



Date: January 17, 2025

To: Authorized Representatives of School Food Authorities (SFAs) Participating in the United States Department of Agriculture (USDA) National School Lunch Program (NSLP)

From: Jessica Sharkus, RDN, CD
Director, School Nutrition Team

Subject: Get Ready to Apply for the 2024 NSLP Equipment Assistance Grant!

The School Nutrition Team is pleased to announce Wisconsin has received \$170,191 from the USDA to award fiscal year 2024 (FY24) Equipment Assistance Grants. This opportunity is provided by the FY24 Consolidated Appropriations Act. Funds will be distributed through a competitive grant process.

Eligibility

All SFAs with an NSLP contract in school year 2024-25, including public school districts, charter schools, private schools, and residential child care institutions (RCCI), are eligible to apply.

Equipment

For the purposes of this grant:

- **Equipment** means tangible personal property, including information technology systems, having a useful life of more than one year. For this year's grant, the piece of equipment requested does not need to exceed the SFA's capitalization threshold.
Note: Information technology systems means computing devices, ancillary equipment, software, firmware, and similar procedures, services (including support services), and related resources.
- **Congress has specified for the FY24 Equipment Assistance Grant that each piece of equipment must exceed \$1,000.**
 - Items such as school lunch trays, knives, tables, chairs, and utensils will not be approved, as it is unlikely that these would meet the \$1,000 minimum.
- The equipment must primarily be used in the NSLP and School Breakfast Program (SBP).
- If the equipment is to be used for other school or non-school programs and events, the grant award will be prorated based on the usage.
- If requesting new equipment, equipment already purchased is not eligible for grant funds.
- Existing equipment may be renovated or refurbished using Equipment Grant funds.
Note: Any renovations completed before an official grant award are not eligible for grant funds.

Funding

SFAs can request a maximum total of \$15,000 for up to two pieces of equipment. SFAs are responsible for any costs not covered by the grant award.

Additional guidelines:

- Equipment may be requested for more than one school within the same SFA.
- SFAs may request equipment for use in a centralized kitchen that serves multiple schools.
- A school may request to buy a piece of equipment in part with their own funding. If other funding is available, include this information in the narrative section of the application.
- Repair costs, including parts and labor for capital equipment, are allowed under this grant.
- When acquiring replacement equipment, the SFA may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property.
- SFAs will receive funds for approved equipment as a reimbursement, after the awarded equipment is installed and the [PI-1086 Claim Form](#) accompanied by a copy of the paid invoice showing a zero balance and the approved make and model information is submitted to the DPI SNT Equipment Grant Team.

Key Areas of Focus

Grant funding aims to help schools meet one or more of these key areas with equipment that:

- Improves the safety of food served in the school meal programs (e.g., cold/hot holding equipment, dishwashing equipment, refrigeration, milk coolers, freezers, and blast chillers).
- Promotes innovative practices, including scratch cooking.
- Promotes the use of local foods in the school meal programs.
- Allows schools to support the establishment, maintenance, or expansion of the SBP (e.g., breakfast carts, display case).
- Expands participation in NSLP (e.g., lunchroom changes that provide more convenience and appeal to the student population).
- Supports service of healthier school meals (e.g., salad bars, additional refrigeration units, steamers).

Best Practices

- SFAs interested in applying should review the materials on the [USDA NSLP Equipment Grant Webpage](#) *before* starting their application:
 - [Tip Sheet](#)
 - [Timeline](#)
- School officials and local policymakers should work collaboratively with parents, teachers, students, and funders to identify and implement strategies for meeting equipment, infrastructure, and training needs.
- Nonprofit and for-profit organizations that have an interest in improving children's health, education, school infrastructure, and community wellness should aid schools in acquiring the necessary equipment.

Application Process

Application resources are available on the [Equipment Grant webpage](#).

Applying for the Equipment Assistance Grant is a two-step process. SFAs will first complete and submit an electronic application via Qualtrics to the Department of Public Instruction School Nutrition Team (DPI SNT). The application will collect the requested equipment's specifications. The DPI SNT will review the submitted applications and SFAs will be notified if they are selected to proceed to part two, the bidding process.

