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SUBJECT: Community Eligibility Provision: Annual Notification and Publication Requirements

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

This memorandum details guidance on the annual Community Eligibility Provision (CEP) notification and publication requirements, and provides information on the Department of Agriculture (USDA)-developed reporting template.

To promote awareness of CEP eligibility and assist with outreach and implementation efforts, State agencies are required to annually notify local educational agencies (LEAs) of districtwide eligibility for CEP. Similarly, LEAs must annually submit school-level eligibility data to the State agency. By May 1st of each year, State agencies must publish lists of eligible and near-eligible LEAs and schools on their State agency websites, as well as submit these lists to the Food and Nutrition Service (FNS) for publication on FNS' CEP website. The remainder of this memorandum provides detailed information to assist State agencies with fulfilling the CEP notification and publication requirements.

April 15th Notification and Data Collection:

There are two levels of data required to complete the notification process: (1) district-level eligibility data provided to LEAs by State agencies; and (2) school-level eligibility data provided to State agencies by LEAs. Data used to prepare the notification lists must be from the current school year, but does not necessarily need to reflect April 1st. FNS encourages State agencies and LEAs to use existing identified student and enrollment data to fulfill notification and publication requirements. LEAs interested in electing CEP for some or all schools must submit updated identified student and enrollment data reflecting April 1st to determine eligibility and participate in CEP.

LEA Level Data:

No later than April 15th, State agencies notify LEAs of their districtwide eligibility for CEP and provide guidance in the following categories:

- LEAs with a districtwide identified student percentage of at least 40%;
- LEAs with a districtwide identified student percentage greater than or equal to 30% but less than 40%;

- LEAs currently participating in CEP; and
- LEAs in the 4th year of CEP participation with a districtwide identified student percentage greater than or equal to 30% but less than 40% (eligible for grace year).

State agencies may obtain the number of identified students to determine the districtwide CEP eligibility status from the Verification Collection Report (FNS-742). The sum of the data elements in Section 3 provides the number of identified students and Section 1 provides enrollment information for State agencies to calculate the districtwide identified student percentage.

School Level Data:

No later than April 15th, LEAs submit to their State agency a list of schools in the following categories:

- Schools with an identified student percentage of at least 40%;
- Schools with an identified student percentage greater than or equal to 30% but less than 40%;
- Schools currently participating in CEP;
- Schools in the 4th year of CEP participation with an identified student percentage greater than or equal to 30% but less than 40%

State agencies with access to school-level data may exempt LEAs from school-level notification requirements. The percentage of enrolled students directly certified with the Supplemental Nutrition Assistance Program (SNAP) may be used as a proxy for the school-level identified student percentage. This proxy data may only be used for notification purposes. If proxy data is used, the notification must include a note that the data provided is a proxy for actual eligibility and interested LEAs will be expected to provide full school level identified student data as of April 1st to participate in CEP.

May 1st District and School-level Publication:

No later than May 1st, State agencies must post the lists of LEAs and schools in the above categories to their public website and provide FNS with a single link to these lists. State agencies should email the link to their notification lists to FNS at cepnotification@fns.usda.gov.

Regional Directors

State Directors

Page 3

When completing the notification lists, FNS strongly encourages State agencies to adopt the USDA-developed reporting template, which is attached to this memorandum and intended to help States streamline notification and publication activities. This template is similar to the USDA-developed template that most States used to complete last year's notification and publication process, though new reporting fields have been added to capture school- and district-level enrollment data.

State agencies are reminded to distribute this memorandum and attachment to program operators immediately. LEAs and other program operators should direct any questions concerning this guidance to their State agency. State agencies with questions should contact the appropriate FNS Regional Office. Thank you for your continued support of the Community Eligibility Provision. We look forward to working with you in partnership as we strive to reach our common goal to increase our Nation's school children's access to healthy school meals.

Original Signed

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Child Nutrition Programs

Attachment