



COLORADO
Department of Education

School Nutrition Unit

SY 2019 – 2020
Community Eligibility Provision
(CEP) Program Packet

COMMUNITY ELIGIBILITY PROVISION (CEP) PROGRAM PACKET

SY 2019 - 2020

PLEASE READ CAREFULLY!

Colorado Department of Education, School Nutrition Unit
1580 Logan Street, Suite 760
Denver, CO 80203

TABLE OF CONTENTS

Packet Contents

- I. Request Form
- II. General Guidance
- III. Policy Statement
- IV. Assurance Form
- V. Sample Letter to Households
- VI. Sample Public Release
- VII. At-Risk Count Acknowledgment Form

COMMUNITY ELIGIBILITY PROVISION REQUEST FORM

With Community Eligibility Provision (CEP) being a four year cycle, the Colorado Department of Education, School Nutrition Unit, would like to know if schools currently participating in CEP wish to continue participating in CEP as determined in the base year or make changes to participation.

Select from the following for the school year 2019-2020.

- Continue participation in CEP in accordance with the current CEP Agreement, without change to the Identified Student Percentage (ISP).
- Request an increase to the ISP using April 1, 2019 data. **Please refer to data validation instructions.*
- There has been a significant change to the student population used to determine the current ISP, such as change in attendance area, which will require a recalculation of the ISP. **Please refer to data validation instructions.*
- Four year CEP cycle concluded with the 2018-2019 school year. Begin new CEP cycle using ISP calculated from 2018-2019 data. **Please refer to data validation instructions.*

COMMUNITY ELIGIBILITY PROVISION GENERAL GUIDANCE

The Healthy, Hunger-Free Kids Act of 2010 established the Community Eligibility Program (CEP) to improve access to free school meals in eligible high poverty Local Educational Agencies (LEAs) and schools.

LEAs and schools participating in the Community Eligibility Provision (CEP) must serve National School Lunch Program (NSLP) and/or School Breakfast Program (SBP) breakfasts and lunches to all participating children at no charge for up to four consecutive years. Instead of applications, schools use claiming percentages based on the number of identified students for reimbursement in the school. LEAs or schools must have an Identified Student Percentage (ISP) of at least 40% to participate in the CEP. Identified students are those students certified for free meals without an application. This includes students certified with direct certification, extended eligibility with direct certification, homeless lists, migrant lists, foster lists, runaway lists and Head Start lists.

The LEA must have written approval from the Colorado Department of Education (CDE) School Nutrition Unit prior to beginning the CEP. LEAs must provide the state agency with data showing how the ISP was derived for each school that wishes to implement the CEP. Schools must be prepared to pay the difference between federal reimbursement and the cost of providing all meals at no charge, from sources other than federal funds, such as the general fund.

The LEA must comply with the following:

- Notify the CDE School Nutrition Unit as to which school or group of schools is implementing the CEP by June 28, 2019, in order to begin the CEP in the school year beginning July 1
- Notify the public as to the availability of breakfast and lunch meals at no charge
- Eliminate distribution of free and reduced price applications to households*
- Accurately determine ISP data as of April 1st of the previous year and calculate free and paid claiming percentages based on this data
- Count reimbursable meals at the point of service (or approved alternate) and claim those meals according to the free and paid claiming percentages
- Retain all records for the entire period that the school operates under CEP plus 5 years, or longer if there are audit findings and until resolution of the findings

The LEA must inform the CDE School Nutrition Unit of the intent to implement the CEP via the CEP Request Form.

*See at-risk acknowledgement form

If the LEA elects to not operate under the CEP in every school within the LEA in the initial start-up year, the LEA will need to follow the same guidelines in additional years as schools are added to the program.

Schools participating in the CEP would be allowed to continue the CEP for a grace year (one year outside of the 4-year cycle) if the ISP falls within 30-40% as of April 1 in Year 4 of the 4-year cycle. Those that do not meet this threshold would be required to return to regular program administration, including collecting household applications in the following school year.

