



Office of Superintendent of Public Instruction  
Chris Reykdal, State Superintendent

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for post-secondary pathways,  
careers, & civic engagement.*

REPORT TO THE LEGISLATURE

# Schools Implementing the Community Eligibility Provision

2018

Authorizing legislation: [RCW 28A.235.290](#)

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## **Executive Summary**

In 2018, the Legislature passed House Bill (HB) 2610, known as the Hunger-Free Students' Bill of Rights Act. House bill 2610 (2018) directs the Office of Superintendent of Public Instruction (OSPI) to develop and implement a plan to increase the number of schools participating in the United States Department of Agriculture's (USDA) Community Eligibility Program (CEP), beginning with the 2018–19 school year. Annually, OSPI must report to the legislature on the number of schools participating in CEP. The report must identify barriers to participation and make recommendations to increase participation.

The Community Eligibility Program is a non-pricing meal service option for schools to serve meals at no cost to all enrolled students on a school campus. This program became available to Washington school districts in school year 2014–15. Since implementation, district participation has dramatically increased from 25 districts with 77 schools to 74 districts with 274 schools participating in 2018–19. Not only have new school districts started implementing the program, participating school districts have also expanded their program to additional campuses.

# Introduction

The Child Nutrition Services department of the Office of Superintendent of Public Instruction (OSPI) administers the United States Department of Agriculture (USDA) Community Eligibility Program (CEP). The CEP is a non-pricing meal service option for schools and school districts in low-income areas. The program allows participating schools to serve breakfast and lunch at no cost to all enrolled students without collecting household applications. Schools that adopt CEP are reimbursed using a formula based on the percentage of students categorically eligible for free meals based on their participation in other specific means-tested programs such as the Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF).

Benefits of CEP include:

- All students can receive a healthy breakfast and lunch at no cost.
- No meal charges to households.
- No public identification of students without money to pay for meals.
- Potential increase in federal reimbursement if participation rates increase.
- Greater possibility that federal reimbursement covers program costs.

The program runs on four-year cycles. The first four-year cycle ended on June 30, 2018. School districts are required to renew at the end of the four-year cycle in order to continue participation. All but one of the districts in the first four-year cycle have been approved for a new four-year cycle at the time of this report.

## CEP Participation

	2014–15	2015–16	2016–17	2017–18	2018–19
Number of CEP Districts	25	46	52	66	74
Number of CEP Schools	77	163	192	232	274

\*Source: OSPI Child Nutrition Services

## Barriers to Implementation

### Collection of poverty data

One of the most significant barriers to participation involves the relationship of state funding generated by the poverty data traditionally collected using free- and reduced-price meal applications. Schools participating in CEP are not allowed to distribute or collect free- and reduced-price meal applications. However, several state funding programs are based on family

incomes of students in the district and on specific campuses. As a result, school districts must use an alternate method, the Family Income Survey, to collect these data. School districts participating in CEP must develop new processes to distribute, collect, and process the Family Income Survey. These processes are imperative to establishing accurate poverty levels to ensure consistent and appropriate funding levels. When unsuccessful, funding for important programs is compromised.

## **Financial impact on school districts**

Participation in CEP could result in reduced funding for state education programs necessary for student success. The program allows participating schools to serve breakfast and lunch at no cost to all enrolled students without collecting household applications. Household applications are used to determine which students qualify for Free and Reduced Price Lunch (FRPL). However, there are other state programs that require student poverty data including: Learning Assistance Program (LAP); additional LAP funding for high-poverty schools; and the bonus for National Board Certified Teachers who teach at challenging schools. It is important for school districts to weigh the benefits of participation with the financial impacts on their district's budget.

In addition to considering the impact of CEP on state funding, school districts should also review how CEP participating could affect their revenues and expenditures in their food service operations. Schools participating in CEP typically experience an increase in participation, resulting in increased expenditures for labor and food costs. Schools are eligible to participate in CEP with an Identified Student Percentage (ISP) of 40 percent or more. An ISP rate of 62.5 percent will result in 100 percent of meals claimed to be reimbursed at the federal free reimbursement rate. This typically results in an increase in revenues. An ISP rate of 40 percent will result in only 64 percent of meals claimed to be reimbursed at the federal free rate. This lower ISP rate can lead to a loss in revenue if the number of meals claimed through CEP does not increase enough to replace funds previously collected for paid students' meals. USDA requires non-federal funds be used to cover operating losses. As a result, school districts must use state or local funds to make up for potential operating losses caused by their participation in CEP.

## **Recommendations to Overcome Barriers**

### **Collection of poverty data**

The United States Department of Education provides guidance on determining poverty levels for schools participating in CEP in connection with programs operated under Title 1. This guidance allows the use of the ISP times the 1.6 multiplier to determine a schools' poverty level. The 1.6 multiplier provides an estimate of the percentage of students eligible for free and reduced price meals in CEP schools comparable to the poverty percent obtained in non-

CEP schools. This method does not require the collection of income information from households. Further discussion and exploration is needed to understand how this method could be utilized to determine state funding based on poverty levels.

Some states have other methods to determine funding for state education programs including determining poverty levels without collecting income information from families, therefore eliminating the barrier of potentially affecting state funding due to loss of information from collection of income information.

## **Conclusion and Next Steps**

Child Nutrition Services continues to promote CEP and assist schools in exploring whether CEP is a viable option for their schools, including:

- Collaborating with advocacy groups, schools, and state agencies to develop and implement a plan to increase CEP participation by:
  - Identifying and encouraging eligible schools to implement CEP.
  - Providing outreach and technical assistance to schools implementing CEP.
  - Promoting CEP to schools implementing Breakfast After the Bell service models.
- Developing resources for school districts to evaluate financial outcomes of CEP implementation.
- Coordinating with and training advocates to understand the financial impact of CEP.
- Interviewing participating CEP schools and using information to develop best practices in CEP implementation.
- Collaborating with advocates to promote CEP.

# References

- [OSPI Child Nutrition Services Community Eligibility webpage](#)
- [USDA Community Eligibility Provision Resource Center](#)

# APPENDICES

## Appendix A:

### CEP Eligible LEAs and Schools Report SY 2018-19

As required by United States Department of Agriculture's (USDA), this report is compiled annually and posted to the [CNS Reports webpage](#).

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