Part One: Application, Due February 28, 2025

On January 17, 2025, the Authorized Representative and Food Service Director listed on the school nutrition contract of eligible SFAs will receive an email with a unique link to the Qualtrics application for their SFA.

- Application Form (PI-6201) –link to Qualtrics application emailed to Authorized Representative and Food Service Director
 - Emailed PDF applications will **NOT** be accepted.
- The application will collect the requested equipment’s specifications.
- Each equipment request must provide its specifications, even if requesting two of the same pieces of equipment.
- **SFAs should NOT go out for bid during Part One.**

Part Two: Going Out to Bid, Spring 2025

The DPI SNT will review the Equipment Assistance Grant Application (PI-6201) including equipment specifications. All SFAs that applied will receive an email by the end of spring 2025 informing them if they have been selected or not to proceed with part two, going out to bid. Those selected to proceed with part two of the Equipment Grant process will receive more information regarding next steps at that time.

Awards

If selected to receive an Equipment Assistance Grant, a Notification of Federal Grant Subaward Letter will be sent via email to each SFA in the summer of 2025. Once notified, SFAs should complete their own procurement and expenditure activities within six months of the award. The Equipment Grant Team understands supply chain challenges may result in long lead times and/or delays. SFAs are responsible for communicating these challenges to the DPI SNT in a timely manner and prior to missing any established deadlines.

If the SFA is unable to purchase a piece of equipment within this timeframe, consider requesting funding for a different piece of equipment.

Evaluation Criteria

Each equipment request is evaluated separately based on the following criteria:

Part One: Application

1. **Complete application:** The PI-6201 Qualtrics Application, is complete and submitted by February 28, 2025.
2. **Previous award status:** Priority will be given to SFAs that have never received an Equipment Assistance Grant.
 - SFAs that have previously received funding may still apply.
3. **Free and reduced percentage:** Priority will be given to schools with a free and reduced percentage between 50-75% based on the October 2024 site-based NSLP claim.
 - SFAs with sites above or below this threshold may still apply.
 - The free and reduced percentage will be based on the October 2024 site based NSLP claim and will be assessed for the site or sites benefitting from the equipment as indicated in the application.
 - SFAs without a submitted October 2024 NSLP claim will not be considered.

4. **Excess cash balance:** The excess cash balance status for the SFA's nonprofit school foodservice account will be considered.
 - SFAs in excess cash balance may still apply.
5. **Key focus areas:** Requested equipment specifically addresses the key focus areas in the application. The narrative should clearly explain how the equipment will impact the applicable focus areas.

Part Two: Going Out to Bid (*SFAs will be notified if/when they can proceed with part two*)

- SFAs must use the approved specification sheet provided to them by the DPI Equipment Grant Team.
- Documentation of three bids for each equipment request is submitted by the specified deadline. This includes:
 - PI-6209 Bidder Evaluation Matrix
 - Supporting bid documentation from each bidder (such as quotes and specification forms).
- Costs appear reasonable.

Procurement

Equipment purchases must follow all federal, state, and local procurement laws. Keep in mind:

- As with all Federal grant funds, procurement regulations at 7 CFR Part 210.21 and 2 CFR Part 200.317-326 apply, and equipment competitively procured using these grant funds must be necessary, reasonable, and allocable.
- All Federal, State, and local procurement laws must be followed when purchasing equipment with grant funds.
- Formal Sealed Bids or Competitive Proposal procedures are not required unless the equipment purchase is valued over \$250,000. For equipment purchases valued under \$250,000, informal, small purchase, procedures are required. When using the small purchase procedure, if possible, three bids should be obtained from three different vendors.
- Equipment with a value less than \$10,000 may be acquired using non-competitive micro-purchase procedures.
- A specification is a list of the features you are requesting in a piece of equipment. It is NOT a manufacturer's product sheet that lists all options available.
- Obligations to purchase made prior to a grant award are ineligible for funding.
- Bids are valid for a specified length of time. **The specification should require that bids are valid for six months.**
 - Note: Bids should not be procured until the SFA is approved to move forward to part two of the grant process.*
- Grant recipients are expected to fully expend grant funds within six months of the issued grant award.
- **Federal regulations prohibit the selections of vendors based solely on the fact they are local vendors.** Refer to 2 C.F.R Part 200.319.

