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Child Nutrition Program Administration  
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**TO: Superintendents  
School Business Officials  
Executive Directors  
School Food Service Directors/Managers**

**FROM: Paula Tyner-Doyle**

**DATE: April 2015**

**SUBJECT: 2015-16 Community Eligibility Provision (CEP) Application and Instructions**

The New York State Education Department (NYSED) is now accepting applications from local education agencies (LEAs) and schools that want to participate in the Community Eligibility Provision (CEP) for the 2015-16 school year. LEAs/group(s) of schools/individual schools considering CEP must be participating in both the School Breakfast and National School Lunch Programs. The CEP enables LEAs or schools to serve all children breakfast and lunch at no charge for four successive school years, plus a qualifying grace year (if applicable). Residential Child Care Institutions (RCCIs) may not participate in the CEP as they are not included in the purpose of the legislation.

The CEP is a wonderful opportunity that eligible LEAs/Districts, group(s) of schools, or individual schools should consider as it reduces administrative paperwork and costs, while making it easier for children in low income communities to receive meals at no charge in the National School Lunch and School Breakfast Programs. It also increases program integrity by relying on data from other means-tested certifications (i.e., SNAP, Medicaid). Those LEAs/group(s) of schools/individual schools that qualify to participate agree to cover any excess costs for serving breakfast and lunch at no charge to all students with funds from other sources if they cannot sustain operations on CEP reimbursements received. If the reimbursement received from CEP covers the cost of serving all meals to all students, no transfer of funds is needed.

The CEP is a viable and valuable alternative for those LEAs/group(s) of schools/individual schools in high poverty areas. It results in simplified processes and procedures for claiming reimbursable meals and eliminates the need to conduct verification in participating schools, although direct certification data must be reported annually for the FNS-834 Direct Certification Rate Data Element Report.

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Individuals who are deaf, hard of hearing or have speech disabilities, may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

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Attached to this memorandum are all of the supporting documents necessary for CEP application, including application instructions, application form, CEP Questions and Answers, CEP estimator tool, USDOE Title 1/CEP Guidance, and lists of LEAs and recipient agencies who should evaluate whether CEP would be beneficial.

### **Eligibility**

For 2015-16, eligibility is based on the Identified Student Percentage (ISP) certified for free meals by a means other than a household application, compared to total LEA/group of schools/individual school enrollment as of April 1, 2015 data. The intent is to identify students directly data matched with Supplemental Nutrition Assistance Program (SNAP), Medicaid, Eligibility Letter for School Meals, Foster, Homeless, Migrant, Runaway, Headstart and Evenstart on April 1, 2015 enrollment. **An additional file of SNAP and Medicaid data have been added to the Direct Certification Matching Process (DCMP) module on the Child Nutrition Management System (CNMS) that includes eligibility through March 31, 2015. If you have not already done so, please download these files to certify additional students and increase your ISP for use in establishing participation in the CEP for the 2015-16 school year.**

The ISP includes:

- SNAP recipients identified through electronic direct certification
- Medicaid recipients identified through electronic direct certification
- Eligibility Letter for Free Meals/Milk
- Extension of eligibility to siblings or household members of SNAP, Medicaid or Eligibility Letters for Free Meals/Milk recipients
- Homeless children identified by the Homeless Liaison
- Head Start
- Pre-K Evenstart
- Migrant Youth
- Runaways
- Foster Children certified directly by the State or local foster agency

\*Students who are eligible for free meals based on submission of an application are not included in the ISP, even if the application includes a SNAP/TANF/FDPIR number. We encourage you to check the DCMP database to directly match these numbers to electronic data in an effort to increase your ISP. It should be noted that if you cannot find the electronic match for an application that includes a SNAP number, the application cannot be included in the ISP, but must be taken at face value and the student provided free meal benefits.

