



MEMORANDUM

Date: April 1, 2024

To: TEFAP Regional Food Banks

From: CDHS, Food Distribution Programs

Re: TEFAP Electronic Database Data Collection Determinations

All data collected in the determination of TEFAP eligibility is considered “work product” and not “state data”. As such, food banks (Sub Distributing Agencies) and food pantries (Recipient Agencies) may use electronic methods of collecting the information needed to make TEFAP eligibility determinations provided that the agency:

1. Keeps records for a period of three years plus the current fiscal year, or longer if related to an audit or investigation in progress. State agencies may take physical possession of such records on behalf of their eligible recipient agencies.
2. Stores records in a manner that they are accessible for management evaluations, investigations and audits by the USDA or the State of Colorado.
3. Can record anonymous visits.
4. Ensures that applicants and participants give consent for their information to be entered into the electronic database and have the ability to opt out and use a paper application which would not be entered into the database.
5. Ensures that applicants and participants receive a clear explanation of any data sharing agreements and have the ability to opt out of data sharing with other entities including non-profit and for-profits.
6. Ensures that applicants and participants understand which questions are required for TEFAP participation and which questions are for the benefit of the organization such as grant funding.
7. Uses industry standards and what would be considered reasonable to protect the data collected which includes routine maintenance.
8. Has a process to train volunteers and staff members on participant data confidentiality, data privacy and security.
9. Takes reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or the non-Federal entity considers sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality including all aspects under [7 CFR 251](#) and Policy Memo [FD-036](#).

As a good practice, Colorado Department of Human Services recommends limiting data collection to the minimum needed to certify a household for TEFAP to avoid questions that may be perceived as intrusive.