Timeline

- Application links will be sent out on January 17 2025.
- **Part One** (PI-6201 [Qualtrics application]) due to DPI SNT: February 28, 2025
 - DPI SNT will notify SFAs whether or not they are selected to move forward with part two by the end of spring 2025.
- **Part Two** (Bid documents) due to DPI SNT: To be determined.

- Notification of awards: Summer 2025
- Additional funding will be reallocated in the fall of 2025.

For More Information

Please refer to the [SNT Equipment Grant](#) webpage for the most up-to-date information, including:

- USDA and SNT guidance memos
- Resources to assist in completing the application, writing equipment specifications, and deciding which pieces of equipment to purchase.
- Equipment Grant Tip Sheet and Timeline

If awarded, all procurement must be completed by the deadline specified in the Notification of Federal Grant Subaward Letter. This grant performance period officially ends September 30, 2026.

Questions regarding this funding opportunity can be directed to DPIEquipGnt@dpi.wi.gov.

SFAs that are awarded a FY 2024 Equipment Assistance Grant must comply with the following regulations, principles, and assurances:

ASSURANCES

The Applicant understands and agrees that the following Certifications and Assurances are pre-award requirements generally imposed by federal and state law or regulation, and do not include all federal and state regulations that may apply to the Applicant or its project.

Most requirements are included in one of the following:

- **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**
<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>
- **Educational Department of General Administrative Regulations (EDGAR), Part 76 – State-Administered Formula Grant Programs**
<http://www.ecfr.gov/cgi-bin/text-idx?node=34:1.1.1.1.23&rgn=div5>
- **Wisconsin Uniform Financial Accounting Requirements (WUFAR)**
<https://dpi.wi.gov/sfs/finances/wufar/overview>

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”

Each Applicant is ultimately responsible for compliance with the certifications and assurances selected on its behalf that apply to its project or award.

FEDERAL ASSURANCES

- 1. Applicant agrees** to comply with all terms and conditions set forth in the FY 2024 Equipment Assistance Grant Announcement Letter provided with this application. Services provided under this grant will be used to address the needs set forth in the guidelines document. Applicant agrees to implement the activities within the prescribed timeline as outlined in their work plan section of their proposal. Applicant will provide fiscal information within the fiscal year timeline established for new and reapplying programs.
- 2. Statutes and Regulations:** The Applicant shall comply with all applicable statutory and regulatory requirements. These requirements include, but are not limited to, applicable provisions of— a) Title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d through 2000d-4] b) Title IX of the Education Amendments of 1972 [20 U.S.C. 1681-1683] c) Section 504 of the Rehabilitation Act of 1973 [29 U.S.C. 794] d) The Age Discrimination Act of 1975 [42 U.S.C. 6101-6107]
- 3. Allowable Costs:** Costs incurred shall be allowable under the principles established in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule [2 CFR Subpart E-Cost Principles].
- 4. Budget Revisions:** The Applicant will obtain an approved budget revision when it is anticipated that claimed expenditures will vary significantly from the amount in the current approved budget [2 CFR § 200.308]. This applies to all grants unless there are more restrictive or specific requirements of the grant award which may be the case with discretionary grants.
- 5. Confidentiality:** The Applicant shall comply with provisions regarding confidentiality of student information [Wis. Stat. § 118.125, pupil records].
- 6. Conflict of Interest:** No board or staff member of an LEA or CESA may use his or her position to

obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated, such as a royalty, commission, contingent fee, brokerage fee, consultant fee, or other benefit [Wis. Stat. 19.59 (1) (a)]. See also [2 CFR § 200.112 and 2 CFR § 200.318 (c)].

7. Contracts and Procurement: The Applicant will use its own procurement procedures that reflect applicable state and local laws and regulations, provided the procurements conform to applicable federal law and the standards in 7 C.F.R. § 210.21 [Procurement] and 2 CFR § 200.317-200.327 [Procurement Standards].

8. Debarment and Suspension (Executive Orders 12549 and 12689): A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR part 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Orders 12549 and 12689.