The first step in the process is for the LEA to submit that **CEP Request Form**. If CEP data from the previous year is being used, be sure to indicate that. Once this is submitted to CDE School Nutrition Unit, this packet will be sent out.

Included with this packet is the **Policy Statement for Free and Reduced Price Meals Community Eligibility Provision Addendum**, the **Assurance Agreement**, the **Public Release prototype** to notify the public, a **Household Notification Letter prototype** to send to households and the **At-Risk Count Acknowledgement Form**. A copy of the Public Release and a Letter to Households specific to your LEA must be submitted to CDE, along with the signed Assurance Agreement and Policy Statement Addendum.

Please complete all required documentation and submit them to CDE School Nutrition Unit by **Friday, June 28, 2019**.

Contact Benjamin Wetherbee in the School Nutrition Unit if you have any questions at (303) 866-6529 or wetherbee_b@cde.state.co.us

SY2019—20 POLICY STATEMENT FOR FREE AND REDUCED PRICE MEALS – CEP ADDENDUM

The _____ School District agrees to participate in the National School Lunch Program and School Breakfast Program and accepts responsibility for schools under its jurisdiction that agree to provide all children meals at no charge while following requirements for operating the Community Eligibility Provision (CEP) set forth in 7 CFR 245.

The Local Education Agency (LEA) assures the Colorado Department of Education (CDE) School Nutrition Unit that the LEA has reviewed the federal regulation *National School Lunch Program and School Breakfast Program: Eliminating Applications through Community Eligibility as required by the Healthy, Hunger-Free Kids Act of 2010* and will uniformly implement the following policy in fulfilling its responsibilities. The LEA certifies that each of the schools listed meets the requirements for participation in CEP, as set forth in 7 CFR 245.9.

Requirements:

LEAs and/or schools must meet a minimum level (40%) of identified students for free meals in the year prior to implementing the CEP.

Eliminate the distribution and collection of free and reduced price school meal applications from households in participating schools.

Offer reimbursable breakfast and lunches at no charge to all students regardless of the children's eligibility status.

Notify the public of the availability of school meals at no charge.

The Identified Student Percentage (ISP) is calculated and multiplied by a factor of 1.6 to arrive at the free claiming percentage. The difference between the free claiming percentage and 100% results in the paid claiming percentage.

Claiming percentages established for a school in the first year may be used for a period of 4 school years and may be increased each year if the percentages increase.

Retain all records for the entire period that the school operates under CEP, plus five years or longer for the CDE fiscal audit and until resolution of the findings.

Although the LEA is not required to conduct verification efforts for those schools participating in the CEP, the VCR Report must be completed as instructed.

The LEA will provide the CDE School Nutrition Unit with documentation that shows how the ISP was calculated for each school that chooses to participate in the CEP.

If the reimbursement received by the LEA is not sufficient to cover total nonprofit school food service program costs, **non-federal funds must be used to pay the difference.**

The opening of a new school or any change to the grade structure of an existing school could cause the school district to be required to reestablish ISP data. **Notification of any change to district structure must be made in writing to CDE OSN before the start of the school year.**

Recordkeeping:

The school district shall retain specified base year records for the entire period that the school operates under CEP plus five years, or longer if there are audit findings and until resolution of the findings, as per 7 CFR 210.15(b), 220.7(e), 245.9(g) and 1 CCR 2254-R-8.00.

Required records include:

- Direct Certification data
- Categorically eligible student data lists
- Changes in eligibility status
- Daily meal counts
- Calculation of free and paid claiming percentages
- The socioeconomic data used for at-risk funding
- Any extension authorized by CDE School Nutrition Unit
- Claims for reimbursement
- Total daily meal counts of reimbursable meals
- Daily edit check and on-site review documentation

Renewal or Extension:

At the end of the 4-year cycle, CDE will contact the LEA, and schools may opt to revert to standard meal counting and claiming procedures or begin another 4-year cycle. Regardless of the option chosen, the LEA must inform CDE in writing of the planned activity at the end of the CEP cycle and no later than **June 28, 2019.**

CEP Request Form: Submit to the CDE School Nutrition Unit the CEP Request Form indicating which schools will participate in CEP. This form has the option of participating by individual school sites, a group of schools or the entire school district. This form must be submitted no later than **June 28, 2019.**

Revisions to Policies - Submit to the CDE School Nutrition Unit any revisions to the administrative procedures outlined above **before** implementation. Such changes will be effective only upon approval. All changes in eligibility criteria must be publicly announced in the same manner as announced at the beginning of the school year.

