

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 30, 2021**, 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 1 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 a written request to CDE School Nutrition to implement CEP, via the CEP Request Form. Once this is submitted to CDE School Nutrition Unit, the application process will begin with the completion of necessary documentation and validation of the data reported.

Documentation you will be asked to complete is:

- ***Policy Statement for Free and Reduced-Price Meals Community Eligibility Provision Addendum***
- ***Assurance Agreement***
- ***Sample Public Release prototype***
- ***Sample Household Notification Letter prototype***
- ***At-Risk Count Acknowledgement Form.***

Contact Benjamin Wetherbee in the School Nutrition Unit if you have any questions at (720) 607-3434 or wetherbee_b@cde.state.co.us