

The image shows a title slide for a presentation. It features a dark teal background with a light blue wavy graphic at the bottom. The text "Community Eligibility Provision (CEP)" is centered in white, sans-serif font.

Community Eligibility Provision (CEP)

The Community Eligibility Provision (CEP) power point will provide your School Food Authorities (SFAs) with information to gain a thorough understanding of what the Community Eligibility Provision (CEP) is and the benefits of implementing CEP in your districts. We strongly encourage you to take advantage of these professional development opportunities as this will provide training which will count towards the Professional Standards annual training requirements.

This CEP power point will cover topics central to the CEP process, including: what is CEP, who are Identified Students, how to apply for CEP, how districts can participate, CEP reimbursement and the benefits of CEP.

Professional Standards for State and Local Nutrition Program Personnel (Final Rule)

- Effective July 1, 2015
- Required to track the number of training hours earned each year and maintain documentation of the trainings attended
- SED prototype tracking excel document for School Nutrition Directors
 - <http://www.fns.usda.gov/school-meals/professional-standards>
 - Z:\P12\School_Operation\CN\Training\2015-2016\Professional Standards\Handouts\SED Professional Standards Continuing Education Units Tracking Tool.xlsx
- For this CEP webinar: USDA Learning Topic Codes - 3120 and 3130

2

USDA has established minimum professional standards requirements for school nutrition professionals who manage and operate the National School Lunch and School Breakfast Programs. Professional Standards for State and Local Nutrition Program Personnel Final Rule became effective July 1, 2015.

The standards aim to institute minimum education standards for new State and local school nutrition directors as well as annual training standards for all school nutrition professionals. These new standards will ensure school nutrition personnel have the knowledge, training and tools they need to plan, prepare, and purchase healthy products to create nutritious, safe, and enjoyable school meals.

The Final Rule requires all school food service personnel to complete annual continuing education/training requirements. The number of required training hours varies depending on the position of the school food personnel.

You are required to track the number of training hours you earn each year and maintain documentation of the trainings that you have attended. Our office has developed a simple excel document that you may use to do this. SFAs may use this excel document to track staff training hours and may add columns and other necessary information specific to the SFA. You may also use the USDA's version or your own tracking method to track staff training hours. SED's tool and USDA's tool can be accessed via the links shown here.

If you are using USDA Learning Topic Codes, the topic codes for this CEP powerpoint are 3120- Understand and practice direct certification procedures practiced by your state and 3130- Understand and apply Community Eligibility (CE).

What is the Community Eligibility Provision (CEP)

- * Healthy, Hunger-Free Kids Act of 2010 included community eligibility as a new option to allow high-poverty schools to feed more students and focus on meal quality rather than on paperwork
- * Claiming alternative in high poverty areas
 - * Four year provision with potential grace year
 - * Any school district can use this option if at least one of its schools has 40 percent or more students certified for free meals without application (called "Identified Students")
 - * The district may implement community eligibility in one school, a group of schools or district-wide
 - * Must participate in both breakfast and lunch
 - * All meals served to all students at no charge

The Community Eligibility Provision is a counting and claiming alternative available to schools with high economic need. The CEP is a four year provision with a potential for a fifth grace year.

Entire SFA/group of schools or individual schools may participate in CEP. The SFA/Group/Individual schools must have an identified student percentage of at least 40% for participation using April 1 enrollment and direct certification data from the previous year.

The Identified Student Percentage or ISP is comprised of SNAP/Medicaid DCMP & extensions, SNAP Eligibility letter & extensions, and DC through foster, homeless, migrant, runaway, Headstart, and Evenstart. A letter or list from a group home from students who are wards of the State may also be included.

Schools using CEP must participate in both breakfast and lunch.

All meals are provided to all students at no charge during all years of CEP participation.

