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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

k12.wa.us

July 1, 2022

Action Required

Due date: Varies

Informational

BULLETIN NO. 038-22 CHILD NUTRITION SERVICES

TO: Educational Service District Superintendents
School District Superintendents
Assistant Superintendents for Business and/or Business Managers
School Food Service Supervisors
Administrators of Child and Adult Care Food Program Institutions
Administrators of Private Schools

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Waiver of Eligibility for Early Childhood Education and Assistance Program

CONTACT: Chaundi Barboza, Community Nutrition Programs Supervisor
360-725-6218 chaundi.barboza@k12.wa.us

PURPOSE/BACKGROUND

The Western Regional Office of the U.S. Department of Agriculture (USDA) has extended the automatic eligibility of participants in Washington State's Early Childhood Education and Assistance Program (ECEAP) for a one-year period. The waiver covers children participating in child care centers or Local Education Agencies (LEA) that claim meals under the Child and Adult Care Food Program (CACFP), National School Lunch Program (NSLP), and the School Breakfast Program (SBP).

This approved waiver is effective July 1, 2022, through June 30, 2023.

AUTOMATIC ELIGIBILITY FOR ECEAP PARTICIPANTS

Children enrolled in ECEAP are automatically eligible for free meal benefits without further application or eligibility determination. Automatic eligibility does not extend to siblings. Conditions for automatic eligibility are:

1. The child must be enrolled as a participant in ECEAP under the Washington State Early Childhood Education and Assistance Act.

2. The child care center or LEA must have a list on file from the ECEAP contractor of children enrolled as participants in ECEAP.
 - a. This documents eligibility for free meals and should be obtained prior to the start of the program.
 - b. Without the contractor list, students enrolled in an ECEAP begin the school year in the paid eligibility status.
 - c. Even if enrollment changes are anticipated, obtain an initial list and make additions or changes as they occur.
 - d. Children enrolled in an ECEAP are determined to be automatically eligible for free meal benefits and should be excluded from the verification process for the NSLP/SBP as they are considered directly certified.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact your program specialist. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

Tennille Jeffries-Simmons
Chief of Staff

T.J. Kelly
Chief Financial Officer
Financial Services

Leanne Eko, RD, SNS
Executive Director
Child Nutrition Services

Assurance of Civil Rights Compliance

The Sponsor 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, 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 Sponsor 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 Department of Agriculture, FNS, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Sponsor, its successors, transferees and assignees as long as it receives assistance or retains possession of any assistance from USDA.

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or equity@k12.wa.us.