




COLORADO DEPARTMENT OF EDUCATION

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TO: School Business Officials and Pupil Count Coordinators

FROM: Jennifer Okes, Public School Finance Director 

DATE: April 25, 2014

SUBJECT: Documentation requirements related to at-risk funding and child nutrition programs

At-risk students include those with limited English proficiency and those eligible for free lunch pursuant to the National School Lunch Act. Pursuant to state statute (Section 22-54-112(4), C.R.S.) and state board rule (1 CCR 301.39 2254-R-6.00), districts are required to report and document the number of at-risk students enrolled as of the pupil enrollment count date.

Documentation of eligibility for free and reduced price meals is traditionally determined with the *Application for Free and Reduced Price Meals*; direct certification; district migrant, homeless, runaway or foster lists; and Head Start or Even Start documented participation. Additionally, the *Family Economic Data Survey* form has been used to evidence eligibility for free lunch for those districts or schools not participating in the federal child nutrition programs.

The federal Special Assistance Certification and Reimbursement Alternative (7 CFR 245.9) provides various provisions to reduce administrative burdens for the federal child nutrition programs, including the Community Eligibility Provision (CEP) and Provision 2.

CEP is a new statutory alternative under the Healthy, Hunger-Free Kids Act of 2010 which eliminates the administrative burden of collecting the federal *Application for Free and Reduced Price Meals* and simplifies the counting and claiming procedures for reimbursement. Similarly, the Provision 2 alternative reduces the application burden of collecting these applications to every 4 years and simplifies the reimbursement process.

The U.S. Department of Agriculture (USDA) has issued policy prohibiting the use of the *Application for Free and Reduced Price Meals* for any other programs in districts or schools that do not participate in the federal child nutrition programs. Further, the *Application for Free and Reduced Price Meals* cannot be distributed to districts or schools that implement CEP or in non-base years for Provision 2. Any district that requires student level socio-economic data not related to the child nutrition programs must obtain this data through other data collection methods.



State statute (Section 22-54-112(4), C.R.S.) requires every school to include the federal *Application for Free and Reduced Price Meals* or the state *Family Economic Data Survey* form in its registration materials. The materials shall include an explanation that these documents will be used to determine whether the school is eligible for at-risk funding on behalf of the pupil and, by filling out the form, the parent is ensuring the district or school will receive the at-risk funding to which it is entitled.

While the state *Family Economic Data Survey* form has historically been used only by districts or schools not participating in the federal child nutrition programs, it can now be used as an alternate data collection instrument in districts or schools that are operating under a federal Special Assistance Certification and Reimbursement Alternative (CEP or Provision 2). The appropriate use for each form is outlined below.

For districts or schools not participating in the child nutrition programs, the state *Family Economic Data Survey* form; direct certification; district migrant, homeless, runaway or foster lists; and Head Start or Even Start documented participation can be used to document eligibility for at-risk funding.

For districts or schools operating under Provision 2, the federal *Application for Free and Reduced Price Meals* will be collected every four years. Consistent with state board rule 1 CCR 301-39 2254-R-6.03(3), these base-year *Applications* coupled with evidence that the students remain included in the district's pupil enrollment can be used to document eligibility for at-risk funding. Participating districts or schools can use the *Family Economic Data Survey* form; direct certification; district migrant, homeless, runaway or foster lists; and Head Start or Even Start documented participation to evidence eligibility for at-risk funding for new students enrolling in the districts following the Provision 2 base year count.

For districts or schools operating under CEP, the federal *Application for Free and Reduced Price Meals* is eliminated for purposes of child nutrition program eligibility and meal reimbursements. Participating districts or schools can use the *Family Economic Data Survey* form; direct certification; district migrant, homeless, runaway or foster lists; and Head Start or Even Start documented participation to evidence eligibility for at-risk funding.

The district's food service fund cannot be used for any processing or maintenance of documentation not associated with eligibility for the child nutrition programs as it is an unallowable cost. This includes collection, processing, and maintenance of the *Family Economic Data Survey* forms. Other district resources must be used. If the district wishes to have food service personnel process the surveys, the food service fund must be reimbursed for the cost of this processing.

Districts are responsible to ensure that the data collection complies with all applicable state and federal confidentiality rules.

Questions regarding the documentation to evidence at-risk eligibility for School Finance purposes and CDE audits should be directed to Scott Abbey at (303) 866-6153 or abbey_s@cde.state.co.us. Questions regarding the Community Eligibility Provision (CEP) or Provision 2 should be directed to Julie Griffith at (303) 866-6759 or griffith_j@cde.state.co.us.