Benefits of CEP

- * Lessens administrative work – schools no longer have to collect and verify school meal applications and can focus on feeding children.
- * Increases participation— when all children can eat at no charge, stigma is eliminated and more children participate.
- * Improves efficiency—schools don't have to collect fees or count each meal served by category, simplifying implementation of service models that boost participation.
- * Improves the financial viability of school nutrition programs—when participation increases, school districts can take advantage of economies of scale, and reinvest additional revenue to improve meal quality.
- * Eliminates unpaid meal fees—when all children eat at no charge, the school district does not have to collect unpaid fees from families.
- * Community eligibility helps schools build stronger breakfast in the classroom programs by making it easier for schools implementing alternative service models — like “grab and go” — to offer breakfast to all students at no charge.

Schools implementing CEP have experienced great success, allowing them to make numerous improvements to their school nutrition programs including, but not limited to, increased participation, more efficient meal service lines, and alternate service opportunities.

How School Districts Can Participate

- **By individual school**
 - Individual schools with 40% or more Identified Students
- **By group**
 - Districts may choose to group schools any way they wish and calculate the Identified Student Percentage (ISP) for the group of schools as a whole, using their combined enrollment and total number of Identified Students, as long as the percentage is 40% or higher
 - There is no limit to the number of groups
 - Within the same school district, some schools can participate individually and some can participate as a group
- **By school district**
 - All schools in the district participate as a single group with the same free claiming percentage as long as it is 40% or higher

An eligible SFA may elect CEP on behalf of a single school, a group of schools, or by district as long as the identified students in that single school, group of schools or district is at least 40% of the total enrollment for that single school, group of schools or district.

Who Are “Identified Students”?

Children certified for free meals without submitting a school meal application

Includes children who are directly certified (through data matching) for free meals because they live in households that participate in the

- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families Cash Assistance (TANF)
- Food Distribution Program on Indian Reservations (FDPIR), or
- Medicaid (only if identified as receiving Medicaid benefits from the data matching process)

Includes children who are certified for free meals without application because they are

- in foster care
- in Head Start/ Evenstart (Note: UPK programs are not categorically eligible and therefore are not included in the ISP)
- are homeless or
- are migrant
- Child living in a group home as a ward of the State

CEP is available to SFA’s and schools with 40% or more “identified students” as of the April 1 enrollment data from the previous school year in which CEP will be implemented. Identified students are those that are directly certified for free meals without a school meal application. Students can be directly certified for free meals through data matching because they live in households that participate in the following assistance programs: SNAP, TANF, FDPIR or Medicaid (this only includes those households identified as receiving Medicaid through the direct certification matching process).

Identified Students also include those students that are certified for free meals without an application because they are in foster care, in Head Start/Evenstart (Note: UPK programs are not categorically eligible and are not included in the ISP unless a student is directly certified by other means); a child deemed homeless by the appropriate authorities such as the Homeless Liaison and/or State or local Migrant Outreach Coordinator; and a child living in a group home as a ward of the State.

Determining the Identified Student Percentage (ISP)

- * Reimbursements in free and paid categories only
- * Reimbursements based on the CEP multiplier
 - * $ISP \times 1.6 = \text{Free Reimbursement}$
 - * Remainder of reimbursement in paid category
 - * SFA must provide additional funding from other than federal funds if operations cannot be sustained on CEP reimbursements
 - * Example: a school with 50 percent Identified Students 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
- * Participating schools are guaranteed to receive the same reimbursement rate (or a higher one if the Identified Student Percentage increases) for 4 years

To determine the ISP, divide the number of identified students as of April 1 by the number of enrolled students as of April 1 and multiply by 100. ISP's can not be rounded. A percentage of 39.98 does NOT meet the threshold.

CEP provides reimbursement in the free and paid categories only.

Reimbursements are based on the identified Student Percentage times a federal multiplier which is written into regulation as between 1.3-1.6. The federal multiplier is currently 1.6. The result of the ISP multiplied by 1.6 provides the level of free reimbursement, the remainder of the reimbursement is in the paid category.

For example, if a school has attained an ISP of 45 percent, they would receive reimbursements based on 45 times 1.6, which would equal 72 percent of reimbursements in the free category and the remaining 28 percent in the paid category. If a school can attain an ISP of 62.5 percent using the 1.6 multiplier, they will receive 100 percent reimbursements in the free category.

SFAs must provide funding from other non-federal funds if operations cannot be sustained on the reimbursements received. If the reimbursement received from CEP covers the cost of serving all meals to all students, no transfer of funds is needed.

