

# PARTNER AGENCY DISTRIBUTION PROCEDURES

**Updated: October 2023**

*Please note: Agencies should reference the CTFB Partner Policies and Procedures Manual for complete policies and procedures regarding the following distribution requirements. CTFB has provided this document for all partners, but we suggest adapting this document and making it your own to fully encompass your organization's unique operation and to be best prepared for transition in the event staff of volunteer turnover in the future.*

## **Distribution Space**

TEFAP distributions must be open to the general public. Food pantries are required to determine the income eligibility of any client who wishes to receive USDA TEFAP foods, and food will be distributed only to recipients who are eligible to receive them.

## **Alternative Distributions**

Partner Agencies may offer alternative distributions in addition to their primary distribution. All alternative distributions must adhere to the general Partner Agency requirements to ensure compliance and must be approved by the Food Bank.

- Partner Agency should notify CTFB of any alternative distribution(s).
- Must adhere to safe and proper handling of product, which conforms to all local, state and Federal regulations and permitting requirements (this includes adhering to approved means to ensure temperature control is being practiced and monitored).
- Ensure that all client rights signage is posted and visible during all distributions.
- Partner Agencies offering home delivery must have a written process in place that:
  - Explains the circumstances under which your organization will offer delivery, outlines how you will fulfill delivery, and how you will apply the process fairly and consistently to all participants.
  - Acknowledges that you will only deliver food directly to the client or the client's proxy. (For example, you cannot leave food on a doorstep if the client is not home).
  - Ensures the individuals fulfilling the deliveries have the same training required of pantry staff and volunteers, including Civil Rights training.
  - Ensures all clients complete the annual intake process.
- Partner Agencies collaborating with other organizations to serve shared clients must oversee all aspects of the intake process, food handling, distribution, storage, and reporting. Food may only be stored at the Partner Agency's site, and the Partner Agency must include all individuals and households served in their monthly reporting. All individuals interacting with clients must be trained by the Partner Agency and must complete Civil Rights training. All clients must complete the annual intake process.

## **Disability Accommodations**

The Food Bank requires all partner agencies to provide reasonable accommodations to clients with disabilities during food distributions. If distribution locations are inaccessible for individuals with disabilities, all services must still be provided (deliver to car, etc.)

## **Faith-Based Organizations**

Sites located at faith-based or religious organizations must protect applicants' and participants' rights regarding participation in religious activities. Federal civil rights laws address explicitly religious activities at religious organization sites:

- 1) Organizations must not engage in explicitly religious activities, including overt religious content such as worship, religious instruction, or proselytization.
- 2) An explicitly religious activity at a site must be separated in time or location from food distribution services.

Organizations must not require participants or applicants to participate in explicitly religious activities to receive food assistance.

## **Application Process**

Partners must register and qualify clients to participate by using the Pantry Intake Form. Partner Agencies must use the Pantry Intake Form or other CTFB-approved intake form in order to qualify all clients for food assistance. Partners may use their own site-specific form or database if approved by CTFB for intake as long as they do not require any information other than:

- Name
- Address
- Number of people in household
- The basis for eligibility

A client may sign up for their entire household to receive assistance. A household is made up of all the residents at an address who share resources such as food and money. Roommates, family members, etc. who live at the address but who do not share resources with the client are considered a separate household. Clients who are homeless or transient do not need to provide an address.

There are no citizenship requirements. Partner Agencies must not request nor require any applicant or participant to prove citizenship through any means whatsoever.

Applicants must reside within the Central Texas Food Bank's 21-county service area. If a client does not live in your agency's service area, the client must be referred to a different site in their service area. The Food Bank suggests providing emergency food assistance to individuals before referring them elsewhere.

Partners must clarify the following points to applicants and participants:

1. The inability or unwillingness to provide proof of ID, Residency, or Income is not a barrier to participation.
2. Participants will receive USDA Foods without proof of ID, Residency, or Income

Partners may request but cannot require other information to qualify clients for TEFAP, including proof of identification, income, residence, citizenship or legal status, and social security number. Partner agencies may collect additional data (such as social security numbers) for other services - for example, clothing aid or assistance with bills. The federally required information to determine USDA TEFAP eligibility must be collected before the Partner requests additional data. The collection of additional data must not be a real or perceived barrier to participation in USDA TEFAP.

### **Determining Eligibility**

A household is automatically (or categorically) eligible for USDA Foods if it currently receives assistance from one of the following programs:

- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TAN F)
- Supplemental Security Income (SSI)
- National School Lunch Program (NSLP)
- Non-institutional Medicaid

If a client's household does not receive one of those federal benefits, they may qualify on the basis of income. Clients should self-report household income. Partners may request but not require proof of income. A client can qualify for TEFAP distributions if their household's self-reported income is equal to or lower than 185% of the current Federal Poverty Guidelines. This chart is indicated in the annual TEFAP Income Eligibility Guidelines. Partners may not impose their own eligibility criteria.

Clients who earn more than 185% of the federal poverty guidelines are asked to indicate that they are in an emergency need for food on the intake form. If the client indicates that they are in emergency need, they are able to receive USDA TEFAP food for a period from 1 to 6 months. This time frame can be decided by the intake counselor but cannot exceed 6 months per emergency case without TDA approval.