School Food Authority Signature

Date

CDE School Nutrition Unit Director Signature

Date

**SY 2019-20 ASSURANCE REGARDING IMPLEMENTATION OF THE
COMMUNITY ELIGIBILITY PROVISION**

<p>Sponsor Name</p> <p>_____</p>	<p>Sponsor Number</p> <p>____/____/____/____</p>
---	---

National School Lunch Program and School Breakfast Program: Eliminating Applications through Community Eligibility as required by the Healthy, Hunger-Free Kids Act of 2010 amends the eligibility regulations for free and reduced price meals under the National School Lunch Program (NSLP) and School Breakfast Program (SBP) to codify the statutory provision that establishes the Community Eligibility Provision. This provision is a reimbursement option for eligible local educational agencies (LEAs) and schools that wish to offer free school meals to all children in high poverty schools without collecting household applications.

The LEA may implement this provision by district, group of schools, or for an individual school. If the LEA chooses to implement this provision, the schools selected must serve free lunches and breakfasts to all students and cover with non-federal funds any costs of providing free meals to all students that exceed the federal reimbursement. Claiming percentages derived from the identified student percentage (ISP) would be used to claim free and paid student meals.

The food service director (#1), free and reduced determining official (#2), and claim preparer (#3) employed by the above named district/agency are choosing to implement this provision and agree to comply with the following procedures (each staff person, please initial each statement):

1. ____ ____ ____ I have read and understand the above information related to the CEP.
2. ____ ____ ____ In choosing to implement this provision, I understand it must be implemented for both breakfast and lunch meal service.
3. ____ ____ ____ The LEA agrees to submit accurate ISP data as of April 1st of the prior school year, to the state agency, by April 15th of that same year.
4. ____ ____ ____ All affected households will receive prior notification that the LEA is operating CEP.
5. ____ ____ ____ The LEA agrees to serve all children in the participating schools(s) free breakfasts and free lunches for four successive school years.

6. ____ ____ ____ The LEA must have a percentage of identified students as of April 1st of the prior year that is greater than or equal to 40%.
7. ____ ____ ____ The LEA agrees to pay with funds from non-federal sources the difference between the cost of serving lunches and breakfasts at no charge to all participating children and federal reimbursement.
8. ____ ____ ____ Claiming percentages submitted to the state agency would be based on free and paid claiming percentages derived from the identified student percentages and a multiplier factor.
9. ____ ____ ____ The calculated claiming percentages used in Year 1 would be valid for the 4-year CEP cycle unless a new ISP is recalculated in years 2, 3, and 4 and reported to the state agency.
10. ____ ____ ____ The LEA will update its policy statement to reflect participation in the CEP.
11. ____ ____ ____ The Verification sample will not include any applications from any school participating in the CEP.
12. ____ ____ ____ The LEA will not distribute applications, and districts must complete the Family Economic Data Survey with resources outside of the school food service authority.
13. ____ ____ ____ Direct certification for all students will be completed once per year, each October.

By signing below I agree that the above requirements are being followed, and I confirm that the LEA listed above will be implementing this provision.

	Food Service Director	Determining Official (If same as the Food Service Director, enter "same.")	Claim Preparer (If same as the Food Service Director or Determining Official, enter "same.")
Print Name:			
Signature:			
Date:			
CDE Internal Use Only			
CDE Staff Print	CEP Program Consultant	Free and Reduced Program Consultant	School Nutrition Unit Director
Name:			
Signature:			
Date Approved:			

[Insert School District Letterhead]

**LETTER TO HOUSEHOLDS
SY 2019-2020**

Community Eligibility Provision

Dear Parent/Guardian:

[Name of School] is participating in a Universal Lunch and School Breakfast Program for the current school year **[School Year]**. If your children attend **[Name of School]**, breakfast and lunch will be available to them at no charge. All students enrolled at this school may participate in the breakfast and lunch program at no charge to them.