Grouping could allow some schools with an ISP below 40% to participate as long as the group ISP is at least 40%. The ISP for a group of schools is calculated by taking the sum of the identified students for the group and dividing that # by the sum of the total student enrollment for that group of schools.

New schools will not have direct certification data from April 1 of the prior year and instead may use direct certification data from a later month to establish CEP eligibility. If the number of identified students and total enrollment are available before the counting and claiming of meals begins and the new school meets the eligibility requirements, then they may apply for participation in CEP. New schools can elect CEP only if the number of identified students and enrollment are available because the ISP is the basis for claims for reimbursement.

Meal Reimbursements with Community Eligibility

The reimbursement rate for both lunch and breakfast is determined by multiplying the percent of Identified Students by the CEP multiplier (currently 1.6). The resulting number is the percent of meals reimbursed at the “free” reimbursement rate, with the rest reimbursed at the “paid” rate.

Percentage Identified Students	Percentage Free	Paid
40%	64%	36%
45%	72%	28%
50%	80%	20%
55%	88%	12%
60%	96%	4%
65%	100%	0

This is a chart so that you can see what the reimbursement would be based on the ISP.

62.5% is the minimum ISP needed to get 100% reimbursement in the free category. There is no free reimbursement in excess of 100%.

Those LEA/group of schools/individual school that qualify to participate agree to maintain the quality of the meal and cover any excess costs for serving breakfast and lunch at no charge to all students with funds from other sources than the non-profit food service account if they cannot sustain operations on CEP reimbursements received.

Any funds other than Federal reimbursement available to the nonprofit school food service account may be used. Examples of non-Federal sources include, but are not limited to: any portion of State revenue matching funds that exceeds the minimum requirement established in 7 CFR Part 210.17, profits from a la carte sales, cash donations, and in-kind contribution funds from outside sources such as volunteer services.

Counting and Claiming Meals

- * School counts only total meals for breakfast and lunch
 - * Recommend counting by student name or POS ID to ensure accuracy of claims – must ensure no second meals claimed
- * Edit Checks
- * Non-reimbursable meals

Schools using the Community Eligibility Provision are exempt from categorical meal counts - only total meals for breakfast and lunch are required for claiming purposes. However, serving lines must be adequately supervised to ensure that all meals claimed for reimbursement meet meal pattern requirements and that reimbursement is only claimed for one meal/child/day.

USDA encourages schools to maintain an accurate POS system that has a proven track record of reliability and security while taking advantage of CEP's elimination of meal categories to streamline operations at the point of service.

Participation in CEP doesn't change the requirement to conduct edit checks. Similar to non-CEP schools, when an edit check is exceeded, schools must demonstrate why and apply corrective action if necessary.

While students may not be charged for reimbursable meals under CEP, schools may continue to charge students for non-reimbursable meals through a la carte sales. For example, if a student declines to select the required ½ cup fruit or vegetable necessary for a reimbursable meal or if a student chooses to take additional food. The SFA may charge students on an a la carte basis, ensuring the requirements for non-program foods is maintained. If the school allows a student to take food for free; the cost is not an allowable cost to the non-profit food service account.

Community Eligibility Provision (CEP)

- * SFAs must report updated ISP to NYSED each year of CEP cycle if ISP not at 100% free reimbursement level
- * If ISP higher than initiation year, either increase ISP in current cycle or a new four year CEP cycle begins
- * If ISP lower than initiation year, SFA continues in current CEP cycle through 4th year with potential 5th grace year
 - * Grace year granted if ISP in year 4 is 30-40%
- * SFA must continue to conduct DC in all years of participation
 - * DC activities may be paid for by Child Nutrition Program funds

SFAs must report an updated ISP each year of participation in CEP using each year's April 1 enrollment

If the reported ISP is higher than the initiation year, you may choose to either increase your ISP in the current cycle or start a new four year CEP cycle. If the multiplier changes in a non-initiation year, it may be more beneficial to continue in the current cycle.