Eligible LEAs/group(s) of schools/individual schools must have an ISP of 40 percent or more of its student enrollment that are eligible for free meals by a means other than a self-reported household application. No LEA/group of schools/individual school with an ISP less than 40 percent is eligible to be included. LEAs may combine groups of

schools or the whole LEA may implement CEP if an ISP of 40 percent is met. You may include in your LEA or group of schools a school whose ISP is less than 40 percent as long as the entire LEA or group of schools ISP is greater than 40 percent.

### **Claiming**

Meal program claims are based on the percentage of identified students multiplied by the current factor of 1.6 for the 2015-16 school year. LEAs/group(s) of schools/individual schools that attain an ISP of 62.5 percent of enrolled students (based on the 1.6 multiplier) will receive 100 percent free reimbursement for all breakfasts and lunches served to all students. An LEA or school cannot receive more than 100 percent free reimbursement.

The claiming percentages established for the LEA/group of schools/individual school from the information noted above are guaranteed for a period of four school years, and may be increased if the ISP rises for the LEA/group of schools/individual school based on subsequent April 1, data. The LEA/group of schools/individual school may also choose to begin a new four-year CEP cycle with the increased ISP.

The LEA/group of schools/individual school must provide to the NYS Education Department their ISP for each April 1 in the four year CEP cycle if, at initiation of the cycle, they were not at an ISP that would yield 100 percent free reimbursement (using the 1.6 multiplier, this percentage is 62.5). If the LEA/group of schools/individual school provides an ISP that is greater than the year one ISP, they may choose to increase the ISP in the current CEP cycle, or begin a new four year cycle. If the LEA/group of schools/individual school provides an ISP that is less than the year one ISP, the year one ISP will remain in effect through the remainder of the CEP cycle, or until a subsequent percentage increase is reported.

Reimbursement to LEAs/group(s) of schools/individual schools is based on the percent of eligible students (ISP) times the current multiplier of 1.6. For example, if 40 percent of the students in your LEA, group or school were identified using the aforementioned methods of certification, you would multiply 40 percent x 1.6, which equals 64. You would then receive 64 percent of your reimbursement in the free category and the remaining 36 percent in the paid category. If 55 percent of your students were identified using the aforementioned methods of certification, you would receive 88 percent of your reimbursements in the free category and the remaining 12 percent in the paid category (see chart). There is no reduced price reimbursement in the CEP.

<b>*% of free eligibles</b>	<b>Claiming Percentages</b>	
40 x 1.6 =	64 free	36 paid
50 x 1.6 =	80 free	20 paid
62.5 x 1.6 =	100 free	0 paid

\*These percents are for illustration purposes. Any percent 40 or above may be used to initiate CEP.

Since monies are not being collected from any students, you must either ensure that the CEP reimbursement covers all meal costs or cover those costs from another source. General funds, donations or some other funding would be needed if your costs for implementing the CEP are higher than the reimbursements received for the CEP. You must ensure that you are maintaining the nutritional quality of breakfast and lunch meals at all times during participation in CEP.

Rather than take a meal count by category for each breakfast and lunch each day, participating schools will take a total count of complete reimbursable meals, by meal (count breakfast discretely from lunch). The closer the school is to attaining an ISP of 62.5 percent, the more attractive this option becomes.

### **Data Matching**

If you have not completed the electronic DCMP with SNAP and Medicaid data during the 2014-15 school year, it's not too late to go on the CNMS website and conduct the match for the purpose of establishing eligibility for CEP. Ensure that you include all DCMP files (August, October, February, April) in your download. If you received family applications with SNAP numbers, you should use the DCMP to validate their eligibility and include those you find in your ISP.

All LEAs/group(s) of schools/individual schools opting to implement CEP must still conduct electronic Direct Certification at least once annually prior to reporting for the FNS-834 - Direct Certification Rate Data Element Report, but may want to 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.).

