



Community Eligibility Provision

Frequently Asked Questions

INTRODUCTION

Community Eligibility Provision is an innovative provision that allows high need schools to serve free meals to all students while alleviating some administrative burden. Community eligibility allows for a healthier student body and a healthier school meal budget. Below are just a few of the advantages:

1. Community eligibility will increase participation of children in the school meal programs.
2. Community eligibility will reduce administrative costs related to tracking students based on their meal eligibility status. As a result of expanded student participation and reductions in administrative work, there will be stronger school nutrition programs overall.
3. Community eligibility will afford schools the ability to no longer collect payments or use swipe cards or other systems during the meal service.
4. Community eligibility requires schools to serve universal free school breakfast, and it is a great way to facilitate the adoption of innovative breakfast models, such as Breakfast in the Classroom.
5. Community eligibility can reduce stigma because all students are eating meals at no charge, regardless of their income status. Studies show that well-nourished children are able to focus in class and ultimately do better in school.

What is Community Eligibility Provision or CEP?

Authorized by the Healthy, Hunger-Free Kids Act of 2010 (HHFKA) and codified in regulations at [7 CFR 245.9\(f\)](#), CEP is a reimbursement alternative for eligible Sponsors and schools participating in both the National School Lunch Program (NSLP) and School Breakfast Program (SBP). CEP eliminates the need for schools to collect household income applications by sharing eligibility data between specific federal assistance programs, which can reduce administrative burden for both schools and families.

To be eligible, Sponsors and/or schools must meet a minimum level of “identified students” for free meals in the year prior to implementing Community Eligibility; agree to serve free breakfasts and lunches to all students; and agree to cover with non-Federal funds any costs of providing free meals to students above the amounts provided by Federal assistance. Reimbursement for each Sponsor or school is based on claiming percentages derived from the percentage of identified students, i.e., students certified for free meals through means other than individual household applications. The claiming percentages established in the first year for a Sponsor or school may be used for four school years and may be increased if the percentage of identified students rises for the Sponsor or school.

This program requires schools to offer breakfast and lunch but will allow individual schools to count and claim meals without the normal free and reduced application process. Schools that participate in CEP will no longer be required to collect Applications for Free and Reduced Price School Meals to determine student eligibility for free meals. Meals will still need to be counted at the Point of Service (POS), but just the total meals, not meals by category. Households must be notified that the school is participating in CEP using the Community Eligibility Provision (CEP) Letter to Household.

CEP cannot be operated by a Residential Child Care Institution (RCCI).

***How can a district qualify?***

To be eligible for CEP, an individual site, a group of sites or the entire Sponsor must have a minimum Identified Student Percentage (ISP) of 25% as of April 1st data, from the school year prior to implementation. Not all sites in the group or in the Sponsor must meet the 25% threshold, but the average must be a minimum of 25% for consideration. The Identified Student Percentage (ISP) is calculated by taking all “identified students” divided by “enrolled students” with access to school meals.

Identified students are students who are approved as eligible for free meals and who are not subject to verification. This includes students who are:

- Directly Certified for free meals based on participation in
 - Food Assistance (FA)
 - Temporary Assistance for Families (TAF)
 - Medicaid-Free
 - Foster
- Certified as Migrant, Homeless, Runaway or foster by local liaisons/officials
- Head Start or Even Start children
- Non-applicants approved by local officials.

Directly Certified Medicaid-Reduced students are **not** included in the “identified student” count.

For the “enrolled student” count, include only students who are enrolled in and attending school with access to at least one meal service (NSLP or SBP) daily, regardless of whether the students participate in meal service. Do not include virtual students or students that attend a half day without access to a meal as part of the enrollment count.

How can a district prepare for the upcoming school year?

Agree to accurately determine the identified student percentage for the Sponsor or each eligible school or group(s) of schools as of **April 1** for the upcoming school year. All Sponsors must complete the CEP Notification Report in KNCLAIM with April 1st data by April 15th annually. Sponsors who are eligible and wish to elect CEP for the upcoming year must complete the CEP application by June 30th in KN-CLAIM to participate.

Do districts need to re-apply every year?

Sponsors must complete and submit the CEP Application in KNCLAIM by June 30th annually, in order to participate in CEP. Once a Sponsor or school establishes an ISP, it may participate in the program for the duration of four consecutive years without having to establish a new ISP. However, if a Sponsor or school is not at 100 percent free reimbursement, it may elect a new identified student percentage for approval each year to increase the reimbursement percentages.

What if a district wants to opt out?

A Sponsor may choose to end CEP participation and restore standard meal procedures at any time if standard procedures better suit their program needs. Prior to the change taking place, the Sponsor must notify the State agency of the intention to end CEP participation and seek State agency guidance regarding a return to standard counting and claiming. Sponsors that resume standard counting and claiming during the school year are required to notify the public and meet the certification and verification requirements of 7 CFR 245.6 and 7 CFR 245.6a in affected schools. Schools considering ending use of CEP should consult with their State agency immediately so the State agency can proactively provide technical assistance. An overview of requirements for Sponsors opting to restore standard counting and claiming procedures is included at 7 CFR 245.9(j).



