

Texas Department of Agriculture | Food and Nutrition Division

The Emergency Food Program Handbook, Section 3, Managing the Program

Sites Located at Religious Organizations

TEFAP distribution can involve several different organizations. For instance, some religious organizations administer a site, while other religious sites provide space for TEFAP without administering the program itself. Federal civil rights laws address explicitly religious activities at such sites:

- Organizations must not engage in explicitly religious activities as part of TEFAP, including overt religious content such as worship, religious instruction, or proselytization.
- An explicitly religious activity at a site must be separated in time or location from TEFAP services.
- Organizations must not require participants or applicants to participate in explicitly religious activities to receive TEFAP.

TEFAP and Explicitly Religious Activities

The following table provides examples to guide explicitly religious activities at TEFAP sites. TDA encourages CEs to contact the Program Specialist with questions about specific circumstances.

It is acceptable to...	It is unacceptable to...
Hang a cross on a wall at the TEFAP site.	Require participants to stand by a cross and recite a prayer before TEFAP distribution.
Place a menorah on a table at the site during the holiday season.	Refuse USDA Foods to participants who do not practice the Jewish faith.
Display faith-based pamphlets at the front or back of the site for interested people.	Insert faith-based pamphlets into TEFAP bags or boxes that will be distributed to participants.
Have a religious official, such as a pastor, assist with TEFAP distribution.	Require or encourage participants to have a religious conversation before TEFAP distribution.
Hold a prayer service on the second level of a church building while TEFAP distribution occurs on the lower level.	Hold a prayer service in the same room and at the same time as TEFAP distribution.
Invite participants or applicants to participate in a voluntary — and clearly separate — prayer before TEFAP distribution.	Lead participants in prayer at the beginning of TEFAP distribution.

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Written Notice of Beneficiary Rights

Sites must protect participants' rights regarding participation in religious activities.

All sites must provide all participants and applicants with a Written Notice of Beneficiary Rights using one or more of the following methods:

- Display the notice in a prominent place near the entrance to the distribution;
- Provide the notice as a handout at each distribution; and/or
- Include the notice in the household application.

The Written Notice of Beneficiary Rights must inform applicants and participants that:

- The site will not discriminate against participants based on religion or religious belief; a refusal to hold a religious belief; or a refusal to attend or participate in a religious practice.
- The site will not require participants to attend or participate in any explicitly religious activities. Participants' participation in these activities must be purely voluntary.
- The site must separate, in time or location, any privately funded, explicitly religious activities from activities supported with USDA direct assistance.
- The site will provide contact information to report violations of these protections (including denials of services or benefits) by either a site, a sub-distributing agency, or a CE.

The written notice must also inform participants and applicants about how to obtain information from either USDA and/or TDA about other federally funded service providers in their area.

Upon the request of a participant, CEs and sub-agencies must provide a copy of the written notice.

The CE and site must maintain written procedures for the application process, including how the CE will provide the Written Notice of Beneficiary Rights to applicants. The procedures must be available for compliance reviews at all levels of distribution. The CE and sub-distributing agencies are responsible for training site personnel about application procedures.