

# COMMUNITY ELIGIBILITY PROVISION

## PERCEIVED BARRIERS TO CEP IMPLEMENTATION

### **Q: If I elect CEP, will I lose funding that relies on free and reduced price meal data?**

**A:** Schools operating CEP do not collect household applications to determine free and reduced price meal eligibility since all students receive meals at no cost. Some education funding programs, such as Title I and E-rate, have traditionally relied upon these household applications to determine levels of education funding. Under CEP, however, local educational agencies (LEAs) can use alternative sources of data to qualify for needs-based education funding. The U.S. Department of Education and the Federal Communications Commission have issued comprehensive guidance on the available options related to Title I and E-rate for LEAs that are participating in CEP. For more information, visit the U.S. Department of Agriculture's (USDA) Food and Nutrition Service's (FNS) Community Eligibility Provision website:

[www.fns.usda.gov/school-meals/community-eligibility-provision](http://www.fns.usda.gov/school-meals/community-eligibility-provision).

### **Q: If my districtwide Identified School Percentage (ISP) is below 40 percent, can I still elect CEP?**

**A:** Possibly. An ISP represents the number of students who are directly certified for free meals based on existing data from needs-based programs such as the Supplemental Nutrition Assistance Program, (SNAP) and children who are homeless, runaways, or in other special circumstances. If a school district has a district-wide ISP of less than 40 percent, they cannot elect CEP for the entire district. However, LEAs have the option to implement CEP in some schools by grouping any number of schools in the district together in order to reach a combined ISP of 40 percent or electing CEP for an individual school that is eligible.

### **Q: Is partial-district implementation complicated?**

**A:** Many LEAs have been successful at partial implementation, either through electing CEP at individual schools or groups of schools. Grouping schools can be an excellent strategy to enroll schools that would benefit from CEP, but are not individually eligible. Grouping can also be an effective strategy to increase the financial viability of CEP election and maximize federal reimbursement. Within the same LEA, there can be multiple groupings of schools in addition to individual schools that elect CEP. FNS encourages LEAs to discuss any concerns with their state agency, which can provide guidance and assistance regarding partial implementation and whether it is a good choice for their LEA.

### **Q: We're already tight on funding. Is CEP expensive to operate?**

**A:** CEP is designed to be financially viable for schools and districts in high poverty communities, with high proportions of free and reduced price-eligible students that participate in needs-based assistance programs. We highly encourage schools to determine the costs of operating CEP by taking into account their ISP number, expected participation if all meals are offered at no cost to students, and available non-federal funding sources. Schools with an ISP of at least 62.5% will have all meals served reimbursed at the federal "free" rate. Program costs that exceed the federal reimbursement must be paid for by the school with non-federal funds. The USDA's [Estimator Tool](#) can help LEAs and schools assess the financial impacts of CEP by comparing an estimated federal reimbursement under CEP to the federal reimbursement received under standard operating procedures.

[www.fns.usda.gov/school-meals/community-eligibility-provision-status-school-districts-and-schools-state](http://www.fns.usda.gov/school-meals/community-eligibility-provision-status-school-districts-and-schools-state).

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**Q: What if I elect CEP and then the 1.6 multiplier is changed, and it lowers my reimbursement?**

**A:** Even though USDA has the authority to establish the multiplier between 1.3-1.6, there are currently no plans to change the multiplier. Further, LEAs that elect CEP are guaranteed the multiplier at the time of election for their entire four-year cycle. To determine the level of federal reimbursement under CEP, the ISP is multiplied by a factor of 1.6. The resulting number is the percentage of meals that will be claimed at the federal “free” rate. The remaining meals are reimbursed at the federal “paid” rate.

**Q: When is the deadline to elect CEP for the 2015-16 school year?**

**A:** While LEAs are strongly encouraged to elect CEP by the official deadline (August 31 for School Year 2015-16), FNS is offering flexibility to allow schools and LEAs to elect CEP at any point throughout the 2015-16 school year. FNS also encourages state agencies to continue accepting late elections beyond August 31 to ensure that state and local agencies that need more time to consider CEP will still be able to take immediate advantage of the provision’s numerous benefits.

**Q: What if we decide we no longer want to participate in CEP? Are we stuck with it for four years?**

**A:** No. CEP election is valid for a four-year cycle, so participating schools, group of schools, or entire LEAs do not have to reapply annually. However, participating schools are not required to remain on CEP for the duration of the cycle. If financial or other concerns emerge, schools

and LEAs may end CEP at any time, including mid-school year, and return to traditional counting and claiming procedures. Schools, groups of schools, and LEAs also have the option to adjust their ISP if it increases during the four-year cycle. When a school or LEA chooses to adjust their ISP, they begin a new four-year cycle of CEP.

**Q: Is there any hope for LEAs in states that have laws that create barriers to electing CEP?**

**A:** Yes! Some states have laws that create barriers to CEP participation. For example, until recently, Maryland used a state-funding formula requiring data from household applications for education funding determinations. Schools participating in CEP do not use household applications, so the legislation created a challenge for eligible Maryland schools and LEAs that wished to participate in CEP. To address this issue, Maryland introduced a new bill in 2015 that altered the way state compensatory education aid for schools and LEAs operating CEP is calculated. As a result, all 188 schools in Baltimore can now elect CEP and provide free meals to approximately 85,000 students.

Similarly, the allocation of state funding in Arkansas used to be based on free and reduced-price student percentages. Stakeholders lobbied Arkansas lawmakers to introduce legislative change allowing state funding to be based on data from the year prior to implementing CEP. This made it possible for schools in Arkansas to elect CEP without any loss of state funding.

FNS encourages LEAs facing similar challenges to contact their state agency.