As stated in regulation, Sponsors must offer all students reimbursable, free meals for a period of at least 30 operating days following the date of restoration of standard procedures or until a new eligibility determination is made, whichever comes first. Additionally, Sponsors must notify the public of the mid-year resumption of standard counting and claiming procedures. Meals served to students during this transition period are claimed at the same free and paid claiming rates used to claim meals under CEP.

DETERMINING ELIGIBILITY

What is direct certification?

Direct certification means determining children eligible for free meals benefits based on documentation obtained directly from the appropriate State or local agency or other authorized individual. In most situations, direct certification of a child's eligibility status should not involve the household. The communication exchange should be between an appropriate agency and the Sponsor/school. This includes students who are:

- Directly Certified for free meals based on participation in
 - Food Assistance (FA)
 - Temporary Assistance for Families (TAF)
 - Medicaid-Free
 - Foster
- Certified as Migrant, Homeless, Runaway or foster by local liaisons/officials
- Head Start or Even Start children
- Non-applicants approved by local officials.

For the purposes of CEP, any student certified free without an application and, therefore, not subject to verification (as prescribed in 7 CFR 245.6a(c)(2)) is considered "directly certified" and included in the ISP. The definition of identified students is included in section 11(a)(1)(F)(i) of the NSLA and codified at 7 CFR 245.9(f)(1)(ii).

What are the methods for calculating the Identified Student Percentage rate for a district, school, and group of schools within a Sponsor?

To be eligible for CEP, the Identified Student Percentage must be at least 25% for an individual site, a group of sites or the entire Sponsor, if all sites will participate. The Identified Student Percentage (ISP) is calculated by taking all "identified students" divided by "enrolled students" with access to school meals. If grouping sites, you will divide the total number of identified students for all grouped sites by the total enrollment for all grouped sites to determine eligibility. It is important to note that not all sites in the group or in the Sponsor (if electing for the entire Sponsor) have to meet the 25% threshold, but the average must be a minimum of 25% for consideration. Data used for this calculation must be from April 1st of the school year prior to CEP implementation.

COUNTING, CLAIMING, AND REIMBURSEMENT

How will Sponsors be reimbursed for meals?

Currently, schools will be reimbursed by multiplying their Identified Student Percentage (ISP) by the USDA authorized factor of 1.6 to determine the percentage of meals to be reimbursed at the free rate. If the percentage is less than 100 percent, the remaining percentage will be reimbursed at the paid rate. Schools that have an ISP of 62.5 percent will be reimbursed for 100 percent of their meals served at the free reimbursement rate, based on the current USDA authorized multiplier of 1.6.



Breakfast and lunch reimbursement claims use the same claiming percentages for each meal. Once claiming percentages are established, they are guaranteed for a period of four school years and may be increased if Identified Student Percentages rise for that site, group of sites, or the Sponsor. The National School Lunch Act does provide discretion for FNS to change the multiplier to a number between 1.3 and 1.6. Schools electing CEP will keep the same multiplier for their entire four-year cycle.

CEP Claiming Example:

A school with an ISP of 50 percent would be reimbursed at the free rate for 80 percent of the breakfasts and lunches it served ($50\% \times 1.6 = 80\%$) and the remaining 20 percent would be reimbursed at the paid rate.

Districts with an ISP between 25 and 62 percent may be required to pay, from sources other than federal funds, the costs of serving breakfasts and lunches that are in excess of the federal assistance received, including federal cash reimbursement.

OTHER FEDERAL AND STATE FUNDING

Most local school officials are aware that a number of federal and state programs use eligibility for free and reduced price meals under the NSLP as the basis for low income enrollment status. Districts adopting the Community Eligibility Provision will need to make some reporting adjustments to ensure that they continue to receive their full entitlements under these programs.

- For Title I funding, the US Department of Education has issued detailed guidance on options available to local districts for calculating low income enrollment. See <https://www.fns.usda.gov/cn/updated-title-i-guidance-making-within-district-allocations>
- For IDEA funding, detailed guidance is expected to be forthcoming from USED.
- **For State At-Risk funding, Sponsors will need to collect the Household Economic Survey for State At-Risk Funds for those students not on the Direct Certification list.** Household economic data collected must be processed and paid for by other funds outside of the Food Service Fund. For questions related to the Household Economic Survey, please contact KSDE School Finance.



For more information, contact:

Child Nutrition & Wellness
(785) 296-2276
<https://cnw.ksde.gov>

Kansas State Department of Education
900 S.W. Jackson Street, Suite 102
Topeka, Kansas 66612-1212
www.ksde.gov

This institution is an equal opportunity provider.