9. Cooperation with Evaluation: The Applicant shall cooperate with the performance of any evaluation of the program by the WI DPI or by their contractors [2 CFR § 200.328].

10. Copyright, Acknowledgment, and Publications: The Applicant/Recipient will comply with all copyright and materials acknowledgment requirements as addressed in the project's grant guidelines. The U.S. Department of Education (USDE) and the WI DPI reserve royalty-free, nonexclusive, and irrevocable right to reproduce, publish or otherwise use the work, and to authorize others to do so. The content of any grant-funded publication or product may be reprinted in whole or in part, with credit to the USDE and WI DPI acknowledged. However, reproduction of this product in whole or in part for resale must be authorized by the WI DPI. When issuing statements, press releases, and other documents describing projects or programs funded in whole or in part with federal grant funds, the grant award recipient shall clearly acknowledge the receipt of federal funds in a statement.

11. Fiscal Control: The Applicant will use fiscal control and fund accounting procedures and will ensure proper disbursement of, and accounting for, federal funds received and distributed under this program [2 CFR § 200,328].

12. Indirect Costs: If the fiscal agent intends to claim indirect costs, the total amount budgeted for indirect costs is limited to and cannot exceed the negotiated indirect rate established with the WDPI. Indirect costs cannot be charged against capital objects.

13. Legal and Regulatory Compliance: Administration of the program, activities, and services covered by this application will be in accordance with all applicable state and federal statutes, regulations and the approved application [34 CFR § 76.700].**14. OMB Standard Form 424B:** The Applicant will comply with all applicable assurances in OMB standard Form 424B (Assurances for Non-Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood insurance; environmental standards; wild and scenic river systems; historic preservation; protection of human subjects; animal welfare; lead-based paint;

Single Audit Act; and general agreement to comply with all applicable federal laws, executive orders and regulations.

15. Programmatic Changes: The Applicant will obtain the prior approval of the WDPI whenever any of the following actions is anticipated: a. Change in the scope or objectives of the project; b. Change in key personnel (including employees and contractors) that are identified by name in the application or grant award; c. A disengagement from the project for more than three months, or a 25 percent reduction in time and effort devoted to the project, by the approved project director; d. Contracting out or otherwise obtaining services of a third party to perform activities central to the purpose of the award; e. Changes in the amount of approved cost-sharing or matching provided by the subrecipient [2 CFR § 200.308(f)].

16. Record Retention: In accordance with 2 CFR § 200.334, this is written notification to the subrecipient that WI DPI requires an extension to the record retention period for grants addressed in the Wisconsin Records Retention Schedule for School Districts.

<https://publicrecordsboard.wi.gov/Documents/School%20GRS> and

<https://dpi.wi.gov/sites/default/files/imce/libraries/Records/CrosswalkOct2023edits.docx>

All applicants will ensure records are maintained for a period of at least three years from the date of submission of their final financial report (2 CFR §200.334). If any litigation, claim, negotiation, audit, or other action involving the records starts before the end of the period, the records will be retained until completion of the action and resolution of all issues.

17. Reporting: The Applicant will ensure all required financial and program data is reported to the WDPI timely on a schedule established by the WDPI. The Applicant will report to WDPI using the accounts in the Wisconsin Uniform Financial Accounting Requirements (WUFAR) [2 CFR §200.302(b)(2)].

18. Grant Evaluation: The Applicant shall ensure that all grant evaluation reporting will be timely on a schedule established by the WDPI. Grant evaluation information provided to the WDPI staff shall accurately assess the completeness of grant goals, activities, benchmarks and target dates [2 CFR § 200.329].

19. Single Audit: Any non-federal entity that expends in total (all sources) \$1,000,000 or more in federal awards during the non-federal entity's fiscal year (July 1–June 30) must have a single audit conducted. If a single audit is required, a copy of the audit is to be submitted to DPI School Financial Services auditor [2 CFR §200.501].

20. Text Messaging and E-Mailing While Driving: The Applicant/ Recipient and their grant personnel are prohibited from text messaging while driving a government-owned vehicle, or while driving their own privately owned vehicle during official grant business, or from using government supplied electronic equipment to text message or e-mail when driving [Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving" October 1, 2009].