If the ISP is lower than the initiation year, the SFA continues in the current CEP cycle through the fourth year, with a potential fifth grace year. The grace year is provided only to SFAs where in the fourth year, their ISP reported to the State agency is between 30-40% and where they agree to sustain CEP operations using this lower percentage of between 30-40% for reimbursement purposes.

SFAs must continue to conduct DC in all years of participation in CEP and report the direct certification result to the SA annually. DC activities may be paid for by Child Nutrition Program funds

All SFA/group of schools/individual school opting to implement CEP must conduct electronic Direct Certification at least once annually for the required reporting of SNAP/Medicaid on CNMS used for FNS-834 - Direct Certification Rate Data Element Report. You will report your SNAP and Medicaid directly certified eligibles, by claim site, when you file your September claim for reimbursement. You should conduct DCMP multiple times to provide data for other federal, State and local funding that use child nutrition data as a proxy for poverty(i.e., BEDS reporting, Title 1 apportionment, e-rate, etc.).

Unlike P2, there is no opportunity for extensions. CEP cycles are 4 or 5 years maximum.

Alternate Income Forms/ Notifying Households

- * Schools may collect family income information using an alternative collection form for **other** federal, state and local funding
 - * These activities may **NOT** be charged to Child Nutrition Program funds
 - * Modified Media Release and Parent Letter

Since SFA's use the free and reduced price data as a proxy for poverty for many SFA functions, for example, BEDS reporting, e-rate, and other local, state, and federal funding, SFAs may opt to collect family income data in addition to the required annual DC process for these reporting purposes. While the DC process that is required each year for CEP reporting purposes is an allowable cost to Child Nutrition Program funds, the collection of income information from families is an activity that is not considered an allowable expense and therefore is not chargeable to Child nutrition Programs Funds.

Notifying households about CEP and explaining it's benefits will help to minimize confusion about school meals. SFA's participating in CEP should use their usual channels of communication to notify the community of school meals that will be available at no charge to students regardless of income.

Our office will make available, for those schools approved to implement CEP, an alternate income inquiry form, modified parent letter and modified media release. These documents are included as links on the CEP approval e-mail.

How to apply

- * Applications for the 2016-17 school year can be submitted at any time during the 2016-17 school year, but must be based on April 1, 2016 enrollment and 2015-16 DC data.
- * Application and attachments can be found on CNKC at:
 - * <http://portal.nysed.gov/portal/page/portal/CNKC/NeedToKnow/CEP%202016-17%20MEMO.pdf>

Schools can apply to be CEP at anytime during the school year.

The ISP must represent the number of identified students and the student enrollment as of April 1 of the school year prior to CEP implementation; however, data matching could take place before or after April 1 but should be reflective of the enrollment as of April 1.

For example: Sam Smith was enrolled in your school as of April 1 as a paid student. On May 15, you conducted DCMP using the April download made available by the CNP Office. Sam Smith was found on the DCMP list as SNAP. Even though you didn't conduct DCMP until May 15, Sam Smith was enrolled as of April 1; therefore, you would include him in your CEP application ISP.

Attachments found in the CEP memo include, the application, the most recent CEP Q and A, a reimbursement Estimator, planning and implementation guidance as well as Title 1 and E-rate guidance.

Schools must retain records used in the development of the ISP during the entire period CEP is in effect. In addition, this documentation must be retained for three years after submission of the final claim for reimbursement under that claiming percentage. All other standard recordkeeping requirements (meal counts, production records, etc) continue to apply.

Contact Information

Child Nutrition Program Administration
89 Washington Avenue, 375 EBA
Albany, NY 12234

(518) 473-8781

www.nysed.gov/cn/cnms.htm



13

For questions regarding CEP, please contact our office by calling, 518-473-8781 and asking for your Child Nutrition Program Representative or by e-mailing the Child Nutrition CEP mailbox, childnutceo@nysed.gov

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 - * (1) mail: U.S. Department of Agriculture
 - * Office of the Assistant Secretary for Civil Rights
 - * 1400 Independence Avenue, SW
 - * Washington, D.C. 20250-9410;
 - *
 - * (2) fax: (202) 690-7442; or
 - *
 - * (3) email: program.intake@usda.gov.
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