#### Characteristics of a Household Crisis

1. Unexpected
2. Temporary
3. Beyond the household's control
4. The repair or replacement, because of a household disaster, of the household's
  - home,
  - home contents, or
  - vehicle

#### Unexpected Costs of a Household Crisis

1. Necessary medical treatment of a household member
2. Burial expenses of a household member
3. Uncontrolled loss of employment

If the client does not wish to indicate that they are in an emergency, the client cannot receive USDA TEFAP food. Partners should use recent invoices to decipher what food product is USDA TEFAP product. In general, ALL clients should receive USDA TEFAP food unless they do not wish to declare they are in emergency need for food.

Once one qualifying reason for food need is established, the intake worker cannot require further qualifying reasons (i.e. if a client participates receives a qualifying form of government assistance, they should not be asked about their income).

Intake records must indicate the beginning month/year and ending month/year of the client's certification period. Intake workers must sign and date the record to certify it.

### **The Proxy**

A proxy is a person designated by a participant to act for the participant as necessary throughout every process of TEFAP. For example, proxies can provide a signature on forms. Proxies may also act for the participant at application, certification, food package distribution, and recertification. A proxy must provide proof of identification prior to picking up a food package.

Intake workers should make sure that TEFAP applicants are aware of the option to designate proxies. The Partner must maintain each written proxy designation and their address on file. Proxy identification must be reviewed at each application, certification, food package distribution, and recertification.

There are two ways to change a proxy:

1. In a written statement that contains the participant's name, proxy's name, date of proxy change, and duration of time the proxy designation will be in effect.
2. In person at the Partner's site, where proxy changes are noted and maintained in the Partner's records.

To pick up food for a client, the proxy must present identification at every distribution verifying that they are the proxy indicated on the Client Intake Form. The proxy must also indicate their status on the Sign-In sheet at every distribution they attend. Additionally, the site is responsible for calling each client the first time that a proxy picks up on his or her behalf to verify that the client received food.

### **Recertification**

To continue receiving USDA Foods after a certification period has ended, the household must be recertified by reapplying and meeting eligibility requirements again. A certification period begins the first month the household receives the USDA Foods, and may not exceed 12 months. For clients who qualify on the basis of emergency need, a certification period begins the first month the household receives the USDA Foods, and may not exceed 6 months without TDA approval.

## **Civil Rights and Programmatic Complaints**

CTFB recognizes the difference between a program complaint and a civil rights one. Civil rights complaints can be filed directly with the Texas Dept. of Agriculture, USDA or CTFB. Program complaints are filed directly with CTFB.

CTFB respects the confidentiality of all its PAs, clients, and PA clients. To provide an environment in which all feel safe registering a grievance, complainant information is never shared. Grievances against Partner Agencies: The Agency is required to provide a CTFB Agency Grievance Form to any client who requests it. This process also applies to applicants, program participants, agency staff and volunteers. If the complaint prefers to remain anonymous, this form can be turned in to CTFB by the client.

### **Retaliation:**

CTFB has a zero-tolerance policy against retaliation of any kind. A client will not be discriminated against, harassed, or suffer any reprisals because of filing a grievance.

Agencies must immediately notify CTFB of any Civil Rights complaints. A programmatic complaint is a complaint about your Agency that does not involve alleged discrimination on the basis of a protected class.

Clients should be provided with contact information for CTFB should they wish to discuss any civil rights or programmatic complaints with Food Bank staff.

### **Service of Clients:**

All clients must be served fairly and equitably and at the times posted. If the determination is to serve clients "once per week" then all clients must be served once per week.

Clients should be informed of distribution frequency and when a distribution is cancelled for any reason, with at least three days in advance, when possible.

Agencies must post a Client Bill of Rights and Agency Bill of Rights in a clearly visible area so clients are aware of their rights

Partners must have print copies of the "TEFAP Participant Rights & Responsibilities" available during intake.

Program Partners must protect the confidentiality of any information that has been provided on an application for eligibility, whether the application is paper or electronic. The intake and recertification processes must be conducted in an environment that would ensure confidentiality. Clients completing their own forms should be allowed a physical space in which others will not see their information. Intake workers completing intake on a client's behalf should do so in a separate area where they will not be overheard.

**Losses and Damages:**

The Agency will report loss/damage of commodities to Central Texas Food Bank, as Central Texas Food Bank is responsible for filing all loss claims with the USDA regardless of whether the loss occurred at its facility or at the Agency's facility. If the Agency: A. Improperly distributes or uses any TEFAP commodities; B. Causes the loss of or damage to TEFAP commodities through its failure to provide proper storage, care, and handling, including poor or lack of pest control; and/or C. Experiences a loss of TEFAP CENTRAL TEXAS FOOD BANK 30 commodities due to excessive inventory, as determined by Central Texas Food Bank. CTFB will pursue a claim (payable by the Agency) for the value of the lost TEFAP commodities.

**Bartering or Selling**

Bartering or selling of donated products is strictly prohibited under Section 170(e)(3) of the Internal Revenue Code. The agency will not sell, trade, barter or give any product in exchange for donations or compensation of any kind, under any circumstances