<http://edocket.access.gpo.gov/2009/pdf/E9-24203.pdf>

21. Time and Effort Supporting Documentation: For costs to be allowable, compensation for personal services must adhere to the Standards for Documentation of Personnel Expenses as identified in 2 CFR § 200.430(g). The subrecipient must retain records that accurately reflect the work performed and be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated.

22. Trafficking in Persons: If Applicant is a private entity or if Applicant may provide funding under the award to a subrecipient that is a private entity, Applicant agrees to the terms in 2 CFR part 175 App. A: [2 CFR § 175.200]:

I. Trafficking in Persons

(a) Provisions applicable to a recipient that is a private entity.

(1) Under this award, Applicant, its employees, subrecipients under this award, and subrecipient's employees must not engage in:

(i) Severe forms of trafficking in persons;

(ii) The procurement of a commercial sex act during the period of time that this award or any subaward is in effect;

(iii) The use of forced labor in the performance of this award or any subaward; or

(iv) Acts that directly support or advance trafficking in persons, including the following acts:

(A) Destroying, concealing, removing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents;

(B) Failing to provide return transportation or pay for return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless:

(1) Exempted from the requirement to provide or pay for such return transportation by the Federal department or agency providing or entering into the grant or cooperative agreement; or

(2) The employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action;

(C) Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment;

(D) Charging recruited employees a placement or recruitment fee; or

(E) Providing or arranging housing that fails to meet the host country's housing and safety standards.

(2) The Federal agency may unilaterally terminate this award or take any remedial actions authorized by [22 U.S.C. 7104b\(c\)](#), without penalty, if any private entity under this award:

(i) Is determined to have violated a prohibition in paragraph (a)(1) of this appendix; or

(ii) Has an employee that is determined to have violated a prohibition in paragraph (a)(1) of this this appendix through conduct that is either:

(A) Associated with the performance under this award; or

(B) Imputed to the recipient or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in [2 CFR part 180](#), "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)," as implemented by our agency at [agency must insert reference here to its regulatory implementation of the OMB guidelines in [2 CFR part 180](#) (for example, "2 CFR part XX")].

(b) Provision applicable to a recipient other than a private entity.

(1) The Federal agency may unilaterally terminate this award or take any remedial actions authorized by [22 U.S.C. 7104b\(c\)](#), without penalty, if a subrecipient that is a private entity under this award:

(i) Is determined to have violated a prohibition in paragraph (a)(1) of this appendix; or

(ii) Has an employee that is determined to have violated a prohibition in paragraph (a)(1) of this appendix through conduct that is either:

(A) Associated with the performance under this award; or

(B) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in [2 CFR part 180](#), "OMB Guidelines to Agencies on

Government-wide Debarment and Suspension (Nonprocurement),” as implemented by our agency at [agency must insert reference here to its regulatory implementation of the OMB guidelines in [2 CFR part 180](#) (for example, “2 CFR part XX”)].

(c) **Provisions applicable to any recipient.**

(1) Applicant must inform the Federal agency and the Inspector General of the Federal agency immediately of any information you receive from any source alleging a violation of a prohibition in paragraph (a)(1) of this appendix.

(2) The Federal agency's right to unilaterally terminate this award as described in paragraphs (a)(2) or (b)(1) of this appendix:

(i) Implements the requirements of [22 U.S.C. 78](#), and

(ii) Is in addition to all other remedies for noncompliance that are available to the Federal agency under this award.

(3) Applicant must include the requirements of paragraph (a)(1) of this award term in any subaward it makes to a private entity.

(4) If applicable, Applicant must also comply with the compliance plan and certification requirements in [2 CFR 175.105\(b\)](#).

(d) **Definitions.** For purposes of this award term:

Employee means either:

(1) An individual employed by the recipient or a subrecipient who is engaged in the performance of the project or program under this award; or

(2) Another person engaged in the performance of the project or program under this award and not compensated by the recipient including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing requirements.

Private Entity means any entity, including for-profit organizations, nonprofit organizations, institutions of higher education, and hospitals. The term does not include foreign public entities, Indian Tribes, local governments, or states as defined in [2 CFR 200.1](#).

