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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

k12.wa.us

February 12, 2021



Action Required
Informational

BULLETIN NO. 004-21 Child Nutrition Services

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers
School District Food Service Directors

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Pandemic EBT 2.0

CONTACT: Leanne Eko, RD, SNS – Director of Child Nutrition Services
360-725-0410, leanne.eko@k12.wa.us

PURPOSE/BACKGROUND

Pandemic Electronic Benefit Transfer (P-EBT), or Pandemic EBT, is a United States Department of Agriculture (USDA) program developed in response to the COVID-19 pandemic. The program provides food benefits to eligible families in order to replace meals that students would have received, if not for disruptions to in-person instruction or school facility closure. Pandemic EBT benefits were issued in May – August of 2020 to replace meals from school year (SY) 2019–20. Pandemic EBT 2.0 will provide food benefits to replace meals missed during the 2020–21 school year. Schools will play a vital role to ensure eligible Washington students receive these benefits.

ADMINISTRATION

The Department of Social and Health Services (DSHS), in partnership with the Office of Superintendent of Public Instruction (OSPI), is administering the P-EBT program in Washington state. Collaboration between these state agencies, local schools, and districts will ensure that Washington students receive this important benefit.

We appreciate Local Education Agency (LEA) efforts to provide meals to families, either by delivery, grab and go, or while school is in session. Students are eligible for P-EBT benefits whether or not they participate in these meal options and meet the criteria outlined in this bulletin.

P-EBT ELIGIBILITY

Students who would have received free or reduced-price school meals during normal operations of the National School Lunch Program (NSLP) and School Breakfast Program (SBP) if not for the COVID-19 health emergency are eligible for P-EBT benefits. This includes:

- Students enrolled at a school that normally participates in the NSLP/SBP.
- Students included in Free and Reduced-Price (F/R) eligibility for SY 20–21 including:
 - 20–21 Directly Certified Students through Direct Certification system.
 - 20–21 Directly Certified Students through other sources.
 - 20–21 Eligible students via new free and reduced-price meal applications.
 - 19–20 Eligible students who are not captured in the bullets above.

All students in schools that participate in the Community Eligibility Program (CEP), or Provision 2 for both the NSLP and SBP, are eligible for benefits.

LOCAL EDUCATION AGENCY ROLE

For students to receive P-EBT benefits, LEAs must participate by uploading student and school information. Information provided by LEAs will be used to identify eligible students and calculate benefits. Instructions on how to upload the information are being provided to School Nutrition Departments. Information needed includes:

- Eligible student data: Name, DOB, Address, School, SSID, date F/R eligible status.
- School data:
 - Verification that school has operated remotely or with a reduced number of students on campus for at least five (5) days in SY 20–21.
 - School status as described in the Benefit Level Determination section.

Benefit Level Determination

The USDA has allowed the use of “simplifying assumptions” to determine benefit levels. Students will receive benefits based on the school where they are enrolled, regardless of an individual student's attendance or educational model.

Step 1: School Status

School status simplifying assumptions:

- *Students Enrolled*: The school status/eligible benefit days assigned will be based on the meal service available to $\geq 51\%$ of the students enrolled at that school.
- *Operating Days*: The school status/eligible benefit days will be based on the available meal service during $\geq 51\%$ of the operating days in the month being reported.

Step 2: Benefit Level

When figuring school status, only NSLP or Summer Food Service Program (SFSP) meals provided and consumed on campus as part of an education day are considered as “meal service.”

Benefit level simplifying assumptions:

- *Benefit level 5:* Students receive no meal service on campus as part of an instructional day.
- *Benefit level 4:* Students receive one day of on campus meal service as part of an instructional day.
- *Benefit level 3:* Students receive two days of on campus meal service as part of an instructional day.
- *Benefit level 2:* Students receive three days of on campus meal service as part of an instructional day.
- *Benefit level 1:* Students receive four days of on campus meal service as part of an instructional day

DATA SHARING

Data will be uploaded into a secure data portal hosted by Accenture, a DSHS contracted vendor. Section 1101(e) of the Families First Coronavirus Response Act (FFCRA, P.L. 116–127) states: “Notwithstanding any other provision of law, the Secretary of Agriculture may authorize State educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section.”

Data compilation and upload must be completed by school staff that have the authority to access Meal Eligibility student information.

PROGRAM COMMUNICATIONS, PROMOTION, AND SUPPORT

OSPI is coordinating with DSHS to provide program communications, promotion, and support. A P-EBT communication toolkit with copy-ready flyers and sample robocall text will be released soon. A P-EBT Contact Center is also being set up. Communication materials will direct families to this call center for questions regarding the P-EBT program and benefits.

These materials will be shared in upcoming weekly CNS Newsletters, the OSPI Bulletins, and to district communications staff.

INFORMATION AND ASSISTANCE

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For questions regarding this bulletin, please contact Leanne Eko, RD, SNS – Director of Child Nutrition Services, at 360–725–0410 or email leanne.eko@k12.wa.us. The OSPI TTY number is 360–664–3631.

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

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Chief of Staff

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ASSURANCE STATEMENT

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.