe certified. The food safety training required by Feeding America would meet this criteria.

Note: Shelter agencies may only provide prepared meals to the residents. They may not provide USDA foods to participants that they cook for themselves. This includes when a resident leaves the shelter for their own home.

**Civil Rights**

*Overview*

The Civil Rights Act of 1964 prohibits discrimination based on race, color, national origin, sex, age and/or disability in federally funded programs. TEFAP is funded by the federal government and must comply with all civil rights and non-discrimination laws. Immediately notify the program manager if the food bank (or a sub-recipient agency) receives a verbal or written civil rights complaint.

*Training*

Civil Rights training is required annually for people involved in all levels of the administration of TEFAP. This includes volunteers who interact with applicants or handle personal applicant information. The civil rights training for food bank staff is available on the SharePoint. Verification of annual civil rights training completion by all food bank staff is due to the program manager by August 31st each year.

Food banks are responsible to ensure all agencies who distribute USDA foods are trained in civil rights at orientation and annually thereafter. When training sub-recipient agencies, unless an alternative version has been approved, food banks must use SharePoint training. Verification of this training must be kept in agency files and available for review by DHS or FNS upon request.

Note: Volunteers who do not interact in any way with program applicants, participants and who do not handle personal information do not need civil rights training.
**Participant Notification**

The "And Justice For All" poster must be prominently displayed in all eligible recipient agencies. Notify the program manager if you need additional posters. Printed copies should not be made.

All printed materials used to market the program must have the following USDA non-discrimination statement included:

“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.

This institution is an equal opportunity provider.

If the material is too small to permit the full statement to be included, you must forward the material to the program manager to obtain FNS approval to use the following statement instead, "This institution is an equal opportunity provider."

**Compliance in Practice**

- Conduct outreach to under-represented communities by ensuring participants are aware of services available
- Accommodate persons with disabilities
- Reduce language barriers for people with limited English proficiency (LEP)

**Equal Opportunity for Religious Organizations**

Food Distribution Policy Memorandum 138 ([FD-138](#)) clarifies requirements the Written Notice and Referral Requirements for Beneficiaries Receiving TEFAP benefits from Religious Organizations. FD-138 (in its entirety) is located on the SharePoint and the FNS FD website.
Written Notification
Faith-based or religious organizations that receive USDA Foods or administrative funds for TEFAP must give written notice to all beneficiaries and prospective beneficiaries of the right to be referred to an alternate provider. If the beneficiary is receiving what may be a one-time service from the provider (meal site or pantry foods for home consumption), the notice may be posted in a prominent place instead of being provided to each beneficiary individually. See the SharePoint for the example written notice. This example must be used by agencies unless written permission has been provided by the DHS program manager.

Referral Form
If a beneficiary or prospective beneficiary of TEFAP objects to the religious character of the organization, the organization must promptly undertake reasonable efforts to identity and refer the beneficiary to an alternate provider. The sample referral form is provided on the SharePoint. As with the written notice, the referral form on the SharePoint must be used unless written permission has been provided by the DHS program manager.

Outreach/Marketing
TEFAP encourages notices in local media, posters, pamphlets and websites to ensure potential participants are aware of the program, services provided, and hours of operations. Agencies are responsible for marketing and outreach. Reminder: You must include the nondiscrimination statement on all marketing material. On websites, a link to the nondiscrimination statement is acceptable.

Individuals are encouraged to apply for Food Assistance if they appear eligible. Providers are encouraged to refer participants to the DHS website to apply. www.oasis.iowa.gov. If the participant does not have access to the internet, they should be referred to the DHS Food Assistance Hotline at 1-855-944-3663. DHS cannot expedite Food Assistance applications for participants other than those who meet specific criteria. Providers should be aware that Food Assistance applications may take up to 30 days before a determination of eligibility is made.