The terms “severe forms of trafficking in persons,” “commercial sex act,” “sex trafficking,” “Abuse or threatened abuse of law or legal process,” “coercion,” “debt bondage,” and “involuntary servitude” have the meanings given at section 103 of the TVPA, as amended ([22 U.S.C. 7102](#)).

PROGRAM SPECIFIC ASSURANCES

Applicant agrees to comply with all terms and conditions including all assurances listed in this section. Program Specific Assurances of the application. Specifically, Applicant agrees:

1. To continue participation in the National School Lunch Program (NSLP) and certifies that Applicant has the authority to enter this Agreement to participate in the FY 2024 Equipment Assistance Grant.

2. To abide by all the requirements set forth in the U.S. Department of Agriculture (USDA) Memo SP20-2024 for Fiscal Year 2024 National School Lunch Program Equipment Assistance Grants - Notice of Funding Availability available at: <https://www.fns.usda.gov/nslp/fy24-equipment-assistance-grants-nofa>.

3. To abide by all of the requirements set forth in the National School Lunch Program [7 CFR Part 210], additional guidance, regulations, and memoranda provided by the USDA Food and Nutrition Service, and any subsequent laws pertaining to the grant program.

4. To use the grant funds received only for equipment that addresses the needs set forth in Applicant's completed and DPI-approved grant application in accordance with all applicable state and federal statutes, regulations, and grant rules.

5. To use grant funds received to supplement services and not supplant funds received from nonfederal sources, meaning grant funds will be used to add to (supplement) and not replace (supplant) state and local funds. In other words, the grant funds are not meant to substitute for state and local funds, but rather to provide an additional layer of support.
6. To ensure that all entities providing lower tier covered services as part of the services and programs that are paid for with grant program funds are not debarred, suspended, proposed for debarment, declared ineligible to receive federal funds, or voluntarily excluded from participation by a federal department or agency [2 CFR part 3485].
7. To cooperate in carrying out all evaluations, monitoring, and audits of the services and programs as may be required for DPI, the State of Wisconsin, and the federal government to administer the grant, and to correct any and all deficiencies identified through the evaluations, monitoring, and audits.
8. To maintain records detailing the grant funds received and disbursed, the equipment purchased, the providers of the services and programs, related contracts, deliveries and disputes and all other data related to the equipment, and to afford access to such records as DPI may find necessary to carry out its duties.
9. To comply with all civil rights, nondiscrimination, and equal opportunity laws.
10. To administer the funds received through the grant program so as not to discriminate 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 in any program or activity conducted or funded by USDA.
11. To prorate the grant share of the cost of requested equipment proportionately with the benefit the Applicant's federally assisted school food service operations will receive from the equipment's use if equipment is shared with other non-school activities as determined by the accurate representation of equipment use in application.
12. To provide grant funds only to the schools listed on the application hereto, which are under Applicant's jurisdiction, for purposes allowed by the grant program.

ASSURANCE OF CIVIL RIGHTS COMPLIANCE

The Grantee hereby agrees that it will comply with:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.);
- ii. Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.);
- iii. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
- iv. Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.);
- v. 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);
- vi. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." (August 11, 2000);
- vii. All provisions required by the implementing regulations of the Department of Agriculture (USDA) (7 CFR Part 15 et seq.);
- viii. Department of Justice Enforcement Guidelines (28 CFR Parts 35, 42 and 50.3);

- ix. 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.
- x. 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 Wisconsin Department of Public Instruction and the USDA Food and Nutrition Service 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.

Certification Regarding Lobbying: for Contracts, Grants, Loans, and Cooperative Agreements

By signing this Application the Applicant agrees and certifies to the best of his or her knowledge and belief, that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the SFA, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this

federal contract, grant, loan, or cooperative agreement, the Applicant shall complete Standard Form-LLL, "Disclosure of Lobbying Activities," found in section VII. Disclosure of Lobbying Activities of this application in accordance with its instructions.

(3) The SFA shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The SFA states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," found in section VII. Disclosure of Lobbying Activities of this application in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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, audiotope, 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:**
program.intake@usda.gov

This institution is an equal opportunity provider.