Studies have shown that children who are not hungry perform better in school. By providing lunch to all children at no charge, we are hoping to create a better learning environment for our students.

The school breakfasts and lunches that we serve follow U.S. Department of Agriculture guidelines for healthy school meals. The School Breakfast and Lunch Programs cannot succeed without your support; please encourage your children to participate in the school meal programs.

Meals will be served to all students at no charge regardless of the eligibility status.

If you have any questions about the program please feel free to contact us at **[phone #]**.

Sincerely,
[Name and Title]

Non-discrimination Statement:

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at:

http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:(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. This institution is an equal opportunity provider.

[Insert School District Letterhead]

PUBLIC RELEASE

SY 2019-2020

Community Eligibility Provision

(Name of School/Schools) is participating in a Universal Breakfast and Lunch Program for the current school year **(School Year)**. If your children attend any of the schools listed, breakfast/lunch will be available to them at no charge. All students enrolled at this school may participate in the breakfast/lunch program at no charge to them.

Studies have shown that children who are not hungry perform better in school. By providing breakfast/lunch to all children at no charge, we are hoping to create a better learning environment for our students.

The school breakfast and lunch that we serve follows U.S. Department of Agriculture guidelines for healthy school meals. The Universal Meals Program cannot succeed without your support; please encourage your children to participate in school meal programs.

All meals will be served to all students at no charge regardless of the eligibility status.

Non-discrimination Statement:

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at:

http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:(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. This institution is an equal opportunity provider.

At-Risk Count Acknowledgment Form
For
Community Eligibility Provision (CEP) Districts and Schools
SY 2019-2020

At Risk Count Overview

Each year all public school districts across the state of Colorado participate in the Student October Count data submission to the Colorado Department of Education (CDE). The purpose of this data collection is to obtain required student level data as provided for by state statute and board rule, including information regarding students' eligibility for at-risk funding as outlined in the Public School Finance Act of 1994 ([Section 22-54-103](#) (1.5), C.R.S.) and the Rules for the Administration of the Public School Finance Act of 1994 ([1 CCR 301-39-R-6.00](#)). The Colorado Department of Education collects this data through the Data Pipeline with the Data Services Unit of CDE overseeing the collection.

For every student included in the district's Student October Count data submission, the district must report the student's free and reduced lunch eligibility status as of the pupil enrollment count date (usually 10/1). While several factors come into play when determining a district's at-risk funding, the most significant factor is the total number of students reported as free lunch eligible.

In an effort to ensure accurate reporting of those data fields associated with at-risk funding, the Field Analyst Support Team (FAST) of the Division of School Finance and Operations for the Colorado Department of Education conducts periodic compliance audits of each district's Student October Count data. During each at-risk count audit, a random sample of reported free lunch eligible students is selected for eligibility confirmation.

At-Risk Count- Acceptable Audit Documentation (General)

For purposes of the at-risk audit, districts must be prepared to provide documentation to support any funded student's free lunch eligibility status as reported in the Student October Count data submission. Documentation submitted to the Field Analyst Support Team during the at-risk count audit will be evaluated based on criteria outlined in the United States Department of Agriculture (USDA) Eligibility Manual for School Meals (Determining and Verifying Eligibility), and must be dated on or before the pupil enrollment count date (usually 10/1) of the current school year, unless the use of carryover documentation is allowable and appropriate.

