



Written by [Elad Hakim](#) on August 1, 2022

Despite Efforts to Blame DeSantis, Floridians Know Who Is Really to Blame for Efforts to Withhold Lunch Money From Schools

During a recent [press conference](#), Florida Commissioner of Agriculture and Consumer Services Nikki Fried spoke about the recent guidance issued by the United States Department of Agriculture (USDA). That [guidance](#), in part, requires schools that participate in the National School Lunch Program to hang a poster with an updated nondiscrimination statement in their school food service area. The updated [language](#) states that “the prohibition of discrimination based on sex in Title IX and the Food and Nutrition Act includes gender identity and sexual orientation.” The [Biden](#) administration and various Democrats have threatened to withhold lunch money from various schools unless school districts agree to implement their new nondiscrimination policies. Gov. Ron DeSantis (R-Fla.) and/or various Republicans in the Sunshine State have objected to and pushed back against these efforts.



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During her speech, [Fried](#) predictably attacked Governor DeSantis and other Republicans, stating:

I’m going to just come out and call this exactly what it is: its [sic] extremism politics getting in the way of feeding kids. I will not allow Governor DeSantis or anyone to deny food to hungry kids for any reason — but especially not because they want to reserve the right to discriminate against them.

I believe as an elected official, I have a moral responsibility to do everything I can to help kids get the food they need — but they think they have the right to discriminate against kids and actually deny them food. It would be great if we could all work together to make sure Florida kids have everything they need, but I’ll keep doing their jobs for them and leading that charge here at the Florida Department of Agriculture.

Fried’s assertions are wrong. Governor DeSantis and/or Florida Republicans are not trying to deny children food. To the contrary, they are trying to protect them from the Biden administration’s efforts to take away funding for school lunches unless Florida schools agree to implement the administration’s nondiscrimination policies.

While Fried erroneously pointed the finger at the governor and/or Florida Republicans, she also failed



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to explain the true nature of the administration's plans. As reported by [Fox News](#):

The Biden administration is using lunch money to hold “school districts hostage,” the head of a conservative advocacy group said in response to the Department of Agriculture’s announcement that it would require certain schools to allow trans students to use the bathroom of their preferred gender.

Schools awarded money from the Food and Nutrition Service (FNS), an agency within USDA, must specify in their policies that [discrimination based on gender identity](#) and sexual orientation is prohibited, the department announced in May. It also said allegations of such discrimination must be investigated.

In essence, Biden and the Democrats are threatening to withhold lunch money from various schools unless school districts agree to implement their nondiscrimination policies.

During the press conference, [Fried](#) asserted that Governor DeSantis and Florida Education Commissioner Manny Diaz Jr. are “politicizing school lunch programs and jeopardizing the safety and well-being of Florida students” all because of a “USDA non-discrimination poster.” This is simply not accurate. First, the guidance requires more than just a poster with the new nondiscrimination statement. The statement must also be included in all pamphlets, websites, documents, brochures, etc., all of which must be updated. It is also part of a concerted effort by the administration and Democrats to coerce schools to adhere to their far-left ideologies.

Fried’s assertion that she “will not allow Governor DeSantis or anyone to deny food to hungry kids for any reason — but especially not because they want to reserve the right to discriminate against them” is also misplaced and assumes that objections to the administration’s new nondiscrimination policy are improper and are made for purposes of discrimination.

This statement is presumptuous in nature. The administration’s efforts are currently being challenged on various legal grounds. As a matter of fact, Fried, as Florida Commissioner of Agriculture and Consumer Services, is one of many defendants in a [lawsuit](#) that is currently pending in the United States District Court in the Middle District of Florida.

There, a Christian academy [sued](#) the Biden administration, Fried (in her official capacity as Florida Commissioner of Agriculture and Consumer Services), and others for allegedly threatening to withhold funding for school lunches in violation of Title IX (which they contend does not include gender identity and sexual orientation under the meaning/definition of “sex”) and Title IX’s religious exemption; alleged violations of the notice and comment process and other provisions under the Administrative Procedure Act; alleged violations of free speech, religion, and other constitutional safeguards; and an allegedly improper interpretation of *Bostock v. Clayton County*. A copy of the [lawsuit](#) can be found here.

This is not the only legal challenge. As reported by the [Christian Post](#), “more than 20 state attorneys general have filed a separate lawsuit against the U.S. Department of Agriculture for threatening to withhold funds for the National School Lunch Program from schools that do not comply with the Biden administration’s LGBT ideology.”

Despite Fried’s efforts to blame Governor DeSantis and/or other Florida Republicans, Floridians know better. The Biden administration and Democrats are seemingly trying to pressure schools in Florida (and nationwide) to comply with the new nondiscrimination policies by threatening to withhold funding



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for school lunches that children desperately need.

Americans can only hope that the courts put a stop to this as soon as possible.



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