

OSPI CNS Community Nutrition Programs Reference Sheet

Electronic Signatures

Sponsors that operate a U.S. Department of Agriculture (USDA) Community Nutrition Program, including the Summer Food Service Program (SFSP) or Child and Adult Care Food Program (CACFP) may accept electronic signatures for household applications if specific requirements are met.

Requirements

- ✓ The sponsor must have the capability of accepting and providing legally binding electronic signatures, as determined in conjunction with their respective State and/or local counsel.
- ✓ The sponsor must have a policy or procedure in place for accepting and providing electronic signatures. The policy or procedure must meet at least a ***Level 2 identity authentication** assurance level this is accomplished by:
 - Including identity proofing requirements. Examples include passwords and pins.
 - Preventing eavesdropper, replay, and on-line guessing attacks.
 - Assessing potential risks, harm, impact, or the likelihood of such harm or impact.
- ✓ Create processes to ensure and maintain confidentiality of information.
- ✓ Sponsor's policy and/or procedure must be approved by the OSPI prior to accepting electronic signatures on Enrollment Income Eligibility Forms (EIEAs) for CACFP only.

***Level 2 identity authentication** requires multi-factor authentication. This means there must be two security methods from two different categories (something you know, something you have, something you are). ([\(NIST Special Publication 800-63B\)](#))

Example: The Institution may send a link to the electronic document via email, where the recipient must login to their email with a password, then enter a dynamic PIN sent to their cell phone. The PIN must change with every login.

In contrast, sending the electronic document link to a password protected email where a static PIN is used to access the document would not be enough. Additionally, simply sending the document link to the recipient over a password protected email is not enough.

Important Considerations

- ✓ State Agencies and CACFP Sponsor Organizations may conduct Household Contact verification to verify enrollment and attendance of participants. ([7 CFR 226.6\(m\)\(5\)](#))
- ✓ Sponsors must be able to provide paper household applications even if they have an electronic application process.



- ✓ Assess potential security risks.
- ✓ Costs of implementation and training.
- ✓ Legal risks associated with this change.
 - Deliberate misuse of data.
 - Accidents and errors which result in a loss of data.

Best Practices

- ✓ Follow the same general guidelines for electronic signatures prescribed to [Federal Agencies by the Department of Justice \(DOJ\)](#).
- ✓ Consult with counsel about the specific legal implications for using electronic documents and signatures for household applications and other Program documents.
- ✓ Develop plans for retaining and disposing of information.
- ✓ Develop management strategies to provide appropriate security for access to electronic records.
- ✓ Perform periodic review and evaluation of electronic documents, processes, and mechanisms, as appropriate.

Reference

- [SP10 CACFP07 SFSP06-2007](#)
- [RCW 1.80.170](#)
- [Federal Agencies by the Department of Justice \(DOJ\)](#)
- [NIST Special Publication 800-63B](#)

Acronym Reference

- CACFP- Child and Adult Care Food Program
- CFR- Code of Federal Regulations
- DOJ- Department of Justice
- RCW- Revised Code of Washington
- SFSP- Summer Food Service Program
- USDA- United States Department of Agriculture