### **Collection of Income Information from Families for Other Federal, State and Local Funding/Reporting**

In addition to electronic DCMP with SNAP and Medicaid, you may also collect income information from families you did not directly certify, as this data is used as a proxy for poverty for many purposes in New York State. However, LEAs cannot distribute the application for free and reduced priced meals, since all the meals will be served at no charge. A Family Income Inquiry form that looks very similar to the Free and Reduced Price application will be provided for your use once your CEP application is approved. Please note that DCMP efforts may be charged to the Child Nutrition Programs as the DCMP is required in all years of CEP participation for reporting on the FNS-834 Direct Certification Rate Data Element Report, but the collection and certification of the Family Income Inquiry form is not a chargeable activity as the data collected from these forms is not being used for Child Nutrition Program purposes. Certification activities other than the DCMP must be supported/funded by the General Fund or other alternative funding.

Please note that the Family Income Inquiry Form cannot be used to provide free or reduced price meals to students, should the students move from a participating building within your LEA to a non-participating CEP building, or to another LEA that is not participating in CEP. Should a student move within or outside of your LEA to a non-participating building, they must either be directly certified or provide a Free and Reduced Price Eligibility Application that includes all of the appropriate confidentiality and non-discrimination statements before program benefits can be provided.

### **Grace Year**

LEAs and schools in year four of their CEP cycle with an ISP of at least 30 percent are permitted to continue to use the CEP for an additional fifth year, called the grace year. The grace year eligibility must be based on the ISP as of April 1 enrollment of year four. The reimbursements provided in the grace year will be generated by the year four April 1 ISP. The grace year is optional and is a local decision.

LEAs/group(s) of schools/individual schools that have a year four April 1 ISP greater than the ISP from year one may begin a new four-year CEP cycle in the following school year.

### **Provision 2**

Eligible Provision 2 schools intending to elect CEP for the 2015-16 school year must be able to establish an eligible current ISP based on April 1, 2015 enrollment. Eligible Provision 2 schools may elect the CEP during base or non-base years, as long as a current eligible (April 1) ISP is available.

### **Option to End Participation in CEP**

LEAs/group(s) of schools/individual schools may elect to stop the CEP for the next year by notifying the NYSED Child Nutrition office no later than June 30 of the current school year. Although it is an option to end participation in CEP at any time during the school year, it is not recommended as adequate communication with families and collection of certifying eligibility data must occur prior to moving to standard counting and claiming procedures.

### **Application Submissions**

Applications for the 2015-16 school year must be postmarked by **August 31, 2015**. Please submit your information as soon as possible. Only complete applications will be considered, so ensure you have addressed all attachments prior to submission.

Since the CEP requires significant changes to the counting and claiming process and continues to require the LEA to collect eligibility information for other federal, State and local reporting purposes, a signed CEP Affirmation from the Superintendent or Chief Executive Officer agreeing to the terms must accompany the application.

Please understand that if you choose to participate in CEP for the 2015-16 school year, that in addition to conducting the mandatory direct certification match using the 2014-15 direct certification data as of April 1, 2015 required for the establishment of the ISP, that you will also be required to conduct at least one direct certification data match in the 2015-16 school year and to report the number of SNAP matched eligibles to the NYS Education Department by November 1, 2015 for federal reporting purposes on the FNS 834 Direct Certification Rate Data Element Report. Failure to conduct and report this match may result in Child Nutrition funding being withheld.

The CEP application and supporting documentation can be emailed to [childnutceo@nysed.gov](mailto:childnutceo@nysed.gov). Please see CEP application instructions for further details. If you have any questions regarding this memo, please contact your Child Nutrition Representative at 518-473-8781.

**Attachments:**

[CEP Application Instructions](#)

[CEP Application Form](#)

[CEP Affirmation](#)

[CEP Reimbursement Estimator](#)

[CEP Q and A](#)

[CEP SFA Report](#)

[CEP RA Report](#)

[Updated E-Rate Guidance for Schools Electing Community Eligibility Provision](#)

[USDOE CEP/Title 1 Guidance –Updated March 2015](#)