Acceptable documentation to support a student's free lunch eligibility includes:

- Direct Certification Lists
- Application for Free and Reduced Price School Meals
- Family Economic Data Survey (FEDS)
- Categorical Eligibility Determinations (such as district migrant, homeless, runaway and /or foster child lists)

Absent current year documentation, a district may submit the student's prior year eligibility documentation to evidence free lunch eligibility if the pupil enrollment count day or alternative count day falls within the first 30 school days of the current year. Carryover of previous year's eligibility applies to direct certification, categorical eligibility determinations, income applications, newly enrolled children from households with children who were approved for benefits in the Local Education Agency (LEA) the previous year and previously approved children who transfer from one school to another under the jurisdiction of the same LEA. Carryover is for up to the 30th school day into the current year or until a new eligibility determination is made, either approved or denied. *The new eligibility determination supersedes the carryover eligibility.*

For the at-risk count audit, districts must retain all required documentation until audited by CDE or until five years from the certification due date (Nov. 10), whichever comes first. *Special provision school/districts (including CEP and Provision 2) must retain base year direct certification data and applications for up to 8 years in order to ensure documentation for those students identified as free lunch eligible during the base year of that program.*

Community Eligibility Provision (CEP) Schools and Districts

The goal of the Community Eligibility Program (CEP) is to improve access to free school meals in eligible high poverty LEAs and schools, and to eliminate the administrative burden of collecting household applications. Participation eligibility in CEP is determined based a minimum threshold being met as of April 1st of the preceding school year of students being identified as free lunch eligible with direct certification, homeless lists, migrant lists, foster lists, runaway lists and Head Start lists. Once an identified eligible district or school elects to participate in CEP, they no longer have to collect documentation (including applications for free and reduced price school meals) in order for all of their students to eat for free during the remainder of the 4-year cycle.

At-Risk Count- Acceptable Audit Documentation (Community Eligibility Provision- CEP)

While the administrative burden of collecting household applications is eliminated for the National School Lunch and School Breakfast Programs, this burden is reduced but not eliminated for at-risk funding purposes. During the base year prior to the pupil enrollment count date (usually 7/1 – 10/1), the CEP district or school must collect documentation evidencing free lunch eligibility for its students in order to report them as such in the Student October Count data submission. Allowable documentation to support free lunch eligibility for students attending a participating CEP district or school is the same as all other non-CEP schools, however keep in mind that per CEP guidelines Applications for Free and Reduced Price School Meals cannot be disseminated to households of CEP school students.

In order to align with the goal for CEP (to reduce/eliminate the administrative burden of collecting household applications/documentation), the following is true for students reported at participating CEP districts and schools in the Student October Count data submission ***ONLY: If a student is reported at a participating CEP district or school in the Student October Count data submission, the district can report the student as free lunch eligible if it has documentation for the student evidencing free lunch eligibility at any time between, and including, the base year through the pupil enrollment count date of the current Student October Count data submission (usually 7/1 of the base year through 10/1 of the current school year) not to exceed the 4-year cycle.***

Things to Consider:

- If a CEP district or school decides to reset their base year, then all new base year documentation must be re-collected.
- In the event documentation is not collected evidencing free lunch eligibility prior to the pupil enrollment count date of the base year (for any student reported at a CEP district or school), the district should continue to monitor these students to determine if they may be eligible to be reported as free lunch eligible in subsequent Student October Count data submissions during the 4-year cycle.
 - If students transfer into a CEP school after the base year Student October Count data submission, the district will need to have documentation evidencing free lunch eligibility in order to submit the student as such in subsequent Student October Count data submissions.
- Districts with CEP schools should ensure that they have a process in place for tracking lunch eligibility status for students reported at CEP schools in the Student October Count data submission as this status may not always reflect the student's actual eligibility status for the National School Lunch and School Breakfast Programs.
- Districts cannot use funds received from the National School Lunch and School Breakfast Programs to process Family Economic Data Survey forms.
- District Nutrition Service staff should coordinate with the District Pupil Count / Student October Count coordinator to ensure accurate reporting and collection of required audit documentation.

We acknowledge the reporting criteria and audit documentation requirements for students attending a participating CEP district or school and reported as free lunch eligible in our District's 2019 Student October Count data submission. Further we understand that inaccurate reporting or insufficient documentation evidencing free lunch eligibility for these students may impact our district's at-risk funding for the 2019-2020 school year.

Food Service Director (signature)

Print

Date

District Pupil Count Coordinator (signature)

Print

Date